

Meeting Minutes
Hightstown Borough Council
Regular Meeting
October 1, 2012
6:00 pm

The meeting was called to order by Mayor Kirson at 6:04 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; and Frederick Raffetto, Borough Attorney.

Resolution 2012-232 Authorizing a Meeting Which Excludes the Public

Council President Quattrone moved resolution 2012-232, Councilmember Bibens seconded.

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

Resolution adopted, 6-0

Resolution 2012-232

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 October 1, 2012 at approximately 6:00 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:

Contract Negotiations – Lucas Lease & Shared Services

Personnel – Police & Fire Official

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: January 1, 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.

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The public meeting was called to order by Mayor Kirson at 7:32 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call.

James LeTellier, Police Director joined the meeting at this time.

Council President Quattrone moved the agenda for approval, Councilmember Bibens seconded.

Councilmember Thibault moved to amend the agenda to include discussion items Budget 2013 and Water/Sewer Committee following Engineer Items and before public comment period I, Councilmember Bibens seconded.

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

Agenda Amended, 6-0.

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

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

Agenda approved as amended.

Councilmember Woods moved the executive session minutes of August 8, 2012, striking the second sentence in the first paragraph, Councilmember Doran seconded.

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

Minutes approved as amended.

Council President Quattrone moved the executive session minutes of August 20, 2012, Councilmember Woods seconded.

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

Minutes approved.

Councilmember Woods moved the executive session minutes of August 23, 2012, Councilmember Bibens seconded.

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

Minutes approved.

Council President Quattrone moved the minutes of the August 23, 2012 open session, Councilmember Woods seconded.

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

Minutes approved.

Resolution 2012-233 Authorizing Payment #3 Final – B & H Contracting, Inc. (Post Chlorination Tank)

Council President Quattrone moved resolution 2012-233, Councilmember Woods seconded.

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

Resolution adopted 6-0.

Resolution 2012-233

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

**AUTHORIZING PAYMENT # 3 FINAL – B & H CONTRACTING, INC. (POST
CHLORINATION TANK)**

October 1, 2012

WHEREAS, on December 19, 2011 the Borough Council awarded a contract for the Post Chlorination Tank to B & H Contracting, Inc, of Folsom, New Jersey in the amount of \$201,950.00; and

WHEREAS, the contractor has submitted payment request #3 Final for work done in the total amount of \$6,097.00; and

WHEREAS, the Borough Engineer has recommended approval of payment #3 Final to B & H Contracting, Inc, in the amount of \$6,097.00; 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. 3 Final from B & H Contracting, Inc, of Folsom, New Jersey in the amount of \$6,097.00 is hereby approved as detailed herein, and the Treasurer is authorized to issue same.

Budget 2013

Councilmember Thibault stated that he has spoken with the CFO regarding the budget process starting sooner than usual. He also noted that there will be budget discussion regarding pension and benefit cost increases and use of Local Government Services user friendly budget form.

Water/Sewer Committee

Councilmember Thibault inquired regarding the status of the Water/Sewer public meetings. The Borough Attorney advised that the Open Public Meeting Act covers "Public Bodies"; the Water/Sewer Committee is Department Heads, they are not legally a public body; nor are they responsible to advertise or publicly notice their meetings.

Councilmember Woods, Liaison to the Committee, noted that it is a Department Head meeting and is not open to the public. There was discussion and the Attorney advised that the Water/Sewer Committee works in an advisory capacity and is not a voting body. Councilmember Thibault asked for a formal written opinion from the Borough Attorney.

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

Phyllis Deal, 305 Stockton Street – commented that she would like to have an update on the tickets issued by the police.

Police Director LeTellier advised that the information is posted on their website.

