

**Meeting Minutes  
Hightstown Borough Council  
Regular Meeting  
June 15, 2015  
7:00 pm**

The meeting was called to order by Mayor Quattrone at 7:00pm 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.

	<b>PRESENT</b>	<b>ABSENT</b>
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Kurs</i>	✓	
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Montferrat</i>		✓
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; George Lang, CFO; Fred Raffetto, Borough Attorney; and Carmela Roberts, Borough Engineer .

Mayor Quattrone requested that the agenda be amended as follows: add resolution 2015-177 to the consent agenda and add resolution 2015-178 following resolution 2015-164.

Councilmember Kurs moved the agenda as amended for approval, Councilmember Stults seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, and Stults voted yes.

Agenda approved as amended 5-0.

Council President Hansen moved the May 4, 2015 open session minutes for approval, Councilmember Kurs seconded.

Roll Call Vote: Council members Bluth, Kurs, Misiura, and Stults voted yes.

Minutes approved 5-0.

**Greenway Walking Bridge**

The Borough Engineer reviewed the grant for the bridge and the revisions for handicapped parking she is suggesting pursuant to the Borough’s ADA settlement requirements from the Lasky case. She added that the bridge design was completed by Lippincott so it will be necessary to get some things from them and their estimate is verbal. The grant only covers construction costs with the estimate for construction at \$320,000; the estimate for revised plans to meet federal requirements are estimated at \$9,500, and \$1,000 for Lippincott fees; and \$22,000 for inspection and grant administration fees, and \$5,000 in engineering fees for Roberts Engineering; the total estimated cost for the project is \$362,500.

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There was discussion regarding the cost for the ADA settlement work in the parking lot; and the bond adopted and the federal grant reimbursement process. Mr. Lang advised that it would be necessary to amend the original bond for the project to include grant and soft costs. Discussion continued regarding the bid process and the Borough Engineer noted that the Borough could advertise in July or August and receive the bids three weeks later; the actual installation work could begin in late winter or early spring, depending on bridge fabrication time.

**Resolution 2015-159 Authorizing Receipt of Bids for Completion of the Enchantment Development**

Councilmember Bluth moved resolution 2015-159, Councilmember Stults seconded.

There was discussion regarding the bond default on the project and the time needed to award the contract.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura and Stults voted yes.

Resolution adopted 5-0.

Resolution 2015-159

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

**AUTHORIZING RECEIPT OF BIDS FOR COMPLETION OF THE ENCHANTMENT DEVELOPMENT**

**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 completion of the Enchantment Development and that the Borough is authorized to receive same after proper advertisement.

**Resolution 2015-160 Authorizing Receipt of Bids for Completion of the Enchantment Development**

Councilmember Kurs moved resolution 2015-160, Council President Hansen seconded.

There was discussion regarding the grant received and the cost of the project.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura and Stults voted yes.

Resolution adopted 5-0.

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Resolution 2015-160

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

**AUTHORIZING RECEIPT OF BIDS FOR IMPROVEMENTS TO STOCKTON  
STREET AND JOSEPH STREET**

**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 improvements to Stockton Street and Joseph Street and that the Borough is authorized to receive same after proper advertisement.

Mayor Quattrone opened the public comment period I and the following individuals spoke:

Walter Sikorski, 326 N. Main Street – congratulated Mr. Underhill on the changes made in the code enforcement office and noted that the changes are noticeable; commented that the sharing of the three minute time limit is inappropriate and disruptive to the conducting of business.

Stacey Judge, 307 Morrison Avenue and Chair of the Parks and Recreation Commission – responded to comments made regarding the Parks and Recreation Commission’s granting of permission for the Latino Festival to be held in Bank Street Park. She noted that after careful consideration, the decision was made by the Commission and they want the event to be a positive cultural experience for everyone. She then encouraged the public to attend their meetings and volunteer.

Lynne Woods, 315 Park Avenue – commented regarding the IA investigation process, and that she filed a complaint on June 6<sup>th</sup> for a serious infraction of police regulations and still has not gotten an update on the investigation.

Eugene Sarafin, 628 S. Main Street – commented that the Enchantment project moving forward is good; Government is failing; he would like to see homes at reasonable prices; investment in promoting Hightstown is needed.

Councilmember Montferrat arrived at this time.

Scott Caster, 12 Clover Lane – commented that the absorption rate for real estate in Hightstown is good; he doesn’t understand the need for the issuance of special parking permits; requested a mechanism for the three minute time limit; Boards and Committees should not have to speak during public comment, there should be time set aside at the meetings for them.

There being no further comments, Mayor Quattrone closed the public comment period and asked Council if they had any responses to the public comments.

Councilmember Stults noted that he agrees with Mr. Caster’s comment regarding Boards and Committees.

Mayor Quattrone noted that if a Board or Committee requests to address Council or the public, they are added to agenda; this has been done numerous times in the past. Ms. Judge did not request to be put on the agenda.

Councilmember Kurs commented that if a Board or Committee Chair speaks during public comment, they should not have to adhere to the three minute time limit.

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Borough Clerk Sopronyi explained that the special permits are issued for the Counsellors at RISE because of their hours of work and for their safety because of some of the types of individuals they sometimes have to deal with.

**Budget 2015**

Mayor Quattrone re-opened the public hearing on the 2015 budget and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that this is a really good budget, but would like to know actual costs for each department.

Scott Caster, 12 Clover Lane – commented that he loves this budget but more should be spent on downtown details such as lamp posts and signs being re-painted.

There being no further comments, Mayor Quattrone closed the public hearing on the 2015 budget.

**Resolution 2015-156 Authorizing the Budget to be Read by Title Only**

Councilmember Kurs moved resolution 2015-156, Councilmember Stults seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0.

Resolution 2015-156

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

**AUTHORIZING THE BUDGET TO  
BE READ BY TITLE ONLY**

**WHEREAS**, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that prior to the date of hearing a complete copy of the approved budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed a certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requiring them; and

**WHEREAS**, these two conditions have been met;

**NOW, THEREFORE BE IT RESOLVED** that the budget shall be read by title only.

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ROLL CALL RECORDED VOTE:

	1st	2nd	Yes	No	Abstain
Ms. Bluth			X		
Ms. Hansen			X		
Mr. Kurs	X		X		
Mr. Misiura			X		
Mr. Montferrat			X		
Mr. Stults		X	X		

**Resolution 2015-157 Adopting the 2015 Budget**

Councilmember moved resolution 2015-157, Councilmember Kurs seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

2015 Budget adopted 6-0.

**Ordinance 2015-10 Final Reading and Public Hearing** – An Ordinance Amending Chapter 14, Entitled “Property Maintenance” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” Adding a New Section to Establish Standards for the Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure by Creditors

Mayor Quattrone opened the public hearing on Ordinance 2015-10 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented this is a good ordinance.

