

**Meeting Minutes  
Hightstown Borough Council  
Regular Meeting  
September 3, 2013  
6:00 pm**

The meeting was called to order by Mayor Kirson at 6:02 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: Peggy Riggio, Acting Deputy Borough Clerk; James LeTellier, Administrator/Police Director; Frederick Raffetto, Borough Attorney; Tamara Lee, Borough Planner; Larry Shapiro, Esq., Ansell Grimm & Aaron Representative.

**Resolution 2013-186 Naming Acting Deputy Clerk for Executive Session**

Council President Quattrone moved resolution 2013-186, Councilmember Woods seconded.

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

Resolution adopted, 5-0

Resolution 2013-186  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

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

**WHEREAS**, The Borough Clerk is not available for the September 3, 2013 meeting of the Borough Council; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Frederick Raffetto, Borough Attorney, is hereby named as Acting Deputy Clerk for the executive session meeting of the Borough Council on September 3, 2013 and shall perform the duties of the Borough Clerk for said executive session meeting.

**Resolution 2013-187 Naming Acting Deputy Clerk for General Meeting**

Council President Quattrone moved resolution 2013-187, Councilmember Doran seconded.

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

Resolution adopted, 5-0

Resolution 2013-187

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

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

**WHEREAS**, The Borough Clerk is not available for the September 3, 2013 meeting of the Borough Council; and

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

**WHEREAS**, Peggy Riggio shall perform all the duties of the Borough Clerk for said meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Peggy Riggio is hereby named as Acting Deputy Clerk for the public meeting of the Borough Council on September 3, 2013 and shall perform the duties of the Borough Clerk for said meeting.

**Resolution 2013-188 Authorizing a Meeting Which Excludes the Public**

Councilmember requested that discussion regarding the Borough Administrator position be added to Resolution 2013-188

Councilmember Woods moved resolution 2013-188 as amended, Councilmember Doran seconded.

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

Resolution adopted, 5-0

Resolution 2013-188

*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 September 3, 2013 at 6:00p.m. in the First Aid Building located at 168 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:

Personnel – Computer System Administrator  
Litigation – Gordy & Bruckner Southern

September 3, 2013

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: December 3, 2013 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.

Acting Deputy Clerk, Peggy Riggio, departed the meet at this time. Borough Attorney, Frederick Raffetto will act as Deputy Clerk for Executive Session.

The public meeting was called to order by Mayor Kirson at 7:39 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call. Tamara Lee, Borough Planner and Larry Shapiro, Esq. left during Executive Session. George Lang, CFO and Carmela Roberts, Borough Engineer joined, James LeTellier Police Director and Mayor Kirson, who left during executive session re-entered the meeting at this time. Peggy Riggio, Acting Deputy Clerk also re-entered for the Public Session.

Council President Quattrone motioned that Code Enforcement be added to discussion session.

Council President Quattrone motioned the agenda as amended for approval, Councilmember Woods seconded.

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

Agenda approved as amended. 5-0

Motion to approve minutes from the May 6, 2013 Open Session moved by Councilmember Bluth second by Councilmember Woods.

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

Minutes approved 5-0

Councilmember Doran motioned to table the minutes from the May 6, 2013 Executive Session second by Council President Quattrone

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

Minutes tabled 5-0

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

Phyllis Deal, 305 Stockton Street – commented that at the January meeting a statement should be read that everyone must be polite and respectful to each other when making a statement. Also regarding Animal Welfare Committee, questioned why all funds go to the borough. Why can't AWC have petty cash on hand. Referred to CFO, George Lang.

Scott Caster, 12 Clover Lane – likes the idea regarding having petty cash on hand. Pleased and happy to see publicity that Hightstown received. Looking to have a conversation with Mayor and Council about the rejuvenation of Downtown Hightstown.

Bill Gilmartin, 19 Greely Street - Regarding Administrator position. Council should consider a candidate that is open to consolidation with East Windsor. Hightstown needs to reduce taxes. The only way to do this is to enlarge the footprint of our town.

There being no further comments, Mayor Kirson closed the Public Comment Period 1.