Barbara Jones, 215 Greeley Street and Environmental Commission Chair – noted that the Environmental Resource Inventory (ERI) has been completed and the Commission is working on the Land Use Pledge to obtain Sustainable New Jersey status; the Commission has been awarded a \$10,000 grant for an educational rain garden to be located at the Housing Authority; Joan McGee nominated Hightstown for the prestigious Municipality Award and Hightstown Borough won for its stormwater run-off ordinance, other municipalities are now using our ordinance as a model.

Keith LePrevost, 213 Greeley Street - gave an explanation of how the stormwater ordinance influenced the rain garden at the Housing Authority, and how the garden will take approximately 12% of the stormwater out of the run-off in the area. The rain garden will be an on-going project which will serve as a demonstration site.

Mayor Kirson commented that the Environmental Commission is very active and shows how valuable volunteers are to the Borough. He then thanked the Commission and noted that the Borough is very proud of their successes.

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

Ordinance 2012-16 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Section 15-3, Entitled "Fees," of Chapter 15, "Fire Protection," of the revised General Ordinances of the Borough of Hightstown, New Jersey"

Mayor Kirson opened the public hearing for ordinance 2012-16; there being no comments, the public hearing was closed.

Council President Quattrone moved to adopt ordinance 2012-16, Councilmember Bibens seconded.

There was discussion regarding exemptions from fees.

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

Ordinance adopted 6-0.

ORDINANCE 2012-16

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 15-3, ENTITLED "FEES," OF
CHAPTER 15, "FIRE PROTECTION," OF THE "REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HIGHTSTOWN, NEW JERSEY."**

WHEREAS, pursuant to the recommendation of the Borough's Fire Inspector, the Mayor and Council of the Borough of Hightstown wish to amend certain provisions contained within Section 15-3 of the Borough Code concerning the fees associated with enforcement of the Uniform Fire Safety Code, 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 15-3, entitled "Fees," of Chapter 15, "Fire Protection," 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~~):

CHAPTER 15 - FIRE PROTECTION

Section 15-3

FEES

15-3-1 Permits.

The fees for permits issued by the Bureau of Fire Safety pursuant to the Fire Prevention Code shall be the same as those established by N.J.A.C. 5:70-2.9(c).

15-3-2 Additional Inspections ~~and Permits~~.

The fees for all other inspections ~~and permits~~ issued by the Bureau of Fire Safety for non-life hazard commercial properties shall be as follows:

- a. ~~Single occupancy under one thousand (1,000) square feet: forty-two (\$42.00) dollars.~~
- b. ~~Single occupancy one thousand one (1,001) to two thousand (2,000) square feet: seventy-two (\$72.00) dollars.~~
- c. ~~Single occupancy two thousand one (2,001) to three thousand (3,000) square feet: one hundred and two (\$102.00) dollars.~~
- d. ~~Single occupancy three thousand one (3,001) to four thousand (4,000) square feet: one hundred and thirty-two (\$132.00) dollars.~~
- e. ~~An additional twenty-four (\$24.00) dollars for each five thousand (5,000) square feet to a maximum fee of four hundred and fifty (\$450.00) dollars.~~

a.	<u>Single occupant</u>	<u>0 - 1,000 sq. ft.</u>	<u>\$52.00 per floor</u>
b.	<u>Single occupant</u>	<u>1,001 – 2,000 sq. ft.</u>	<u>\$82.00 per floor</u>
c.	<u>Single occupant</u>	<u>2,001 – 3,000 sq. ft.</u>	<u>\$117.00 per floor</u>
d.	<u>Single occupant</u>	<u>3,001 – 4,000 sq. ft.</u>	<u>\$182.00 per floor</u>
e.	<u>Single occupant</u>	<u>4,001 – 7,500 sq. ft.</u>	<u>\$232.00 per floor</u>
f.	<u>Single occupant</u>	<u>7,501 – 10,000 sq. ft.</u>	<u>\$332.00 per floor</u>
g.	<u>Single occupant</u>	<u>Over 10,000 sq. ft.</u>	<u>\$432.00 per floor</u>

For purposes of this Subsection, the term “single occupant” shall be construed to mean each individual unit or use in a retail center or strip mall, or each individual unit or use in any other type of commercial building. The term shall apply to building owners and tenants of all businesses or professions which occupy a commercial building, structure or premises, it being the intent that it is the responsibility of each business within a building to register and have its premises inspected. Each business includes any corporation, partnership or any other form of business entity.