Ronald Kahn, 1 Barton Drive – commented that he is concerned with the requested change to include association fees in the ordinance.

Mr. Raffetto, Borough Attorney, noted that he is still researching the requested reduction to the age of 50+ for Enchantment, but the legislation does not permit the inclusion of charging association fees for foreclosed properties. If the Borough included it in the ordinance and attempted to enforce it, it would be overturned in court; the homeowner association has other remedies available; the ordinance should be adopted as introduced.

There was Council discussion regarding homeowner association by-laws and liens, and pending legislation A4075 which could assist the homeowner associations.

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

Councilmember Kurs moved ordinance 2015-10 for adoption, Council President Hansen seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Ordinance 2015-10 adopted 6-0.

**Ordinance 2015-10**

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

**AN ORDINANCE AMENDING CHAPTER 14, ENTITLED “PROPERTY MAINTENANCE” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY” ADDING A NEW SECTION TO ESTABLISH STANDARDS FOR THE REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN**

**FORECLOSURE BY CREDITORS**

**WHEREAS**, mortgage foreclosures often result in the abandonment and neglect of residential properties; and

**WHEREAS**, P.L. 2014, c. 35, authorizes municipalities to adopt ordinances for the purpose of regulating the care, maintenance, security and upkeep of the exterior of vacant and abandoned residential properties for which a creditor has filed an action to foreclose; and

**WHEREAS**, it is in the public interest for the Borough of Hightstown to establish a mechanism to identify and track vacant and abandoned residential properties in the Borough which are in foreclosure, to establish standards for the maintenance of those properties and to enforce those standards of maintenance.

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

Section 1. The Revised General Ordinances of the Borough of Hightstown are hereby amended by the addition of a new section to Chapter 14 Property Maintenance, to read as follows:

**Registration and Maintenance of Vacant and Abandoned Residential Properties in Foreclosure**

a. Definitions

1. “Creditor” means a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the “New Jersey Residential Mortgage Act,” P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers.
2. “Vacant and Abandoned” residential property means, consistent with section 1 of P.L. 2010, c.70 (C.2A:50-73), residential real estate, where a notice of violation has been issued pursuant to Paragraph e. 1 of this Section and subsection b. of section 1 of P.L.2014, c.35 (C.40:48-2.12s). Residential property shall further be deemed Vacant and Abandoned where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

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- (a) overgrown or neglected vegetation;
- (b) the accumulation of newspapers, circulars, flyers or mail on the property;
- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash or debris on the property;
- (f) the absence of window treatments such as blinds, curtains or shutters;
- (g) the absence of furnishings and personal items;
- (h) statements of neighbors, association management, delivery persons, or government employees indicating that the residence is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (l) a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property; an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) a written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
- (o) any other reasonable indicia of abandonment.

**b. Registration of Vacant and Abandoned Properties**

1. A Creditor filing a summons and complaint in an action to foreclose on a Vacant and Abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes Vacant and Abandoned, shall within thirty

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(30) calendar days after the building becomes Vacant and Abandoned or within thirty (30) calendar days after assuming ownership of the Vacant and Abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Borough, and annually thereafter, file a registration statement for such Vacant and Abandoned property with the municipal clerk on forms provided by the Borough for such purposes. Any failure to receive notice from the Borough shall not constitute grounds for failing to register the Vacant and Abandoned property.

2. Each Vacant and Abandoned property having a separate block and lot number as designated in the official tax maps of the Borough shall be registered separately.
3. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Creditor in connection with the enforcement of any applicable code.
4. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the Abandoned and Vacant property. The individual or representative of the firm responsible for maintaining the Abandoned and Vacant property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
5. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The Creditor shall be required to renew the registration annually as long as the building remains Vacant and Abandoned and shall pay a registration or renewal fee in the amount prescribed in Paragraph c. of this Section for each Vacant and Abandoned property registered.
6. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.
7. The Creditor shall notify the municipal clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.

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8. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the Creditor.

c. Fee Schedule

The initial registration fee for each Vacant and Abandoned property under the provisions of this Section shall be five hundred (\$500.00) dollars. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars and the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars. The fee for any subsequent annual renewal beyond the second renewal shall be five thousand (\$5,000.00) dollars.

d. Creditor Responsibility for Vacant and Abandoned Properties

1. A Creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough shall be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes Vacant and Abandoned as defined in this Section.
2. Where a Creditor is located out-of-state, the Creditor shall be responsible for appointing an in-State representative or agent to act on the Creditor's behalf for the purpose of satisfying the requirements of Paragraph d. 1 of this Section. Notice of said representative or agent shall be provided to the municipal clerk pursuant to Paragraph b. 3 and 4 of this Section and pursuant to paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).

e. Notice

1. The enforcement officers designated in this Section shall be authorized to issue a notice to a Creditor that has filed a summons and complaint in an action to foreclose on a residential property within the Borough, if the enforcement officer determines that the Creditor has violated this Section by failing to provide for the care, maintenance, security, and upkeep of the exterior of a Vacant and Abandoned property.

Where a Creditor is an out-of-State Creditor, the notice shall be issued to the representative or agent that has been identified by the Creditor pursuant to Paragraph d. 2 of this Section and paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).

2. The notice referenced in Paragraph e. 1 of this Section shall require the Creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

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3. The issuance of a notice pursuant to Paragraph e. 1 of this Section shall constitute proof that a residential property is Vacant and Abandoned for the purposes of this Section.

f. Enforcement Officers

The duty of administering and enforcing the provisions of this Section is conferred upon the municipal clerk, construction official, zoning officer, housing officer, health officer, Borough police, and any other duly appointed representatives.

g. Violations and Penalties

1. A Creditor subject to this Section that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this Section shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.
2. An out-of-state Creditor subject to this Section that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this Section shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
3. A Creditor subject to this Section that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to register a Vacant and Abandoned property pursuant to Paragraph b. of this Section shall be subject to a fine not exceeding two thousand (\$2,000.00) dollars. Any fines imposed on a Creditor under this Paragraph shall commence 11 days following receipt of notice from the Borough pursuant to Paragraph b. 1 of this Section.

4. No less than 20 percent of any money collected by the Borough pursuant to this Section shall be utilized by the Borough for municipal code enforcement purposes.

Section 2. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

Section 4. This ordinance shall take effect 20 days after final passage and publication according to law.

**Ordinance 2015-12 Final Reading and Public Hearing** – An Ordinance to Establish Salary Ranges for Certain Officers and Employees of the Borough of Hightstown

Mayor Quattrone opened the public hearing on Ordinance 2015-12 and the following individuals spoke:

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

Scott Caster, 12 Clover Lane – pointed out a typo in the ordinance title on the agenda.