**Resolution 2013-189 Awarding a Contract for Improvements to Grape Run Road and Pershing Avenue – Pioneer General Contracting Co., Inc.**

Council President Quattrone moved resolution 2013-189, Councilmember Woods seconded.

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

Resolution approved 5-0.

Resolution 2013-189

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

**AWARDING A CONTRACT FOR IMPROVEMENTS TO GRAPE RUN ROAD AND  
PERSHING AVENUE – PIONEER GENERAL CONTRACTING CO., INC.**

**WHEREAS**, six (6) bids were received on August 13, 2013 for improvements to Grape Run Road and Pershing Avenue; and,

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is her recommendation that the contract for improvements to Grape Run Road and Pershing Avenue be awarded to the lowest bidder Pioneer General Contracting Co., Inc. of South River, New Jersey at the price of \$398,950.00; and,

**WHEREAS**, this project is funded by the New Jersey Department of Transportation Municipal Aid Grant program, the award of this contract is conditional upon approval by the New Jersey Department of Transportation; and

**WHEREAS**, the Borough Attorney has reviewed the bid documents with respect to legal compliance and finds that the bid submitted by Pioneer General Contracting Co., Inc. of South River, New Jersey is in order; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for improvements to Grape Run Road and Pershing Avenue is hereby awarded to Pioneer General Contracting Co., Inc. of South River, New Jersey in the amount of \$398,950.00, upon approval by the New Jersey Department of Transportation.

**Resolution 2013-190 Authorizing Receipt of Bids for the Greenway Walking Bridge Over Peddie Lake**

Councilmember Thibault moved resolution 2013-190, Councilmember Woods seconded.

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

Resolution approved 5-0.

Resolution 2013-190

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

**AUTHORIZING RECEIPT OF BIDS FOR THE GREENWAY WALKING BRIDGE OVER PEDDIE  
LAKE**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Engineer is hereby authorized to prepare specifications and advertise for bids for the Greenway Walking Bridge over Peddie Lake, and that the Borough is authorized to receive same after proper advertisement.

**NJ DOT 2013 Municipal Aid Grant Discussion**

September 3, 2013

There was discussion regarding the NJDOT Municipal Aid Grant. Carmela Roberts, Borough Engineer explained that the Grant is for \$252,000. The proposed streets to be included for this project are Park, Greeley & Glenbrook. Questions arose as to how the Borough's portion would be funded. George Lang explained that the difference would be bonded. Total project will cost \$589,000. If the projects were done individually cost would be \$670,000. This project will be designed over the winter and construction to begin in the Spring.

**Ordinance 2013-17 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 13 Entitled “Housing, Section 13-8, Entitled “Certificate of Compliance Requirement for Changes to Occupancy of Rented Dwellings”, Subsection 13-1-1 “Certificate of Compliance Required; Exceptions” of “Revised General Ordinances of the Borough of Hightstown”**

There was discussion among council regarding ordinance 2013-17

Councilmember Doran asked Council President Quattrone and Police Director LeTellier for any new information they gathered in regards to this ordinance.

Council President Quattrone stated that he had no new information.

Police Director LeTellier explained the information received from the DCA which included staffing requirements, training and fee structure.

Councilmember Thibault commented that our municipal code requires that all multi units must comply with current code and Peddie should not be excluded.

Council President Quattrone commented that by inspecting Peddie dormitories we would need to hire a part-time inspector at \$15,000 - \$17,000 per year. We would only make \$9,900 from inspections. The impact on our Construction office would be severe.

Councilmember Woods agrees that it would require too many man hours and is redundant because of State Inspections.

Councilmember Bluth commented that from a financial perspective is it not worth it to inspect Peddie dorms

Councilmember Doran commented that they are not out to get Peddie but that Peddie should be held accountable. She is concerned with what the information the Police Director presented regarding liability issues and is having second thoughts.

Councilmember Thibault questioned if the liability for the borough is different than any other inspection.

Borough Attorney Raffetto stated that he is not overly concerned about liability because this inspection would be supplemental to the State inspection not in place of it.