- h. Common Areas. In multiple-family units (such as apartment buildings and condominiums), the common areas shall be inspected as often as necessary to enforce the Fire Safety Code at a fee of \$75.00 per building.
- i. Waivers. The following users shall be exempt from local permit and registration fees; however, they shall be required to properly apply for such permits and registration and comply with all other code requirements:
1. Hightstown Fire Company No. 1.
 2. Hightstown First Aid Squad.
 3. Hightstown Municipal Building/Court.
 4. Hightstown Department of Public Works and Public Works Garages.
 5. Hightstown Police Department.
 6. Places of Worship.

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

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.

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

Resolution 2012-234 Payment of Bills

Councilmember Woods requested that items E0576 and P0114 be pulled from the bills list and voted separately.

Councilmember Woods moved Resolution 2012-224 without items E0576 and P0114, Councilmember Doran seconded.

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

Council President Quattrone moved item E0576 for payment, Councilmember Doran seconded.

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

There was discussion regarding item P0114, a payment to Perez and Radosti Architects. Councilmember Woods requested a more detailed invoice for the services rendered prior to making this payment.

Councilmember Woods moved item P0114 be tabled until a more detailed invoice could be received, Councilmember Bibens seconded.

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

Resolution adopted without the payment of item P0114, 5-0 with one abstention.

Resolution 2012-234

*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 \$1,082,336.35 from the following accounts

Current	\$	989,604.73
W/S Operating		76,135.57
General Capital		
Water/Sewer Capital		5,616.23
Grant		1,389.99
Trust		7,117.03
Housing Trust		504.00
Animal Control		19.80
Law Enforcement Trust		

Housing Rehab Loans

Unemployment Trust

Escrow

1,949.00

Federal Forfeiture

Total

\$ 1,082,336.35

Resolution 2012-235 Authorizing the Execution of a Donor Agreement with RISE (formerly known as the Community Action Service Center)

Councilmember Woods moved Resolution 2012-235, Councilmember Bibens seconded.

There was discussion regarding the amount being the same as last year.

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

Resolution adopted 6-0.

Resolution 2012-235

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

**AUTHORIZING EXECUTION OF A DONOR AGREEMENT WITH RISE
(FORMERLY KNOWN AS THE COMMUNITY ACTION SERVICE CENTER)**

WHEREAS, it is the desire of the Mayor and Council to contribute the sum of \$4,000.00 to Rise, a Community Services Partnership, for the year 2012 equivalent to the amount contributed during 2011; and

WHEREAS, the New Jersey Department of Human Services has been designated to administer or supervise the administration of social services programs as defined in the New Jersey State plans for social services, and requires the execution of a Donor Agreement between RISE and the Borough of Hightstown; and

WHEREAS, the Treasurer has certified the availability of funds for this payment;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Donor Agreement is hereby accepted and the Mayor is authorized to execute same.

Resolution 2012-236 Authorizing the Execution of a Donor Agreement with Better Beginnings Child Development Center)

Councilmember Doran moved Resolution 2012-236, Councilmember Woods seconded.

There was discussion regarding the services provided and to whom.

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

Resolution adopted 6-0.

Resolution 2012-236

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

**AUTHORIZING EXECUTION OF DONOR AGREEMENT
WITH BETTER BEGINNINGS CHILD DEVELOPMENT CENTER**

WHEREAS, it is the desire of the Mayor and Council to contribute the sum of \$8,500.00 to Better Beginnings Child Development Center for the year 2012 equivalent to the amount contributed during 2011; and

WHEREAS, the New Jersey Department of Human Services has been designated to administer or supervise the administration of social services programs as defined in the New Jersey State plans for social services, and requires the execution of a Donor Agreement between Better Beginnings and the Borough of Hightstown; and

WHEREAS, the Treasurer has certified that funds for this contribution have been provided in the 2012 budget;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Donor Agreement is hereby accepted and the Mayor is authorized to execute same.