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

Council President Hansen moved ordinance 2015-12 for adoption, Councilmember Stults seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Ordinance 2015-12 adopted 6-0.

Ordinance 2015-12

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

**AN ORDINANCE TO ESTABLISH SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES  
OF THE BOROUGH OF HIGHTSTOWN**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Hightstown, as follows:

**Section 1.** The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, excluding longevity, whose compensation shall be on an annual basis, is:

	<b>RANGING FROM:</b>	<b>TO:</b>
Mayor	\$4,800.00	\$4,800.00
Councilmember	\$3,600.00	\$3,600.00
Borough Clerk	\$40,000.00	\$75,000.00
Treasurer	\$40,000.00	\$60,000.00

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	<b>RANGING FROM:</b>	<b>TO:</b>
Tax/Water/Sewer Collector	\$20,000.00	\$57,000 .00
Part-Time Tax/Water/Sewer Collector	\$10,000.00	\$15,000.00
Deputy Tax/Water/Sewer Collector	\$8,000.00	\$18,400.00
Tax/Utility/Payroll Clerk	\$28,000.00	\$47,000.00
Tax Assessor	\$7,500.00	\$18,000 .00
Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Deputy Registrar of Vital Statistics	\$1,000.00	\$4,600.00
Municipal Court Administrator	\$40,000.00	\$65,000.00
Deputy Municipal Court Administrator	\$28,000.00	\$41,000.00
Administrative Assistant/Secretary	\$22,000.00	\$52,000.00
Records Management and System Administrator and Administrative Assistant to the Police Director	\$32,000.00	\$53,000.00
Planning Board Secretary	\$1,000.00	\$16,000.00
Technical Assistant	\$28,000.00	\$40,000.00
Construction Code Official	\$18,000.00	\$35,000.00
Fire Subcode Official	\$3,500.00	\$8,000.00
Building Subcode Official	\$3,500.00	\$8,000.00
Superintendent of Public Works	\$50,000.00	\$91,000.00
Assistant Superintendent of Public Works	\$50,000.00	\$66,000.00
Water Plant Operator	\$35,000.00	\$73,500.00
Supervising AWWTP Operator	\$44,000.00	\$56,000.00
Superintendent of AWWTP	\$50,000.00	\$85,000.00
Lab Manager – AWWTP	\$35,000.00	\$65,000.00
Secretary Board of Health	\$500.00	\$1,500.00
Computer Systems Administrator	\$3,000.00	\$6,000.00
Chief Financial Officer	\$2,000.00	\$50,000.00
Building Inspector	\$3,500.00	\$4,500.00
Zoning Official	\$6,000.00	\$12,000.00
Health Officer	\$8,000.00	\$13,000.00

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	<b>RANGING FROM:</b>	<b>TO:</b>
OEM Coordinator	\$2,000.00	\$ 5,000.00
Borough Administrator	\$40,000.00	\$80,000.00
Police Director	\$50,000.00	\$85,000.00

**Section 2.** The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, whose compensation shall be on an hourly basis, is:

	<b>RANGING FROM:</b>	<b>TO:</b>
Part-time clerical	\$8.00	\$30.00
Deputy Borough Clerk	\$12.50	\$25.00
Violations Clerk (part-time)	\$10.00	\$15.00
Disposition Clerk (part-time)	\$12.50	\$25.00
Special Officer – Municipal Court	\$25.00	\$35.00
Public Health Nurse	\$25.00	\$45.00
School Crossing Guard	\$15.00	\$25.00
Radio Dispatcher	\$8.00	\$26.00
Special Officer I	\$8.00	\$18.00
Special Officer II	\$18.00	\$30.00
Clerical Assistant	\$10.50	\$20.00
Administrative Assistant – Floater	\$13.50	\$21.00
Public Works Foreman	\$17.00	\$28.00
Public Works Heavy Equipment Operator	\$16.00	\$26.00
Public Works Automated Vehicle Operator	\$16.00	\$26.00
Public Works Driver/Laborer	\$15.00	\$25.00
Public Works Laborer	\$14.00	\$22.00
Public Works Municipal Building Maintenance	\$8.00	\$16.00
Public Works Mechanic	\$16.00	\$26.00
Seasonal/Temporary Labor	\$8.00	\$16.00
Assistant Water Plant Operator	\$15.00	\$25.00
Water Plant Lead Operator	\$40.00	\$49.00

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	<b>RANGING FROM:</b>	<b>TO:</b>
AWWTP Maintenance	\$16.00	\$26.00
AWWTP Operator Trainee (up to 1 year exp)	\$13.00	\$16.00
AWWTP Operator – Class I (min. 1 year exp)	\$15.00	\$25.00
Recreation Director (part-time)	\$20.00	\$40.00
Assistant Recreation Director (part-time)	\$8.00	\$20.00
Junior Recreation Counselor (part-time)	\$6.00	\$12.00
Housing Inspector	\$14.00	\$35.00
Fire Inspector	\$14.00	\$35.00
Building Inspector	\$14.00	\$35.00
Code Enforcement Officer	\$15.00	\$25.00
Fire Official	\$14.00	\$35.00
Zoning Officer	\$14.00	\$35.00
Electric Subcode Official	\$14.00	\$40.00
Plumbing Subcode Official	\$14.00	\$40.00

**Section 3.** This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2015.

**Section 4.** The salary ranges established in this ordinance supersede any established for the same positions in previous salary ordinances, and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

**Ordinance 2015-13 Final Reading and Public Hearing** An Ordinance Amending Chapter 7, Entitled “Traffic” Section 7-29, Entitled “Speed Limits” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” Establishing the Speed Limit for a Portion of Wyckoff Mills Road

Mayor Quattrone opened the public hearing on Ordinance 2015-13 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that an ordinance is needed for 25mph on South Main Street and more signs are needed coming into town; the machine telling drivers their speed are effective.

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

Council President Hansen moved ordinance 2015-13 for adoption, Councilmember Kurs seconded.

There was discussion regarding the lack of signage on South Main Street, previous comments from the public regarding too many signs in town, and the possibility of making the entire road of Wyckoff Mills 25mph.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Ordinance 2015-13 adopted 6-0.

June 15, 2015

Ordinance 2015-13  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING CHAPTER 7, ENTITLED “TRAFFIC,” SECTION 7-29, ENTITLED “SPEED LIMITS” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY” ESTABLISHING THE SPEED LIMIT FOR A PORTION OF WYCKOFF MILLS ROAD**

**WHEREAS**, the Hightstown Borough Police Department have recommended that the speed limit for a portion of Wyckoff Mills Road be established to be 25 miles per hour; and

**WHEREAS**, the Borough Council finds that it is in the public interest for the Borough of Hightstown to establish a 25 mile per hour speed limit for a portion of Wyckoff Mills Road.