Councilmember Thibault questioned that if Peddie is excluded from inspections shouldn't we also exclude apartments etc. from municipal inspections since they too are also being inspected by the State every 5 years. He also stated that since the inspectors would be enforcing municipal code not state code that this position does not need to be certified/licensed. All turnovers are required to be inspected.

Councilmember Woods pointed out that turnover at the Peddie dormitories would be once a year which is more frequent than most other multiple dwelling.

Mayor Kirson opened the public hearing on ordinance 2013-17 and the following individuals spoke:

Scott Caster – 12 Clover Lane – Commended Councilmember Thibault for his vigilance regarding taxes. Suggests voting against ordinance. If the Borough needs additional money they should sit and speak with Peddie directly regarding their needs.

Ken Hitchner – 450 South Main Street – Asked why are we doing this? Peddie donates large amounts of money to the Borough. If the Borough needs money they should go to Peddie and ask for it, they would receive it. What is Peddie's "Fair Share". Also complimented Gene Sarafin's wonderful letters to the editor.

Jeff Bond – 210 South Main Street – Happy to see that council is changing their mind about the ordinance. Asked that the ordinance not be passed.

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

Councilmember Thibault objected to the cost stating that state law does not require state licensing of inspectors. We are not singling Peddie out. According to George Chin, Construction Official, each unit takes 15 minutes to inspect, this includes houses that Peddie owns.

Councilmember Thibault moved ordinance 2013-17 for adoption, Councilmember Woods seconded.

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

Ordinance voted down, 1-4.

Ordinance 2013-17  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13 ENTITLED “HOUSING”, SECTION 13-8, ENTITLED “CERTIFICATE OF COMPLIANCE REQUIREMENT FOR CHANGES IN OCCUPANCY OF RENTED DWELLINGS”, SUBSECTION 13-8-1 “CERTIFICATE OF COMPLIANCE REQUIRED; EXCEPTIONS” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY**

**WHEREAS**, the Mayor and Council wish to amend certain provisions contained within Chapter 13, Section 13-8, Subsection 13-8-1 of the Borough Code relating to exemptions 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 1: Chapter 13 Entitled “Housing”, Section 13-8, Entitled “Certificate of Compliance Requirement for Changes in Occupancy of Rented Dwellings”, Subsection 13-8-1 “Certificate of Compliance Required; Exceptions” 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~~):

**Subsection 13-8-1 Certificate of Compliance Required; Exceptions.**

The rental and occupancy of buildings and parts thereof for human habitation or use shall be subject to the following: No person shall rent to another or suffer or permit occupancy by another of any building or part thereof for human habitation or use without first obtaining from the Housing Inspector a certificate stating that the premises, at the time of the proposed rental to or occupancy by such other person, comply with the requirements of the housing standards set forth in this chapter, provided that this section shall not apply to:

a. Rental or occupancy under a temporary permit issued by the Housing Inspector authorizing rental or occupancy for a specified period, not to exceed sixty (60) days, during the making of repairs, alterations and improvements required by such inspection certificate;

b. ~~Rentals to or occupancies by students, faculty or staff of nonprofit educational institutions of on-campus premises owned and maintained by such institutions, nor shall it apply to~~ Transient occupancies of hotel rooms.

This section shall apply to all dwellings and dwelling units and shall include single-family dwellings, any multiple dwelling or apartment house, or any rented dwelling unit in a commercial or mixed-use building. The certificate required herein shall be obtained prior to a change of occupancy in any such dwelling, except that if the unit is a dormitory room or other similar housing unit used temporarily by student(s) as part of a college, school, academy, seminary or similar educational institution, then a new certificate must be obtained on an annual basis rather than prior to each new occupancy. (1991 Code § 121-48; Ord. No 823 § 7)

#### 13-8-2 Fees; Inspections.

The Housing Code Certificate required by subsection 13-8.1 hereof shall be secured from the Borough Housing Inspector. At the time of the application for such Certificate, a fee of sixty (\$60.00) dollars per unit shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the Certificate. In the event that any additional inspections of the premises are required because of a failure of the landlord or owner to comply with the provisions of this chapter, an additional fee of twenty-five (\$25.00) dollars shall be paid for each additional inspection required. All fees shall be made payable to the Borough and be delivered to the Housing Office and turned over to the Borough Treasurer. In the event of cancellation of a requested inspection, the Housing Department must be notified within twenty-four (24) hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee. (1991 Code § 121-49; Ord. No. 823 § 7; Ord. No. 2004-31 §5)

Section 2. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. 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 there from and shall not be affected.