Resolution 2012-237 Establishing Salaries for Certain Employees

Council President Quattrone moved Resolution 2012-237, Councilmember Bibens seconded.

Mayor Kirson explained that this resolution authorizes the same 2% raise given to union staff, to non-union Department Heads. Councilmember Thibault confirmed that certain employees were issued a raise last year in lieu of the insurance waiver.

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

Resolution adopted 6-0.

Resolution 2012-237

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

**ESTABLISHING SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE
BOROUGH OF HIGHTSTOWN FOR THE YEAR 2012**

WHEREAS, Section 2-9.8(b) of the *Revised General Ordinances of the Borough of Hightstown* provides that salaries of 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 2012 salaries for certain 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 2012.

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, 2012:

<u>Position/Title</u>	<u>2012 Salary</u>
Chief Financial Officer	46,818.00
Borough Clerk	67,524.00
Treasurer	48,819.00

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Tax Collector	26,010.00
Municipal Court Administrator	57,222.00
Municipal Court Administrator - on call stipend	1,000.00
Municipal Magistrate	36,429.00
Water Plant Operator	67,155.00
Superintendent of AWWTP	77,783.00
Registrar of Vital Statistics	3,673.00
Construction Code Official	19,383.00
Technical Assistant	39,581.00
Building Subcode Official	3,769.00
Building Inspector	3,769.00
Public Health Nurse	67,258.00

HOURLY PAY:

Zoning Officer	27.60
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Resolution 2012-238 Authorizing Release of Performance Bond and Funds Remaining in Escrow – Jeff Forman (Block 13, Lots 24.01 and 15.01)

Council President Quattrone moved Resolution 2012-238, Councilmember Bibens seconded.

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

Resolution adopted 6-0.

Resolution 2012-238

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

AUTHORIZING RELEASE OF PERFORMANCE BOND AND FUNDS REMAINING IN ESCROW – JEFF FORMAN (BLOCK 13, LOTS 24.01 AND 15.01)

WHEREAS, Jeff Forman t/a Old Hights Overlook, LLC posted the cash portion of a performance bond in the amount of \$28,717.02 and escrow in the amount of \$5,000.00 in June of 2005; and

WHEREAS, Jeff Forman, the previous developer for the Old Hights Development sold this project to Seymour Investments, LLC who posted the appropriate letter of credit and escrow funds which was accepted pursuant to resolution 2011-121; and

WHEREAS, Jeff Forman has requested that the cash funds remaining in the performance bond and escrow accounts of Old Hights Overlook, LLC with the Borough for Block 13, Lots 24.01 and 15.01 be released; and

WHEREAS, these funds are no longer applicable to this project.

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 Jeff Forman all amounts remaining in the performance guarantee and escrow accounts for Old Hights Overlook, LLC.

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

- a. Jeff Forman

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

Resolution 2012-239 Authoring the Issuance of an Auction License – PBA Local 283

Councilmember Woods moved Resolution 2012-239, Council President Quattrone seconded.

There was discussion regarding waiving the fee for this auction license.

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

Resolution adopted 5-0, with one abstention.

Resolution 2012-239

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

**AUTHORIZING THE ISSUANCE OF AN AUCTION LICENSE –
HIGHTSTOWN PBA LOCAL 283**

WHEREAS, an application for a license to hold an auction on Friday, November 2, 2012 at 140 North Main Street in the Borough of Hightstown has been submitted by Hightstown PBA Local 283; and

WHEREAS, the Hightstown PBA Local 283 has requested that the \$100.00 license fee for this auction be waived; 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 the license be issued to Hightstown PBA Local 283 for this event; and

WHEREAS, it is the desire of the Mayor and Council that the fee for this auction license be waived.