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

Section 1. Chapter 7, entitled “Traffic,” Section 7-29, entitled “Speed Limits,” of the Revised General Ordinances of the Borough of Hightstown are hereby amended to read as follows (additions are underlined):

**Section 7-29**

**SPEED LIMITS**

**Subsections:**

**7-29-1           Speed Limits.**

**Subsection 7-29-1 Speed Limits.**

Speed limits along designated streets shall be as designated below:

	<b>Speed Limit</b>	
<b>Name of Street</b>	<b>Direction</b>	<b>and Location</b>
Wyckoff Mills Road	All	<u>25 miles per hour from North Main Street to Cranbury Station Road</u>

Section 2. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

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Section 4. This ordinance shall take effect immediately after final passage and publication according to law.

**Ordinance 2014-06 Final Reading and Public Hearing** Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$220,000 Therefor and Authorizing the Issuance of \$209,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Mayor Quattrone opened the public hearing on Ordinance 2014-06. There being no comments, the public hearing was closed.

Councilmember Bluth moved ordinance 2014-06 for re-adoption, Councilmember Stults seconded.

George Lang, CFO advised that this ordinance is being re-adopted to correct an error.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Ordinance 2014-06 re-adopted 6-0.

Ordinance 2015-06  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF  
\$215,000 FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE  
BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW  
JERSEY, AND AUTHORIZING THE ISSUANCE OF \$215,000 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 improvement described in Section 3(a) of this bond ordinance has heretofore been 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 supplemental amount of \$215,000, such sum being in addition to the \$682,000 appropriated (which included a \$252,836 Municipal Aid Grant from the State of New Jersey Department of Transportation (the "State Grant")) therefor by bond ordinance 2013-23 of the Borough, finally adopted November 18, 2015 (the "Original Bond Ordinance"), which includes a. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$215,000 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.(a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is various road improvements, including Park Avenue, Greeley Street and Glen Brook Place, as described in the Original Bond Ordinance, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$644,164, including the \$429,164 authorized by the Original Bond Ordinance and the \$215,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$897,000, including the \$682,000 appropriated by the Original Bond Ordinance and the \$215,000 appropriated herein.

June 15, 2015

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 bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation 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 bond anticipation 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 bond anticipation 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 bond anticipation 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 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 bond 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 \$215,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$108,000 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. Of this amount, \$93,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$15,000 is estimated therefor herein.

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(a) hereof shall be applied either to direct payment of the cost of the improvement 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 ARule@) 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  
June 15, 2015

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 2015-161 Authorizing the Payment of Bills**

Councilmember Montferrat moved resolution 2015-161, Councilmember Stults seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0.

Resolution 2015-161  
*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 \$2,056,958.20 from the following accounts:

Current		\$1,902,985.24
W/S Operating		147,079.96
General Capital		0.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		5,931.20
Housing Trust		287.50
Animal Control		74.30
Law Enforcement Trust		600.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>0.00</u>
<b>Total</b>		<u><u>\$2,056,958.20</u></u>

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**Resolution 2015-162 Awarding a Contract for Solid Waste Dumpster Service – Republic Services of New Jersey, LLC**

Councilmember Bluth moved resolution 2015-162, Councilmember Stults seconded.

There was discussion regarding the present vendor and costs for the service.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0.

Resolution 2015-162

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

**AWARDING A CONTRACT FOR SOLID WASTE DUMPSTER SERVICE – REPUBLIC SERVICES OF NEW JERSEY, LLC**

**WHEREAS**, four (4) bids were received on June 10, 2015 for Solid Waste Dumpster Service; and

**WHEREAS**, the bids have been reviewed by the Purchasing Agent and it is her recommendation that the contract for Solid Waste Dumpster Service in Hightstown Borough be awarded to Republic Services of New Jersey, LLC of 5 Industrial Drive, New Brunswick, NJ 08901 at the price of \$34,149.48 for year one, \$35,515.44 for year two, \$36,936.00 for year three, \$38,413.44 for year four and \$39,949.92 for year five for a total contract price of \$184,964.28; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-15(3) the bid was for a period of five years, said contract being awarded with the Borough retaining the right to cancel this contract on any year with ninety days written notice to the vendor; and

**WHEREAS**, the Borough Attorney has reviewed the lowest responsible bid and determined that the bid submitted by Republic Services of New Jersey, LLC is in order with respect to legal compliance; and

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

**WHEREAS**, funds for the continuation of this contract for the four (4) subsequent years shall be made available in the appropriate year's budget; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Solid Waste Dumpster Service is hereby awarded to Republic Services of New Jersey, LLC of 5 Industrial Drive, New Brunswick, NJ 08901 in the amount of \$34,149.48 for year one, \$35,515.44 for year two, \$36,936.00 for year three, \$38,413.44 for year four and \$39,949.92 for year five for a total contract price of \$184,964.28 effective July 1, 2015.

**Resolution 2015-163 Issuing a Moratorium on the Issuance of Yearly A-Frame Sign Permits**

Council President Hansen moved resolution 2015-163, Councilmember Bluth seconded.

Councilmember Stults explained that the Planning Board requested this resolution and are concerned with the number of signs downtown and sidewalk access; they are evaluating the present ordinance.

Councilmember Misiura noted that when a process was established for these sign permits, and the Planning Board predicted this would happen.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

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Resolution adopted 6-0.

Resolution 2015-163

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

**ISSUING A MORATORIUM ON THE ISSUANCE OF YEARLY A-FRAME SIGN PERMITS**

**WHEREAS**, the Planning Board has requested that the Borough Council issue a moratorium on the issuance of A-Frame Sign permits and direct the Zoning Official to cease the issuance of said permits beginning July 1, 2015; and

**WHEREAS**, the Planning Board is concerned with the number of A-Frame Signs cluttering the Borough; and

**WHEREAS**, the Planning Board is investigating alternatives to the A-Frame Sign; and

**WHEREAS**, the Borough Council finds that issuing a directive to the Zoning Official to cease the issuance of the annual A-Frame Sign Permits will benefit the Borough; and

**WHEREAS**, the Borough Council also finds that issuing a moratorium on the issuance of annual A-Frame sign permits will improve the Borough's curb appeal and quality of life.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that a moratorium is in effect for the issuance of yearly A-Frame Sign permits effective July 1, 2015 and that the Zoning Official is hereby directed to cease issuing said permits effective July 1, 2015 and continuing until further notice.

**Resolution 2015-164 Authorizing an Agreement with Tacorito for Use of Public Right-of-Way**

Councilmember Stults noted that the owner showed an interest in placing outside seating when they first opened, but there is concern with the area of the tree in front of the alley, it could create an obstacle for public sidewalk use.

Councilmember Misiura moved resolution 2015-164, Council President Hansen seconded.