Section 4. This Ordinance shall take effect following final passage and publication in accordance with the law.

#### **Ordinance 2013-22 Bond Ordinance Providing For Various Capital Improvements of the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating the Aggregate Amount of \$165,000 Therefore and Authorizing the Issuance of \$157,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof**

Mayor Kirson opened the public hearing on ordinance 2013-22 and the following individuals spoke:

Steve Isso 661 Abington Drive, East Windsor – Questioned why bond this purchase, why not just pay outright. Also stated that there is always something new to purchase.

Mayor Kirson explained that this equipment will last for a period of years. Bonding spreads the debt over time. This is not discretionary spending. This is mandatory spending.

Councilmember Thibault had the same questions as Steve Isso. Commented that we get rational on engineering expenses why don't we get the same rational when we spend money on equipment. He will be voting no for this ordinance. He feels that the borough needs to become more disciplined when spending money.

Council President Quattrone commented on mandatory life – things expire. We have to keep up on safety gear, it's mandatory without funding. We take care of the equipment but the State changes mandatory requirements. He will vote yes.

Councilmember Woods commented that she believed that there was enough information to make a decision.

Police Director LeTellier commented on needing new and updated equipment.

Councilmember Woods questioned why there was such a long span between the public discussion of the new equipment and the vote.

Police Director LeTellier explained that they were waiting for the budget to pass.

Councilmember Thibault stated that his objection was not to the new equipment or questioning whether it's needed but wanted more information.

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

Councilmember Wood moved ordinance 2013-22 for adoption, Councilmember Bluth seconded.

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

Ordinance 2013-22

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

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$165,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$157,000 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:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$165,000, including the aggregate sum of \$8,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$157,000 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.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation</u> and <u>Estimated</u> <u>Cost</u>	<u>Estimated Maximum</u> <u>Amount of Bonds or</u>	
		<u>Notes</u>	<u>Period of Usefulness</u>
a) <b><u>Police Department:</u></b>			
The acquisition of various equipment, consisting of touch screen monitors, a desktop processor, stands, 911 dispatch chairs and equipment, law soft interface with Info-Cop and trunk organizers for cars, including all related costs and expenditures incidental thereto.	\$16,077	\$15,311	5 years



<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	Period of <u>Usefulness</u>
The acquisition of various equipment, consisting of stalker radar units for cars, including installation, 911 interface setup and training, mandated narrow band programming police radios, a radio repeater and a security camera, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$33,000	\$31,428	10 years
The acquisition of ballistics equipment, including all related costs and expenditures incidental thereto.	\$4,865	\$4,633	15 years
TOTAL:	\$53,942	\$51,372	
<b>b) <u>Fire Department:</u></b>			
The acquisition of turn out gear, consisting of helmets, gloves and hoods, including all related costs and expenditures incidental thereto.	\$63,462	\$60,300	15 years
<b>c) <u>First Aid:</u></b>			
The acquisition of laptop computers capable of running Emergency Management Services charts, including all related costs and expenditures incidental thereto.	\$6,346	\$6,043	5 years
The acquisition of portable Motorola radios, including all related costs and expenditures incidental thereto.	\$16,923	\$16,117	10 years
The acquisition of a power stretcher and defibrillators, including all related costs and expenditures incidental thereto.	\$24,327	\$23,168	15 years
TOTAL:	\$47,596	\$45,328	
GRAND TOTAL:	\$165,000	\$157,000	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. 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 bond 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 bond 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.

Section 5. 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 bond 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.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.12 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 \$157,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$9,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 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 purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond 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 2013-191 Authorizing Payment of Bills**

Councilmember Woods moved resolution 2013-191, Council President Quattrone seconded.

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

Resolution adopted 5-0.