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 Hightstown PBA Local 283 for their auction to be held on Friday, November 2, 2012 at 140 North Main Street and that the fee for said license is waived.

Resolution 2012-240 Authorizing the Borough of Hightstown to Extend the Term of an Existing Shared Services Agreement for Emergency “911” Dispatching Services with the Township of Cranbury

Councilmember Woods moved Resolution 2012-240, Councilmember Doran seconded.

Mayor Kirson explained that this is the second year of this contract; the original contract included the opportunity to extend the agreement for the second year at the rate of \$110,000.

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

Resolution adopted 6-0.

Resolution 2012-240

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

**AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO EXTEND THE TERM OF AN EXISTING
SHARED SERVICES AGREEMENT FOR EMERGENCY “911” DISPATCHING SERVICES WITH THE
TOWNSHIP OF CRANBURY.**

WHEREAS, the Borough of Hightstown (“Hightstown”) and the Township of Cranbury (“Cranbury”), collectively referenced herein as the “Parties,” are parties to an existing Shared Services Agreement (the “Agreement”), dated October 3, 2011, for Emergency “911” Dispatching Services; and

WHEREAS, Paragraph 4 of the Agreement provides that the term of the Agreement shall be for a one (1) year term, from January 1, 2012 through December 31, 2012, with the option to extend for one additional year should the Parties agree to such extension; and

WHEREAS, Paragraph 4 of the Agreement further provides that, should the Parties wish to exercise the renewal option for 2013, then they shall provide written notice of such intention to each other at least sixty (60) days prior to the expiration of the within Agreement, or by October 31, 2012; and

WHEREAS, Paragraph 4 of the Agreement further provides that such renewal shall be under the same terms and conditions as set forth in the Agreement and for the same annual compensation, unless the Parties mutually agree otherwise; and

WHEREAS, by letter dated September 19, 2012, Cranbury has provided written notice to Hightstown of its interest in exercising the one-year renewal option, as set forth in Paragraph 4 of the Agreement, for the year 2013, contingent upon all of the current contract terms remaining the same and provided that the Agreement shall remain with Hightstown exclusively; and

WHEREAS, the Hightstown Borough Council believes that it is in the best interests of Hightstown to continue the existing arrangement with Cranbury; and

WHEREAS, the Hightstown Borough Council likewise wishes to exercise the one-year renewal option, as set forth in Paragraph 4 of the Agreement, for the year 2013, contingent upon all of the current contract terms remaining the same.

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

1. That Hightstown hereby authorizes a one-year extension of the Agreement, pursuant to the authority set forth in Paragraph 4 of the Agreement, for the year 2013, contingent upon all of the current contract terms remaining the same.
2. That all appropriate Borough officials are hereby authorized and directed to execute any necessary documents that are required to effectuate this course of action, so long as said documents are in a form satisfactory to the Borough Attorney, and to take all appropriate actions in furtherance of this determination.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Township of Cranbury;
 - b. Michael Theokas, Borough Administrator;
 - c. James K. LeTellier, Borough Police Director; and
 - d. Frederick C. Raffetto, Esq., Borough Attorney.

Resolution 2012-241 Appointing a Fire Official – Chad Reed

Council President Quattrone moved Resolution 2012-241 with the insertion of a \$25.00 per hour rate, Councilmember
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Bibens seconded.

Mr. Theokas explained that Chad is an employee of the Borough as a Dispatcher and Fire Inspector, as well as a volunteer Firefighter.

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

Resolution adopted 6-0.