There was discussion regarding possibly allowing Tacorito to use the alley only and the clutter in that area of downtown. It was noted that the area of clearance is clearly dictated in the agreement. Mr. Underhill stated that the Borough would verify the appropriate clearance in the area and enforce it.

Roll Call Vote: Council members Bluth, Misiura, Montferrat and Stults voted yes; Council members Hansen and Kurs voted no.

Resolution adopted 4-2.

Resolution 2015-164

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

**AUTHORIZING AGREEMENT WITH TACORITO FOR USE OF PUBLIC RIGHT-OF-WAY**

**WHEREAS**, TacoRito (referenced herein as the "Applicant"), having an address of 110 Main Street, Hightstown, New Jersey, is a tenant in the property known and designated as Block 33, lot 6 on the Hightstown Borough Tax Map (referenced herein as the "property"), which is adjacent to Main Street; and  
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**WHEREAS**, the Applicant conducts a restaurant at the property known as the “TacoRito”, and has requested permission to place tables and chairs outside of its business for the exclusive use of patrons of the TacoRito and to conduct normal business activities associated with the TacoRito within the said area; and

**WHEREAS**, the area adjacent to the property encompasses a certain right-of-way area owned by the State of New Jersey (referenced herein as the “State”); and

**WHEREAS**, the State, through the New Jersey Department of Transportation (referenced herein as the “D.O.T.”), has advised the Borough that there are no permits required from, nor is there any other formal process necessary through, the State in order for the Applicant to install the desired outdoor tables and chairs or to conduct normal business activities within the area in question, which encompasses part of the right-of-way area owned by the State; and

**WHEREAS**, rather, the State, through the D.O.T., has advised the Borough that such approval is a local matter to be handled by the Borough so long as the proposed outdoor tables, chairs and/or other equipment do not block and/or interfere with pedestrian traffic; and

**WHEREAS**, the Borough is willing to allow the Applicant to utilize the area in question upon the terms and conditions set forth in the Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Hightstown, that the Borough hereby permits the Applicant to utilize the area in question for the uses referenced above in consideration of the mutual promises and covenants set forth in the Agreement, and the Mayor and Borough Clerk are hereby authorized to execute said Agreement on behalf of the Borough.

**Resolution 2015-178 Authorizing the Borough of Hightstown to Hire One New Full-Time Regular Police Officer**

Councilmember Kurs moved resolution 2015-178, Council President Hansen seconded.

Councilmember Kurs explained the need for an additional officer and Mr., Underhill clarified the hire and the number of officers now in the department.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0.

Resolution 2015-178

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

**AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO HIRE ONE NEW FULL-TIME REGULAR  
POLICE OFFICER**

**WHEREAS**, due to the resignation of an Officer, and in order to maintain the health, safety and welfare of the public at large, the Hightstown Borough Council has determined that it is necessary to hire a rank and file police officer for the Borough; and

**WHEREAS**, Section 2-19.7 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” governs 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 Lieutenant has recommended that the Borough Council appoint Daniel A. Abbatemarco of Colts Neck, New Jersey as a Hightstown Borough Police Officer; and

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**WHEREAS**, appointee Daniel A. Abbatemarco is a certified Class II officer 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**, it is the intention of the Borough that appointee Abbatemarco shall be enrolled in said Academy to commence with courses of instruction as soon as possible; and

**WHEREAS**, the employment of appointee Abbatemarco shall be conditioned upon his passing all applicable Borough requirements; and

**WHEREAS**, the employment of appointee Abbatemarco shall additionally be conditioned upon qualifying for PTC waivers, as indicated above; and

**WHEREAS**, the employment of appointee shall additionally be conditioned upon appointee Abbatemarco executing the Hightstown Borough Police Department Employment and Payment Reimbursement Agreement; and

**WHEREAS**, the Hightstown Borough Council believes that the hiring of the new police officer 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 individual referenced above is hereby appointed to serve as full-time regular police officer for the Borough of Hightstown, contingent upon the conditions set forth in this Resolution.
2. That the employment of the new officer shall be conditioned upon passing all applicable Borough requirements.
3. That the employment of appointee Abbatemarco shall additionally be conditioned upon his qualifying for PTC waivers, as indicated above.
4. That the employment of appointee Abbatemarco shall additionally be conditioned upon appointee Abbatemarco executing the Hightstown Borough Police Department Employment and Payment Reimbursement Agreement.
5. That all other terms and conditions of employment relating to the new hire shall be as set forth in the existing FOP 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. Appointee Daniel A. Abbatemarco;
  - b. Lieutenant Frank Gendron;
  - c. Police Commissioner Seth Kurs;
  - d. Elizabeth Garcia, Esq., Borough Labor Counsel; and
  - e. Frederick C. Raffetto, Esq., Borough Attorney.

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**Consent Agenda Resolutions 2015-165, 2015-166, 2015-167, 2015-168, 2015-169, 2015-170, 2015-171, 2015-173, 2015-174, 2015-175, 2015-177:**

Councilmember Montferrat requested that resolution 2015-172 be pulled from the consent agenda.

Council President Hansen moved resolutions 2015-165, 2015-166, 2015-167, 2015-168, 2015-169, 2015-170, 2015-171, 2015-173, 2015-174, 2015-175, and 2015-177 as the consent agenda, Councilmember Stults seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0.

Resolution 2015-165

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

**AUTHORIZING RELEASE OF ESCROW FUNDS – HIGHTS REALTY, LLC (BLOCK 61.01,  
LOT 43)**

**WHEREAS**, Hights Realty, LLC deposited escrow funds in the amount of \$2,000.00 for a project at Block 61.01, Lots 43; and

**WHEREAS**, Hights Realty, LLC has withdrawn its application for this project and has requested that the remaining escrow funds on deposit with the Borough for Block 61.01, Lots 43 be released; and

**WHEREAS**, the Professionals of the Borough have certified that all payments due them from this escrow account have been paid; and

**WHEREAS**, it is hereby recommended that the remaining escrow funds in this account be returned to Hights Realty, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is authorized and directed to release the escrow funds on deposit with the Borough as referenced above to Hights Realty, LLC, 401 El. Linden Avenue, Linden, New Jersey 07036.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided to the following:

- a. Hights Realty, LLC
- b. Janice Mohr-Kminek, Treasurer
- c. Sandy Belan, Planning Board Secretary
- d. Carmela Roberts, Borough Engineer

Resolution 2015-166

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

**RATIFYING THE MEMORANDUM OF AGREEMENT WITH THE HIGHTSTOWN  
MEMBERS OF LOCAL 32 OF THE OFFICE AND PROFESSIONAL EMPLOYEES  
INTERNATIONAL UNION AFL-CIO FOR THE YEARS 2015, 2016, 2017, AND 2018, AND**