Resolution 2013-191

*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, the appropriate Department Head and the Treasurer in the amount of \$71,250.29 from the following accounts:

Current		\$27,196.98
W/S Operating		24,394.30
General Capital		4,678.22
Water/Sewer Capital		11,847.54
Grant		1,025.00
Trust		0.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>2,108.25</u>
Total		<u>\$71,250.29</u>

**Resolution 2013-192 Authorizing the Cancellation of a Portion of Property Taxes for the Year 2013 on Block 15 Lot 7 for a 100% Disabled American Veteran**

Councilmember Bluth moved resolution 2013-192, Councilmember Thibault seconded.

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

Resolution adopted 5-0.

Resolution 2013-192

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

**A RESOLUTION AUTHORIZING THE CANCELLATION OF A PORTION OF  
PROPERTY TAXES FOR THE YEAR 2013 ON BLOCK 15 LOT 7 FOR A 100%  
DISABLED AMERICAN VETERAN**

**WHEREAS**, the 2013 Extended Tax Duplicate lists Block 15 Lot 7 as owned by John R. West and Anne West, and he is a veteran, and this is his primary residence, and;

**WHEREAS**, NJSA 54:4-3.30 et seq. allows property tax exemption for a disabled veteran, and the VA has determined that Mr. West is 100% permanently disabled, and the Tax Assessor has approved the property tax exemption effective August 7, 2013, and;

**WHEREAS**, it is the desire of the Borough Council to cancel the 2013 property taxes, prorated effective August 7, 2013, and to cancel the preliminary 2014 bill.

**NOW, THEREFORE, BE IT RESOLVED** on this 3rd day of September by the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey that the following property taxes are hereby cancelled and the Borough Tax Collector is authorized to adjust her records, and is hereby released from the collection of same.

**Start time for September 16<sup>th</sup> Meeting**

There was discussion for changing the start time of the September 16<sup>th</sup> meeting. There will be a presentation by the architect for construction of the new Borough Hall which would take an hour to an hour and a half. Start time of the public session would be 7:00 p.m. The Borough Clerk will notice the papers accordingly.

**Code Enforcement**

There was discussion regarding code enforcement and the need to hire a code enforcement officer. Looking to possibly hire a retired officer for this position. This would be a part time position. Also look to tighten up the Ordinance. Councilmember Thibault introduced a 5 point plan to handle Code Enforcement.

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

Steve Isso – East Windsor – Appreciates the discussion and debate between council.

Scott Caster 12 Clover Lane – Hats off to Mr. Thibault for his work on Code Enforcement. Stronger Code Enforcement is needed for Downtown Hightstown, looks like a 3<sup>rd</sup> World Country. Commented on tax exempt properties in the Borough.

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

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

**Councilmember Doran** – Reported good news for the Housing Authority. Public Housing Assessment Score (PHAS) PHAS score for 2012 was a 92 – a high performing housing authority. Less than 2 years ago PHAS was 59 – a troubled housing authority. Keith LePrevost should be congratulated for this.

**Councilmember Woods** – Addressed Phyllis Deal’s Code of Conduct. Recently passed a Code of Conduct. Liked the idea of sitting down with Peddie. Good meeting tonight.

**Councilmember Thibault** – Updated the Harvest Fair. This year’s fair will be larger and is still in need of volunteers. Housing Authority’s donation to the Borough is equal to or more than Peddie School and they Housing Authority is generous in other ways such as letting committees use rooms for meeting. Also they are looking to provide space for the Borough Nurse and baby clinic.

**Councilmember Bluth** – Reminded everyone that there are two upcoming planning board meetings. Monday is a regular meeting and Thursday is a re-examination workshop for the Master Plan – Topic Downtown Hightstown.

**Council President Quattrone** – Happy that the Bond Ordinance passed. Thanked the First Aid for all their work. Commented on a great meeting and congratulations to the Housing Authority. Commented on Public Works and how the recycling is out of hand again and the next meeting he will have a report on garbage.

**Mayor Kirson** – Commented about how the Peddie School contributes in other ways.

Councilmember Thibault moved to adjourn at 9:48 pm, Councilmember Woods seconded. All ayes.

Respectfully Submitted,

Peggy Riggio  
Acting Deputy Clerk