Resolution 2012-241

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

APPOINTING A FIRE OFFICIAL – CHAD REED

WHEREAS, Kevin Brink was appointed as an interim Fire Official on February 22, 2011 due to the resignation of Thomas Murray; and

WHEREAS, Chad Reed, the current Fire Inspector for the Borough, has received his designation as a Fire Official under license # 159839; and

WHEREAS, the Borough Administrator recommends that Chad Reed be appointed the Fire Official for Borough effective October 1, 2012 at an hourly rate of \$25.00; and

WHEREAS, the Mayor and Council wish to appoint Chad Reed as the Fire Official for Hightstown Borough.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Chad Reed is hereby appointed as the Fire Official for the Borough of Hightstown effective October 1, 2012 at an hourly rate of \$25.00.

Resolution 2012-242 Authorizing the Borough of Hightstown to Hire Three New Full-Time Police Officers

Council President Quattrone moved Resolution 2012-242, Councilmember Woods seconded.

Police Director LeTellier explained that one of the new hires will be replacing Officer Chenoweth who is retiring, and the other two are new officers to bring the total officers on the force to twelve; all with starting salaries of \$45,000. He is confident with the process taken to hire these officers and he went on to explain training requirements. There was discussion regarding start dates, uniforms, reduction of overtime costs, and an official swearing-in at the meeting of October 15th.

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

Resolution adopted 5-0 with one abstention.

Resolution 2012-242

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

AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO HIRE THREE NEW FULL-TIME REGULAR POLICE OFFICERS.

WHEREAS, in order to enhance the health, safety and welfare of the public at large, the Hightstown Borough Council has determined to hire additional rank and file police officers for the Borough; and

WHEREAS, Section 2-19.7 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” governs October 1, 2012

the procedure relating to application for, and appointment to, the position of police officer of any rank within the Borough; and

WHEREAS, pursuant to Subsection 2-19.7(b), the Police Director has recommended that the Borough Council appoint the following three (3) individuals to serve as full-time regular police officers for the Borough of Hightstown:

- (1) **Kenneth A. Larsen**
611 London Court II
Egg Harbor, N.J. 08234; and
- (2) **Philip J. Esposito**
10 Public Road
Monroe Township, N.J. 08831; and
- (3) **Ronald J. Stephensen**
2088 Crestwood Drive
Forked River, N.J. 08731; and

WHEREAS, appointee Kenneth A. Larsen is already a full-time police officer who will require no further training; and

WHEREAS, appointees Esposito and Stephensen are certified Class II officers who will require a waiver issued by the New Jersey Police Training Commission ("PTC"); and

WHEREAS, a PTC waiver is issued to officers who have graduated from a PTC approved academy and who only require a few courses of instruction for full certification; and

WHEREAS, the Mercer County Police Academy starts on October 1, 2012, and it is the intention of the Borough that appointees Esposito and Stephensen shall be enrolled in said Academy to commence with courses of instruction immediately; and

WHEREAS, the employment of all of the appointees shall be conditioned upon their passing all applicable Borough requirements; and

WHEREAS, the employment of appointees Esposito and Stephensen shall additionally be conditioned upon their qualifying for PTC waivers, as indicated above; and

WHEREAS, the salaries associated with the three (3) new hires shall be set at the sum of \$45,000 per annum per officer, in accordance with the "Grievance Settlement Agreement" recently executed by the Borough and the Hightstown PBA Local 283 (the "PBA"), which was authorized by Resolution 2012-222, adopted by the Hightstown Borough Council on September 4, 2012; and

WHEREAS, all other terms and conditions of employment relating to the three (3) new hires shall be as set forth in the existing Collective Negotiations Agreement executed by the Borough and the PBA, covering the time period from January 1, 2010 through December 31, 2014 (the "PBA Agreement"), as modified by the afore-mentioned "Grievance Settlement Agreement"; and

WHEREAS, the Hightstown Borough Council believes that the hiring of the three (3) new police officers as referenced above is in the best interests of the health, safety and welfare of the Borough's residents.

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

1. That the three (3) individuals referenced above are hereby appointed to serve as full-time regular police officers for the Borough of Hightstown, contingent upon the conditions set forth in this Resolution.
2. That the employment of the three (3) new officers shall be conditioned upon their passing all applicable Borough requirements.