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**AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT  
RELATING THERETO**

**WHEREAS**, the Borough of Hightstown and the Hightstown Members of Local 32 of the Office and Professional Employees International Union AFL-CIO have negotiated a Memorandum of Agreement for the years 2015, 2016, 2017, and 2018; and

**WHEREAS**, a copy of the Memorandum of Agreement is attached hereto and made a part hereof; and

**WHEREAS**, the Memorandum of Agreement has been reviewed by all parties and ratified by the Hightstown Members of Local 32 of the Office and Professional Employees International Union AFL-CIO; and

**WHEREAS**, it is the desire of the Mayor and Council that it be approved, ratified and executed by the appropriate representatives of the Borough; and

**WHEREAS**, it is also the desire of the Mayor and Council to authorize the appropriate Borough Officials to execute a new Collective Bargaining Agreement (“CBA”) with Hightstown Members of Local 32 of the Office and Professional Employees International Union AFL-CIO for the years 2015, 2016, 2017, and 2018, so long as the CBA includes all of the terms and conditions set forth in the attached Memorandum of Agreement and the CBA is satisfactory to the Borough’s Labor Counsel.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown as follows:

1. That the attached Memorandum of Agreement with Hightstown Members of Local 32 of the Office and Professional Employees International Union AFL-CIO for the years 2015, 2016, 2017, and 2018, which agreement is on file in the Borough Clerk’s office, is hereby approved and ratified.
2. That the Borough Administrator is hereby authorized to execute, and the Borough Clerk to attest, the attached Memorandum of Agreement with the Hightstown Members of Local 32 of the Office and Professional Employees International Union AFL-CIO for the years 2015, 2016, 2017, and 2018.
3. That the Borough Administrator is hereby authorized to execute, and the Borough Clerk to attest, a new CBA with Hightstown Members of Local 32 of the Office and Professional Employees International Union AFL-CIO for the years 2015, 2016, 2017, and 2018, so long as the CBA includes all of the terms and conditions set forth in the attached Memorandum of Agreement and the CBA is satisfactory to the Borough’s Labor Counsel.
4. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Hightstown Local 32 of the Office and Professional Employees International Union AFL-CIO;
  - b. Elizabeth Garcia, Esq., Labor Counsel.

Resolution 2015-167

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

**AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE AGREEMENT WITH CROSS  
RIVER FIBER, LLC**

**WHEREAS**, Cross River Fiber, Inc. (“Cross River”) is a public utility and telecommunications carrier as defined by N.J.S.A 48:2-13; and

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**WHEREAS**, Cross River is authorized to provide service by the New Jersey Board of Public of Utilities and the Federal Communications Commission; and

**WHEREAS**, Cross River is seeking to install telecommunications facilities on utility poles or within underground conduits located in the public right-of-way in the Borough of Hightstown in order to provide telecommunications services to the public, and to operate, maintain and repair facilities; and

**WHEREAS**, N.J.S.A 48:17-10 through 48:17-12 permits municipalities to enter into a Rights-of-Way Use Agreement with a telecommunications carrier; and

**WHEREAS**, the Borough of Hightstown desires to enter into a Rights-of-Way Use Agreement with Cross River that sets forth the terms of use, occupancy and manner in which Cross River will utilize the Borough of Hightstown Rights of Ways (“Use Agreement”); and

**WHEREAS**, the Use Agreement shall be effective for an initial ten (10) year term and contain three (3) additional renewable ten (10) year terms; and

**WHEREAS**, annexed hereto is a copy of the Use Agreement to be entered into by and between the Borough of Hightstown and Cross River;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hightstown, being the governing body thereof, that the Mayor be and hereby is authorized to execute and the Municipal Clerk be and hereby is authorized to witness, the annexed Rights-of-Way Use Agreement between the Borough of Hightstown and Cross River Fiber, Inc.

Resolution 2015-168

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

**AUTHORIZING PARTICIPATION IN THE NATIONAL JOINT POWER ALLIANCE (NJPA) COOPERATIVE PURCHASING PROGRAM PURSUANT TO P.L. 2011, C. 139**

**WHEREAS**, the National Joint Power Alliance (NJPA) Cooperative Purchasing Program is created to serve cities, counties, towns, public or private schools, political subdivisions of Minnesota or another state, another state, any agency of the State of Minnesota or the United States including instrumentalities of a governmental unit and all non-profits; and

**WHEREAS**, the NJPA Board of Directors has established the ability for an "Applicant" desiring to participate in NJPA contracts and procurement programs to become a Participating Member; and

**WHEREAS**, the NJPA Board of Directors has determined that Participating Members will have no financial or organizational liability to NJPA or to its organizational activities; and

**WHEREAS**, the Borough of Hightstown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the National Joint Power Alliance (NJPA) Cooperative Purchasing Program pursuant to the provisions of P.L.2011, c. 139 which permits contracting units to use contracts awarded by national or regional cooperative or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS**, the Borough Council desires to obtain membership in the NJPA and to purchase certain products and services from vendors through the NJPA; and

**WHEREAS**, the Borough Council authorizes the Borough Administrator and/or Qualified Purchasing Agent to submit an on-line application and execute any paperwork required to obtain membership into the NJPA and to purchase products and June 15, 2015

services from the NJPA Cooperative Purchasing Program contracts.

**WHEREAS**, pursuant to the rules of the Local Finance Board of the State of New Jersey no amount of any contract shall be chargeable until certification of available funds is made and upon receipt of a properly executed purchase order.

**NOW THEREFOR BE IT RESOLVED**, by the Mayor and Council of the Borough of Hightstown, of the County of Mercer in the State of New Jersey, that the Borough Administrator and/or Qualified Purchasing Agent are authorized to submit an on-line application and execute any paperwork required for membership into the National Joint Power Alliance Cooperative Purchasing Program to purchase products and services from the NJPA contracts.

Resolution 2015-169

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

**RESCINDING RESOLUTION 2015-134**

**WHEREAS**, the Borough Council authorized use of the Memorial Parking Lot for a Latino Festival to be held on July 11, 2015; and

**WHEREAS**, the original application for a Park Use Permit requested the use of Memorial Park for this event however the Parks and Recreation Commission has authorized the use of Bank Street Park for this event; and

**WHEREAS**, the authorization for the use of the Memorial Parking Lot was issued under the original application and in connection with authorization by the Parks and Recreation for the Park Use Permit being issued for the use of Memorial Park; and

**WHEREAS**, the Borough Council finds it necessary to rescind resolution 2015-134 which authorized use of the Memorial Parking Lot for a Latino Festival to be held in Memorial Park on July 11, 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that resolution 2015-134 which authorized the use of the Memorial Parking Lot for a Latino Festival on July 11, 2015 is hereby rescinded due to the circumstances as stated above.

Resolution 2015-170

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

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

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

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

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

June 15, 2015

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

**2015-2016 Plenary Retail Distribution License  
License #1104-44-002-010**

**Fee: \$2,500.00**

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

Resolution 2015-171

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

**WAIVING FEES FOR CERTAIN PARKING PERMITS**

**WHEREAS** Rise (formerly known as the Community Action Service Center), a nonprofit agency serving Borough residents, has requested eight 2015-2016 parking permits for use by their staff, including four special permits for use in the Main Street parking lot and four permits for use in the Borough's permit parking area near Wells Fargo Bank; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk shall issue Rise eight (8) 2014-2015 parking permits as detailed herein and that the fees for these permits shall be waived.

Resolution 2015-173

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

**REQUESTING PERMISSION TO ESTABLISH A DEDICATED TRUST BY RIDER FOR  
HIGHTSTOWN DEVELOPER FEES – AFFORDABLE HOUSING TRUST FUNDS PURSUANT  
TO PL 1985 C.222 AND NJS 52:27D-320)**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, *PL 1985 c.222 and NJS 52:27D-320* permits municipalities to receive amounts for costs incurred for Developer Fees – Affordable Housing Trust Funds; and

**WHEREAS**, *N.J.S.A. 40A:4-39* provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

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

June 15, 2015

1. The governing body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Developer Fees – Affordable Housing Trust Funds per PL 1985 c.222 and NJS 52:27D-320.
2. The Municipal Clerk of the Borough of Hightstown is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Resolution 2015-174

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

**AUTHORIZING THE BOROUGH TO COMMENCE AN ACTION BEFORE  
THE SUPERIOR COURT OF NEW JERSEY  
IN ORDER TO SEEK CERTIFICATION OF ITS  
AFFORDABLE HOUSING PLAN**

**WHEREAS**, the Borough of Hightstown (the “Borough”) has previously prepared and filed an Affordable Housing Plan (also referenced as the “Plan”) with the New Jersey Council on Affordable Housing (“COAH”), in order to obtain certification of its proposed affordable housing compliance plan; and

**WHEREAS**, the Plan provided a detailed analysis as to how the Borough intends to comply with its obligation to provide its fair share of low and moderate income housing in order to satisfy the regional need for the same, pursuant to the Mt. Laurel doctrine, as articulated in Southern Burlington County NAACP vs. Tp. Of Mt. Laurel, 92 N.J. 158 (1983), and related opinions; and

**WHEREAS**, the Borough’s last Plan was submitted to COAH in or about July of 2012, and has been pending before COAH since that time; and

**WHEREAS**, on March 10, 2015, the New Jersey Supreme Court rendered an opinion in the case of: “In the matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council of Affordable Housing,” 221 N.J. 1 (2015); and

**WHEREAS**, among other things, that decision returns primary jurisdiction over affordable housing matters to the trial courts, thus removing COAH from the process; and

**WHEREAS**, pursuant to this recent Supreme Court ruling, municipalities shall be required to present a housing plan and to demonstrate their compliance with the New Jersey “Fair Housing Act” of 1985, N.J.S.A. 52:27D-301, *et seq.*, to the Superior Court of New Jersey; and

**WHEREAS**, the Borough wishes to comply with the procedure established in the above-referenced recent Supreme Court ruling; and

**WHEREAS**, the Borough therefore wishes to authorize the preparation, filing and commencement of an action before the Superior Court of New Jersey in order to seek certification of the Borough’s proposed Affordable Housing Plan, and to seek repose and immunity from Builder’s Remedy lawsuits relating thereto.

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

1. That the Borough hereby authorizes the preparation, filing and commencement of an action before the Superior Court of New Jersey, in order to seek certification of the Borough’s proposed Affordable Housing Plan, and to seek repose and immunity from Builder’s Remedy lawsuits relating thereto.
2. That the Borough Attorney and Borough Planner, as well as any other relevant Borough Officials, are hereby

June 15, 2015

authorized and directed to prepare and file all necessary documents in furtherance of this action, on behalf of the Borough.

3. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Frederick C. Raffetto, Esq., Borough Attorney
  - b. Tamara Lee, P.P., Borough Planner
  - c. Gary S. Rosensweig, Esq., Planning Board Attorney
  - d. Hightstown Borough Planning Board

Resolution 2015-175

*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 2015**

**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 2015 salaries for certain non-union employees to provide a two percent increase.

**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, 2015:

<b>Position/Title</b>	<b>2015 Salary</b>
Chief Financial Officer	47,500.00
Borough Clerk	71,660.00
Part-Time Collector	13,200.00
Assessor	17,100.00
Treasurer	52,870.00
Municipal Court Administrator	60,725.00
Municipal Court Administrator - on call stipend	1,000.00
Municipal Magistrate	37,900.00
Public Works Superintendent	87,227.00
Water Plant Operator	71,265.00
Superintendent of AWWTP	82,500.00
Registrar of Vital Statistics	3,900.00
Construction Code Official	20,570.00
Technical Assistant	42,005.00
Building Subcode Official	4,000.00
Building Inspector	4,000.00

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Hightstown that the salary for the titles below shall be effective July 1, 2015:

June 15, 2015

<b>Position/Title</b>	<b>2015 Salary</b>
Zoning Official	10,750.00

Resolution 2015-177

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

**AUTHORIZING THE ISSUANCE OF AN AUCTION LICENSE - EMPIRE ANTIQUES**

**WHEREAS**, an application for a license to hold an auction on Saturday, July 18, 2015 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 Department; 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, July 18, 2015, at 278 Monmouth Street.

**Resolution 2015-172 Authorizing Execution of a Municipal Shared Services Defense Agreement for Participation in the Preparation of a Statewide Fair Share Analysis Undertaken by Rutgers University and Authored as the Burchell Fair Share Analysis**

Councilmember Stults moved resolution 2015-172, Councilmember Bluth seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, and Stults voted yes; Councilmember Montferrat abstained.

Resolution adopted 5-0, with one abstention.

Resolution 2015-172

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

**AUTHORIZING EXECUTION OF A MUNICIPAL SHARED SERVICES DEFENSE AGREEMENT FOR PARTICIPATION IN THE PREPARATION OF A STATEWIDE FAIR SHARE ANALYSIS UNDERTAKEN BY RUTGERS UNIVERSITY AND AUTHORED AS THE BURCHELL FAIR SHARE ANALYSIS**

**WHEREAS**, the Borough of Hightstown has filed or anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey Mercer County in furtherance of the Supreme Court’s March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”); and

**WHEREAS**, Fair Share Housing Center (“FSHC”), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the “FSHC Numbers”) for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality’s affordable housing obligation pursuant to the Supreme Court Decision; and

**WHEREAS**, the Borough of Hightstown desires to participate in the preparation of a statewide fair share analysis to be  
June 15, 2015

undertaken by Rutgers, The State University of New Jersey (“Rutgers”), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology (the “Burchell Fair Share Analysis”) for determination of a municipality’s obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region’s affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”) and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

**WHEREAS**, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author has agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality’s fair share obligation; and

**WHEREAS**, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000; and

**WHEREAS**, it is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000; and

**WHEREAS**, it is anticipated that if each municipality contributes \$2,000, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare A Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

**WHEREAS**, a Municipal Shared Services Defense Agreement (hereinafter MSSDA”), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers (hereinafter “the Rutgers Agreement”) and so that Burchell, along with various other experts from Rutgers, can perform the tasks described above and (b) so that the rights and responsibilities of each municipality that wishes to sign the agreement to retain Rutgers are defined; and

**WHEREAS**, the MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC (“Surenian”) will serve as the administrative entity to sign the Rutgers agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000 fee; and

**WHEREAS**, it is imperative given the time constraints for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000 fee so that Burchell can conduct the necessary analysis; and

**WHEREAS**, notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers agreement following execution of the MSSDA and the payment of the \$2,000 fee; and

**WHEREAS**, in such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000 payment as more specifically set forth in the MSSDA.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Hightstown, as follows:

1. The terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000 is hereby authorized to be expended by the Borough of Hightstown for Rutgers through Dr. Robert Burchell, Principal Investigator to prepare the Burchell Fair Share Analysis.
3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the Borough of Hightstown and is appended hereto.
4. The Mayor be and is hereby authorized to execute the aforesaid MSSDA to memorialize the participation of the Borough of Hightstown in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The Borough of Hightstown hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the Borough of Hightstown the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.

June 15, 2015

6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Surenian of the changes, the Borough of Hightstown will inform Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2000 it paid.
7. This Resolution shall take effect immediately.

### **Sign Ordinance**

Borough Clerk Sopronyi advised that this ordinance came from the Planning Board.

Councilmember Stults advised that the Planning Board has been evaluating this ordinance for quite some time regarding yard sale signs; it will allow one directional sign and reduce the amount of time a sign can be posted. If anyone objects to the sign, then it must be removed and the changes will assist with enforcement.

There was discussion regarding enforcement and penalties; including the date of the sale in the sign; and the time limit for posting the sign.

Council decided that they would send the ordinance back to the Planning Board with the following recommendations: require the date of the sale to be on the sign; limit the time a sign can be posted to 48 hours; restrict that a sale can only take place for two consecutive days.

### **Zoning Ordinance**

Councilmember Stults advised that this ordinance is related to home based businesses and its purpose is to take care of issues such as repairing taxi cabs in garages and cluttering of the Borough streets by allowing acceptable businesses but restricting business vehicles being parked at residences.

There was discussion regarding removal of accessory structures; bringing responsibility to the owner of the main structure on the property; trying to get away from drive up traffic and its negative impact on the Borough; examples should be placed in the ordinance; and grandfathering present professional offices.

Council decided that they would send the ordinance back to the Planning Board with the following recommendations: change to professional offices; address the existing home based businesses; and inquire as to how land use law addresses the matter.

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

Eugene Sarafin, 628 S. Main Street – commented that this was a great meeting and Council accomplished a lot in two hours; there should be an ordinance licensing garage sales and limiting them to one per year.

Lynne Woods, 315 Park Avenue – noted that she made a complaint to dispatch, but nobody has come to gather her evidence or get details of the complaint; Council should address the matter.

Scott Caster, 12 Clover Lane – complimented Council that there has been a lot of common sense and thoughtful discussion tonight; he personally removes old yard sale signs and there are a lot of signs posted that are for sales in other towns; he feels the alleyway and sidewalk for Tacorito is too cluttered for tables to be placed outside; there is still bicycle riding on the sidewalks.

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

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

**Councilmember Stults** – commented that the Highway Commercial zone is still being evaluated by the Planning Board; there is a lot of cardboard still out on Mercer Street by Michael's Plaza and it needs to be addressed; Downtown Hightstown and the Borough Council will possibly be holding a joint meeting in the future regarding the vision presentation.

June 15, 2015

**Councilmember Bluth** – advised that the first Concert in the Park will be held June 25<sup>th</sup> at Association Park; the Farmers Market will begin on June 26<sup>th</sup> in Memorial Park; and the Town Hall Meetings she and Councilmember Kurs hold at the Library will be cancelled for the months of June, July and August.

**Councilmember Kurs** – noted that Council approved a contract with Robbinsville for EMS services at the last meeting because the previous contract with Capital Health, with East Windsor, was up; he noted that the new agreement provides 24/7 coverage. He continued that the First Aid is struggling and this supplements the volunteer service; it has been a smooth transition. The Fire Department Golf Classic is August 31<sup>st</sup>.

There was discussion regarding the notification of road closings to emergency service personnel.

**Councilmember Montferrat** – inquired as to the status of the tax abatement ordinance. The Borough Attorney advised that it will be forthcoming at a meeting in July; he is speaking with the Assessor regarding the ordinance.

Councilmember Montferrat continued that the Historic Preservation Commission meets Thursday and that this has been a great meeting.

**Councilmember Misiura** – noted that the Board of Health met last week; the Housing Authority meets this week and Tamra Lee will be attending to discuss COAH obligations; the Rug Mill owner has a redevelopment joint partnership with an experienced developer and he is cautiously optimistic.

**Council President Hansen** – commented that the Association Park area roadwork has begun and the residents in the area are pleased; there was a water/sewer meeting and cross-use of employees between the utilities has been established; the Cultural Arts Commission will meet on Wednesday.

**Mayor Quattrone** – noted that he attended the Eagle Scout Dinner for Mr. Crabtree and presented him with a proclamation; Pastor Heidi will be leaving the Methodist Church on Thursday, she has been appointed elsewhere; the Garden Club did a great job with the flower baskets; he will speak to public works about the light pole maintenance; there needs to be discussion regarding signage to walk bicycles downtown; and he will meet with the County tomorrow regarding the planned construction project on North Main Street.

#### **Resolution 2015-176 Authorizing a Meeting Which Excludes the Public**

Council President Hansen moved resolution 2015-176, Councilmember Stults seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0. Resolution 2015-176

Resolution 2015-176

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

#### **AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on June 15, 2015 directly following the general meeting 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:

June 15, 2015

Contract Negotiations – Shared Services: Police/Dispatch/Court

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: September 15, 2015 or when the need for confidentiality no longer exists.

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

Council entered executive session at 9:25pm.

Council re-convened into public session at 10:25pm.

Councilmember Kurs moved to adjourn at 10:25pm, Councilmember Montferrat seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk

June 15, 2015