3. That the employment of appointees Esposito and Stephensen shall additionally be conditioned upon their qualifying for PTC waivers, as indicated above.

4. That the salaries associated with the three (3) new hires shall be set at the sum of \$45,000 per annum per officer, in accordance with the "Grievance Settlement Agreement" recently executed by the Borough and the "PBA", which was authorized by Resolution 2012-222, adopted by the Hightstown Borough Council on September 4, 2012.

5. That all other terms and conditions of employment relating to the three (3) new hires shall be as set forth in the existing PBA Agreement, as modified by the afore-mentioned "Grievance Settlement Agreement."

6. That all appropriate Borough officials are hereby authorized and directed to take all appropriate actions in furtherance of the intentions set forth in this Resolution.

7. That a certified copy of this Resolution shall be provided to each of the following:

- a. Appointees Larsen, Esposito and Stephensen;
- b. James K. LeTellier, Borough Police Director;
- c. Lieutenant Frank Gendron;
- d. Police Commissioner Lawrence Quattrone;
- e. Michael Theokas, Borough Administrator;
- f. Eric M. Bernstein, Esq., Borough Labor Counsel; and
- g. Frederick C. Raffetto, Esq., Borough Attorney.

Code Enforcement Update

Mayor Kirson reviewed the report of violations issued in the Borough and noted that we are proud of the community and are issuing summonses when needed.

Police Director LeTellier reviewed police activities and noted that this information is on their website. There was discussion.

The Mayor opened the public comment period II and the following individuals spoke:

George Serrano, 4 Westerlea Avenue – commented that police presence is needed in his area since school has started, they are driving very fast from the High School and kids can't cross the streets due to speeders; his garbage cans are missing again; thanked Council for not setting rules for the taxis in the ordinance, they are going through Riggins instead of going up to the stop sign on Mercer Street.

Fran Palumbo, 101 Main Street – thanked the Police director for the police presence downtown; commented on pigeon droppings near her building on Main Street and wants the Borough to clean it up and install deterrence.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Doran – suggested that people stop feeding the pigeons and that business owners should assume responsibility for cleaning the sidewalks in front of their business; she thinks the police hiring is a win-win for the Borough; requested that the package being sent to the Planning Board with the resolution also be copied to the Council; the Environmental Commission volunteers are the most energetic group she has ever seen and she congratulated them on the grant award and ANJEC recognition.

Councilmember Woods – commented that she wishes every meeting could be like this one; congratulated Chad for becoming the Fire Official; noted that it was a good move hiring the Police Director, he does a great job.

Councilmember Thibault – commented that Mr. LePrevost has greatly improved the Housing Authority and also donated space for the nurse and clinics; the Triathlon was a great event; the fair is this weekend; the data on the website needs to be more accessible; thinks a social service committee should be established.

Councilmember Bluth – congratulated Chad and the Environmental Commission and noted that there was no Borough Hall discussion at this meeting, a special meeting should be held.

Councilmember Bibens – noted that there will be a fair meeting on Wednesday and the fair will be Saturday; gave kudos to the Police Director and she is proud of what has been accomplished; congratulated Chad Reed and the Environmental Commission; the yard sale was a nice event; amazing things are happening in Hightstown; taxis are identified by their license numbers and you should call the police with that number if you have a problem.

Mayor Kirson – commented that it was a good meeting; the fair will be great and there are a lot of good things going on in Hightstown.

Council President Quattrone – welcomed Chad and noted that Hightstown gets better every day; he looks forward to meeting the new officers at the next meeting; there will be a hurricane update at the next meeting.

After discussion it was decided that a special meeting will be held on Wednesday, October 17th at 7pm. The Borough Clerk is to establish the location and notice the meeting.

Councilmember Woods moved to adjourn at 9:09 pm, Councilmember Bibens seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk