

**Meeting Minutes  
Hightstown Borough Council  
Regular Meeting  
August 17, 2015  
7:00 pm**

The meeting was called to order by Mayor Quattrone at 7:05pm 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 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; George Lang, CFO; Ken Lewis, DPW Superintendent; Fred Raffetto, Borough Attorney; and Carmela Roberts, Borough Engineer.

Mayor Quattrone requested that the agenda be amended to: add the swearing in of a new member to the Historic Preservation Commission after the first public comment period; move resolution 2015-207 to the end of the meeting; and move the discussion regarding the capital budget to occur before the public comment period I.

Mr. Raffetto, Borough Attorney, advised that the personnel matter from executive session must be discussed in public as the employee signed the waiver; and this discussion must be added to the agenda. Mayor Quattrone asked that this discussion be added to the agenda after the approval of minutes, but prior to the Engineer items.

There was discussion regarding holding an executive session on the personnel matter if discussion will be held in public. The Borough Attorney advised that Council will go into executive session to deliberate the matter and seek attorney advice. Mayor Quattrone then confirmed that there would be no public comment following the executive session.

Council President Hansen moved the agenda as amended for approval, Councilmember Kurs seconded.

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

Agenda approved as amended 5-0.

Council President Hansen moved the June 15, 2015 open session minutes for approval, Councilmember Kurs seconded.

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

Minutes approved as corrected 5-0.

Councilmember Misiura moved the June 15, 2015 executive session minutes, as amended pursuant to his e-mail to the Borough Clerk, for approval; Councilmember Bluth seconded.

August 17, 2015

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

Minutes approved as amended 5-0.

Councilmember Montferrat moved the June 30, 2015 special session minutes for approval, Councilmember Kurs seconded.

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

Minutes approved 5-0.

Councilmember Kurs moved the June 30, 2015 executive session minutes for approval, Council President Hansen seconded.

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

Minutes approved 5-0.

Councilmember Kurs moved the July 9, 2015 executive session minutes for approval, Councilmember Misiura seconded.

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

Minutes approved 5-0.

Councilmember Kurs moved the July 20, 2015 open session minutes for approval, Councilmember Montferrat seconded.

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

Minutes approved 5-0.

Council President Hansen moved the July 9, 2015 special session minutes for approval, Councilmember Kurs seconded.

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

Minutes approved 5-0.

### **Janine Krupa - Personnel**

Mr. Underhill reviewed the history of Officer Janine Krupa's absence and illness from work beginning on June 11, 2015; noting that she will expire her FMLA leave as of September 3, 2015. He noted that she has requested an additional 21 days leave of absence beyond the 12 weeks afforded her under FMLA, which means she would return to work on September 24, 2015; and that this time would be without pay. The continuation of leave without pay is at the discretion of Council.

Borough Attorney Raffetto noted that the employee, nor her attorney, can participate in this discussion; and that the Borough Council will go into executive session for attorney-client privilege to ask any legal questions and deliberate the matter.

Mayor Quattrone referred to the letter from Labor Counsel on the matter and asked for clarification from the Borough Attorney that this discussion is for the terms for her return to work to be discussed. The Borough Attorney advised that this question will be addressed in executive session and Council can then deliberate taking into account attorney advice.

Mr. Underhill then reviewed the current staffing in the Police Department noting that there are two newly hired officers, who are still in training, and that the department is short two officers due to Officer Krupa's sick leave and a disciplinary matter; the department has no Special Officers at this time.

August 17, 2015

There was discussion regarding FMLA and past experience, New Jersey State FLA, and benefit time accrual and health insurance payments during leave.

The Borough Attorney advised that Council will deliberate in executive session and when returning to the public session, Council will provide direction to the Borough Administrator.

### **Etra Road Sidewalk & Curbs**

Mayor Quattrone advised that he has been approached by someone who would like to add sidewalks and curbs to Etra Road. They are willing to pay for the construction, but would like the Borough and County to provide the engineering services. The expense to the Borough and County is in question.

Ms. Roberts, Borough Engineer, advised that she has spoken with the County Engineer regarding putting in sidewalk and curbing from S. Main Street to Meadow Lakes. The County has some design work due to puddling, but they do not install curbs and sidewalks. There was discussion regarding the engineering cost estimate and the Engineer noted that the design work will be difficult and there is the need to perform a survey.

There was additional discussion regarding the project requirements, timeline, and the required two-year maintenance guarantee. Mayor Quattrone noted that the discussion is regarding spending \$19,000 to get these improvements from S. Main Street to Meadow Lakes. There was discussion as to whether this was worth pursuing as it offers the opportunity for improvements that include accessibility for handicapped individuals, and student and staff pedestrian safety at the location. It was noted that Peddie School and Meadow Lakes should be approached to assist with the cost.

Council instructed that information pertaining to financing the engineering services be brought back to Council at the next meeting for further consideration. Mayor Quattrone noted that Council should go out to the location and see what is being discussed.

### **DOT FY2016 State Aid Programs**

The Borough Engineer noted that she and Ken Lewis, DPW Superintendent, have reviewed the Borough streets and find that the Borough should apply for municipal aid for Sunset and Maple to finish that area; and also recommend considering First Avenue, which would complete that area. She noted that the Borough can submit two applications, but must prioritize the projects for consideration.

There was discussion regarding whether a Councilmember should recuse themselves from discussion and vote on a project if they live on the street. The Borough Attorney advised that it is not required since the project would benefit all residents in the project area; however, it is good practice.

The Borough Engineer noted that the scope of work will reflect an expected grant amount of \$200,000 - \$300,000, but the scope can be modified to fit the grant after the award is received; the applications are due October 20<sup>th</sup>. There was discussion regarding the Borough's bond status and Mayor Quattrone instructed Council to go out and review the areas discussed so a determination on the project can be made at the next meeting, allowing time for the Engineer to prepare the grant application.

Ken Lewis, DPW Superintendent, noted that the infrastructure in an area of town should be finished, then the Borough will just have to overlay in the future. He then reviewed the various roadways and infrastructure needs in the Borough.

The Borough Clerk was instructed to place this item on the agenda for September 8<sup>th</sup>. The Borough Engineer confirmed that if she is given direction on September 8<sup>th</sup>, she would have enough time to complete the application by the deadline.

### **Road Paving Project Change Order**

August 17, 2015

The Borough Engineer advised that the change order and payment on the agenda for this evening covers work already performed. There will be additional change orders required because there were things underground that were unexpected and the roads are inconsistent; noting that the asphalt base course differs in various areas of the project. She recommended that the project be milled at 4 inches for proper construction, but the Borough can probably get away with doing 4 inches at the edge of the road and taper to 2 inches in the middle. The cost would be \$100,000 if it is done at 4 inches, about \$55,000 if done at 2 inches.

She continued that the water main system was marked out by the Borough, but is not consistent with the mark-outs. Connecting 10 inch pipe to old 4 inch pipe is not effective and it may be necessary to replace more of the 4 inch pipe. The laterals should be replaced because they are made out of 1950's material that is no good and the vibration of the project is causing additional damage to the laterals. She estimates that if all the laterals are replaced, it will increase the change orders to \$220,000.

There was discussion regarding the longevity of the project with the requested changes and that it would be a 14% overall increase in the contract if the entire project is done properly; approximately 10% if only Park Avenue is done with the 4 inch asphalt. George Lang, CFO, explained that the contingency in the bond ordinance covers the present change order and that the bond ordinances would have to be amended to perform the work properly. The Borough Engineer recommended that Council approve the 4 inches on all roads for a worst case scenario of \$100,000, so that it lasts.

There was additional discussion regarding the future Ward Street project and approximate costs; the current change order to keep the project moving; funding change orders through bond amendments; and water/sewer cost estimates for the project. Council agreed to the 10% contingency.

The Borough Engineer then addressed the intersection of Greeley and Glenbrook regarding the lack of a gutter line. She noted that the contractor will install curb and a gutter line at their expense, and milling and paving on the project will begin next week.

**Resolution 2015-208 Authorizing Change Order #1 and Payment #2 – Lucas Construction Group, Inc. (2014 Road Improvement Program)**

Council President Hansen moved resolution 2015-208, Councilmember Kurs seconded.

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

Resolution adopted 5-0.

Resolution 2015-208

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

**AUTHORIZING CHANGE ORDER #1 & PAYMENT # 2 – LUCAS CONSTRUCTION GROUP,  
INC. (2014 ROAD IMPROVEMENT PROGRAM)**

**WHEREAS**, on April 20, 2015 the Borough Council awarded a contract for the 2014 Road Improvement Program to Lucas Construction Group, Inc. of Morganville, New Jersey in the amount of \$1,598,913.21; and

**WHEREAS**, the contractor has submitted change order #1 in the amount of \$76,851.67 for additional work required in order to complete paving on Greeley Street and Grant Avenue and for additional sanitary sewer main and laterals required; and

**WHEREAS**, the contractor has submitted payment request #2 related to mobilization, storm drain installation, sanitary sewer installation, water service installation, concrete curb and sidewalk, and milling and paving for the project in the total amount of \$457,116.27; and

**WHEREAS**, the amount of this payment for general construction is \$354,368.17 with FY2013 phase cost being \$184,837.58 and August 17, 2015

FY2014 phase cost being \$169,530.59; and

**WHEREAS**, the amount of this payment for water and sewer related items is \$102,748.10 with FY2013 phase cost being \$97,485.50 and FY2014 phase cost being \$5,262.60; and

**WHEREAS**, the Borough Engineer has recommended approval of Change order #1 in the amount of \$76,851.67; and

**WHEREAS**, the Borough Engineer has recommended approval of payment #2 to Lucas Construction Group, Inc. in the amount of \$457,116.27 following receipt of the certified payrolls; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Change order #1 in the amount of \$76,851.67 and Payment Request No. 2 to Lucas Construction Group, Inc. of Morganville, New Jersey in the amount of \$457,116.27 following receipt of the certified payrolls is hereby approved as detailed herein, and the Treasurer is authorized to issue same.

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

Janine Krupa, Hightstown Police Department – reviewed the history of her illness and requested that Council do the right thing and authorize her an additional leave of absence.

Frank Marchione, Hightstown Police Department – commented that he supports Officer Krupa but the Fitness for Duty requirement is scary, he offered to donate his sick time to her if needed; noted that his attorney asked if he was harassing Council members at their homes, he inquired if he had and Council did not respond.

Richard Tuscano, 39 Everett Drive, West Windsor – commented that their organization would like to place clothing and shoe donation boxes at Hightstown Municipal Buildings; this will allow clothing and shoes to be given a second chance and help save space in our landfills as well as benefit the residents of the Borough. He then gave material to the Borough Clerk for distribution to Council.

Lynn Woods, 315 Park Avenue – commented that Councilmember Kurs noted at the last meeting that the resolution for sanctuary cities is no longer effective, but Hightstown Borough is still listed on 5 out of 6 websites as a sanctuary city; she recommended that the Council adopt a new resolution and she read a draft resolution that she wrote.

Keith LePrevost, 213 Greeley Street – he commented that it has been three weeks since he was promised his water problem caused by the construction would be resolved, but now he is being told it will be next week; the Borough should not be paying the contractor if the work is not correct.

Eugene Sarafin, 628 S. Main Street – commented that the streets should be maintained and this is an old town; a great job has been done on Park Avenue; sidewalks on Etra Road are a good idea; the Borough should budget \$1M for infrastructure. He spoke regarding politics on television.

Scott Caster, 12 Clover Lane – thanked Lynn Woods for the resolution and hopes that Council considers it; Hightstown does not need the sanctuary city tag; commented that the turnpike signs direct drivers through Hightstown rather than to the by-pass, it is just an example of East Windsor mentality; sidewalks are not always better.

Doug Mair, 536 S. Main Street – complimented the Borough on its openness with the packet; commented that the effectiveness of Council is inadequate; road project costs in the Borough are staggering; inquired why the Superintendent of the Utilities is not present to explain the differences; accused Councilmember Bluth of withholding information from Council in regards to the location of the Latino Festival; commented that it is 4 years later and still no Borough Hall, Council has not lived up to their campaign promises.

August 17, 2015

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 Bluth noted that Doug Mair was at the special Parks & Recreation meeting when the conversation and decision for the Latino Festival took place; and she announced the location at the very next Council meeting.

Mayor Quattrone commented that Hightstown has never been a sanctuary city; the Police have always followed the Attorney General Guidelines. He does not believe that a resolution is going to resolve the internet issue.

Councilmember Kurs commented that even if a resolution was adopted and mailed out, there would be no guarantee that it would change anything or that Hightstown would be removed from websites.

Mayor Quattrone then swore in Jean Ruggerio-Mair to the Historic Preservation commission, noting that he is being particular on who he appoints to Boards and Committees; they must be willing to attend meetings and be active in the group. These are good people doing great things.

### **Capital Budget**

Mr. Underhill advised that the Borough is in need of a new garbage truck and the Public Works Superintendent has acquired a price through the National Co-Op. He and the CFO have determined that there are bond ordinance balances that can be cancelled and would like the scheduling of the Ward Street project to be postponed until 2016. The Borough Engineer requested that Council authorize her to perform the field survey for Ward Street in 2015 so she is prepared to move forward with the bid when Council so authorizes in 2016. There was discussion regarding timelines and interest rates; Council authorized the Engineer to move forward with the survey of Ward Street and a resolution is to be on the next agenda.

George Lang, CFO, explained bond cancellations and the benefits of cancelling debt; a resolution will be on the next agenda. There was discussion.

M. Underhill advised that the automatic garbage truck is eight years old, has been reconstructed after an accident, and the arm replaced twice. He noted that one manual truck is again out of commission, so the Borough has one manual and one automatic truck at present.

Ken Lewis, DPW Superintendent, gave statistics on staffing; the cost effectiveness of a new truck; maintenance costs and lost time when truck repairs are made. He noted that the agreement with Roosevelt helps offset some of the cost of the truck, and purchasing it from the NJPA Co-Op provides a savings. He will be purchasing from a different manufacturer for the chassis of the truck, but keeping the same manufacturer for the body so he can swap out the arm, if needed.

Mr. Underhill noted that there is a six month manufacturing time for the truck; Hightstown has a good reputation for its pick-ups and we need to plan ahead. Mayor Quattrone commented that use of the one armed bandit truck is cost effective and reduces workers compensation claims. There was discussion regarding the recent cost evaluation performed which determined that it is cost effective for the Borough to perform the pick-ups rather than hire a contractor. George Lang distributed the supplemental debt statement and discussion continued regarding Borough debt and the supplemental debt statement.

**Ordinance 2015-20 First Reading and Introduction** – a Bond Ordinance Providing for the Acquisition of an Automated Garbage Truck in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$325,00 Therefor and Authorizing the Issuance of \$309,500 Bonds or Notes of the Borough to Finance Part of the Cost hereof

Councilmember Misiura moved ordinance 2015-20 for introduction, Councilmember Kurs seconded.

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

Ordinance introduced 5-0; Public Hearing to be held September 8, 2015.

August 17, 2015

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

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN  
AUTOMATED GARBAGE TRUCK IN AND BY THE BOROUGH OF  
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY,  
APPROPRIATING \$325,000 THEREFOR AND AUTHORIZING THE ISSUANCE  
OF \$309,500 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 is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$325,000, including the sum of \$15,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$309,500 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of an automated garbage truck, including all related costs and expenditures incidental thereto.

- (b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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:

August 17, 2015

- (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 5 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 \$309,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond 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 cost indicated herein for the purpose or improvement.

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

Section 8. Any grant moneys received for the purpose described in Section 3(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 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.

The Borough Engineer left the meeting at this time.

**Ordinance 2015-17 First Reading and Introduction** – An Ordinance Amending and Supplementing Chapter 2, Entitled “Administration” Section 55, Entitled “Fees for Municipal Services” to the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Councilmember Kurs moved ordinance 2015-17 for introduction, Council President Hansen seconded.

Borough Clerk Sopronyi explained the need for ordinance.

August 17, 2015

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

Ordinance introduced 5-0; Public Hearing to be held September 8, 2015.

Ordinance 2015-17  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ENTITLED “ADMINISTRATION,” SECTION 55, ENTITLED “FEES FOR MUNICIPAL SERVICES” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

**WHEREAS**, the Borough Officials have determined that amendments are needed to Chapter 2, Section 55, of the Revised General Ordinances of the Borough of Hightstown.

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

Section 1. That Chapter 2, entitled “Administration,” Section 55, entitled “Fees for Municipal Services,” of the Revised General Ordinances of the Borough of Hightstown, is hereby amended to read (additions are shown with underline):

**Subsection 2-55.10 Fingerprinting Fee.**

The Police Department shall provide fingerprinting services to residents who require them for various legal and employment matters. The fee for said services shall be \$20.00 per service and all services shall be provided by appointment only. These services shall be provided to Hightstown Borough residents only.

Section 2. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Ordinance 2015-18 First Reading and Introduction** – An Ordinance Amending and Supplementing Chapter 12, Entitled “Building and Construction,” Section 2, Entitled “Fees” to the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Councilmember Kurs moved ordinance 2015-18 for introduction, Council President Hansen seconded.

Borough Clerk Sopronyi explained that the Construction Official requested this ordinance to bring the Borough fees in line with state recommendations.

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

Ordinance introduced 5-0; Public Hearing to be held September 8, 2015.

August 17, 2015

Ordinance 2015-18  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 12, ENTITLED “BUILDING AND CONSTRUCTION,” SECTION 2, ENTITLED “FEES” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

**WHEREAS**, Borough Officials have determined that amendments are needed to Chapter 12, Section 2, of the Revised General Ordinances of the Borough of Hightstown.

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

Section 1. That Chapter 12, entitled “Building and Construction,” Section 2, entitled “Fees,” of the Revised General Ordinances of the Borough of Hightstown, is hereby amended to read (deletions are shown by ~~cross-out~~ and additions are shown with underline):

**Section 12-2**

**FEES**

**Subsections:**

- 12-2-1 Construction Permit Fees.**
- 12-2-2 Plan Review Fees.**
- 12-2-3 Demolition Fees.**
- 12-2-4 Building Removal; Structural Inspection of Existing Dwelling Fees.**
- 12-2-5 Sign Construction Fees.**
- 12-2-6 Certificates of Occupancy Fees.**
- 12-2-7 Biannual Report to Borough Council Recommending Fee Schedule.**
- 12-2-8 Surcharge.**
- 12-2-9 Report of Fees Collected.**
- 12-2-10 Temporary Waiver of Construction Permit Fees**
- 12-2-11 Application for a Variation**

**Subsection 12-2-1 Construction Permit Fees.**

The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs a. through e. and shall be paid before the permit is issued.

- a. Building Subcode Fee. The building subcode fee shall be:
  - 1. For new construction, the permit fees shall be computed at the rate of \$0.034 per cubic foot of volume. However, structures falling into S-1 or S-2 categories shall be charged at the rate of \$0.020 cents per cubic foot; except that the minimum fee in all cases shall be sixty-five (\$65.00) dollars.
  - 2. For alterations, renovations and repairs, the permit fees shall be based upon the estimated cost of the work and shall be in the amount of thirty (\$30.00) dollars per one thousand (\$1,000.00) dollars of estimated cost, up to and including fifty

August 17, 2015

thousand (\$50,000.00) dollars; from fifty thousand one (\$50,001.00) dollars to and including one hundred thousand (\$100,000.00) dollars, the additional fee shall be in the amount of twenty-three (\$23.00) dollars per one thousand (\$1,000.00) dollars of estimated cost; above one hundred thousand (\$100,000.00) dollars, the additional fee shall be in the amount of nineteen (\$19.00) dollars per one thousand (\$1,000.00) dollars of estimated cost. For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, if available, cost data produced by the architect or engineer of record or by a recognized estimate firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The enforcing agency shall make the final decision regarding estimated cost. There shall be a minimum of sixty-five (\$65.00) dollars for any permit under this subsection.

3. For additions, permit fees shall be computed the same as for new construction, \$0.034 per cubic foot of volume, except that the minimum fee shall be sixty-five (\$65.00) dollars.

4. For additions and alterations, permit fees shall cost the sum of respective fees for alterations and additions computed separately.

5. The fee for an above-ground swimming pool shall be \$126.00 for a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$65.00. The fee for an in-ground swimming pool shall be \$189.00 for a pool with a surface area greater than 550 square feet; the fee in all other cases shall be \$95.00.

b. Plumbing Subcode Fees. Fees for the plumbing subcode shall be as follows:

Water closet .....	\$13.00
Urinal/bidet .....	\$13.00
Lavatory .....	\$13.00
Shower .....	\$13.00
Floor drain.....	\$13.00
Sink .....	\$13.00
Dishwasher.....	\$13.00
Drinking fountain.....	\$13.00
Washing machine.....	\$13.00
Hose bib .....	\$13.00
Water heater .....	\$13.00
Fuel oil piping.....	\$13.00
Gas piping .....	\$13.00
Steam boiler .....	\$82.00
Hot water boiler .....	\$82.00
Sewer pump .....	\$82.00
Interceptor/separator .....	\$82.00
Backflow preventer.....	\$82.00
Sewer connection.....	\$82.00
Water service connection.....	\$82.00
Stacks .....	\$13.00
Furnace.....	\$60.00

August 17, 2015

There shall be a minimum fee of fifty-five dollars (\$55.00) for this subsection.

c. Electrical Subcode Fees. Fees for the electrical subcode shall be as follows:

Lighting fixtures, receptacles, switches, detectors, light poles, motors (fractional, h.p.), emergency and exit lights, communication points, and alarm devices which are less than 20 amps:

First 50 units .....	\$45.00
Each 10 units additional.....	\$11.00
Pool permit (lights included) .....	\$69.00
Storable pool/spa/hot tub .....	\$69.00
Electrical range .....	\$13.00
Electrical water heater.....	\$13.00
Electrical dryer.....	\$13.00
Dishwasher.....	\$13.00
Air conditioning unit.....	\$13.00
Space heater .....	\$13.00
Baseboard heater (each).....	\$13.00
H.P. motors (1+ HP)	
1 – 10 HP .....	\$13.00
10 – 50 HP .....	\$58.00
50 – 100 HP .....	\$116.00
100+ HP .....	\$576.00
KW Transformers/Generators (under 225 amps) .....	\$58.00
KW Transformers/Generators (225 - 1000 amps) .....	\$116.00
KW Transformers/Generators (over 1000 amps) .....	\$576.00
Service entrance (amp service).....	Same as Transformers/Generators
Smoke and Heat Detectors (one- and two-family dwellings).....	\$29.00

August 17, 2015

KW Electric signs, outline lights .....\$46.00

Photovoltaic Systems

1 – 5- kilowatts.....\$58.00

51-100 kilowatts.....\$116.00

Greater than 100 kilowatts.....\$576.00

Minimum permit.....\$60.00

d. Fire Subcode Fee. The fee for the fire subcode shall be as follows:

1. For plan review to establish fire safety ..... \$50.00

2. For inspection of new homes ..... \$50.00

3. For inspection of newly installed wood stoves or fireplaces or new or rebuilt chimneys..... \$58.00

4. For inspection of smoke detectors:

(a) 1 to 20 ..... \$75.00.00

(b) 21 to 100..... \$151.00

(c) 101 to 200 ..... \$289.00

(d) 201 to 400..... \$748.00

(e) 401 to 1,000 ..... \$1,036.00

(f) Over 1,000..... \$1,323.00

5. For inspection of storage tanks:

(a) Up to one hundred (100) gallons, not to include drums or gas cans..... \$58.00

(b) For each additional five hundred (500) gallons or fraction thereof ..... \$40.00

6. For inspection of sprinkler systems:

**Number of Heads Fee**

1 to 20 \$ 82.00

August 17, 2015

21to 100	\$151.00
101to 200	\$289.00
201to 400	\$748.00
401to 1000	\$1,036.00
Over 1000	\$1,323.00

7. For inspecting fire hazards, such as boilers, fire-suppression systems,  
fire hose cabinets, fire alarms and standpipes, per visit..... \$60.00

(1991 Code § 81-14; Ord. No. 847 § 1; Ord. No. 1996-6 § 1; Ord. No. 2000-19; Ord. No. 2001-16; Ord. 2000-19, Amended, 08/24/2000; Ord. No. 2004-31 § 1; Ord. No. 2008-09)

**Subsection 12-2-2 Plan Review Fees.**

The fee for plan review shall be five (5%) percent of the amount charged for the construction permit. The fee for the plan review of a consultative nature where no immediate construction is planned shall be twenty (20%) percent of the estimated cost of the construction work or fifty-five (\$55.00) dollars, whichever is higher. (1991 Code § 81-15; Ord. No. 847 § 1; Ord. No. 1996-6 § 2)

(Ord. 2000-19, Amended, 08/24/2000)

**Subsection 12-2-3 Demolition Fees.**

The fee for a permit for demolition of a building or structure shall be two hundred (\$200.00) dollars for one (1)-family or two (2)-family residences, sixty-five (\$65.00) dollars for garage or storage sheds, and three hundred (\$300.00) dollars for all other buildings or structures.

The fee for a permit for underground storage tank removal shall be \$75.00 for a residential property, \$250.00 for all other uses.

(1991 Code § 81-16; Ord. No. 847 § 1)

(Ord. 2000-19, Amended, 08/24/2000)

**Subsection 12-2-4 Building Removal; Structural Inspection of Existing Dwelling Fees.**

a. The fee for a permit for the removal of a building or structure from one (1) lot to another or to a new location on the same lot shall be ten (\$10.00) dollars per one thousand (\$1,000.00) dollars of the sum of the estimated costs for moving, for new foundations and for placement in a complete condition in the new location, except that the minimum fee shall be fifty (\$50.00) dollars.

b. The fee or structural inspection of an existing dwelling shall be fifty (\$50.00) dollars. (1991 Code § 81-17; Ord. No. 847 § 1)

(Ord. 2000-19, Amended, 08/24/2000)

**Subsection 12-2-5 Sign Construction Fees.**

The fee for a permit to construct a sign shall be two (\$2.00) dollars per square foot of the surface area of the sign, except that the minimum fee shall be fifty-five (\$55.00) dollars. (1991 Code § 81-18; Ord. No. 847 § 1; Ord. 2000-19, Amended, 08/24/2000; Ord. No. 2004-31, § 2)

August 17, 2015

**Subsection 12-2-6 Certificates of Occupancy Fees.**

The following fees shall be charged for certificates of occupancy:

- a. New home: Ten (10%) percent of the construction permit fee, but not less than \$55.00.
- b. Additions, etc. \$ 55.00
- c. Change of use 100.00
- d. Continued occupancy 50.00
- e. Temporary occupancy None

(1991 Code § 81-19; Ord. No. 847 § 1; Ord. 2000-19, Amended, 08/24/2000; Ord. No. 2004-31, § 3)

**Subsection 12-2-7 Biannual Report to Borough Council Recommending Fee Schedule.**

The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Borough Council biannually a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act. (1991 Code § 81-21; Ord. No. 847 § 1; Ord. 2000-19, Amended, 08/24/2000)

**Subsection 12-2-8 Surcharge.**

As required by the Department of Community Affairs, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.0016 per cubic foot of volume of new construction, and (\$0.80) cents per one thousand (\$1,000.00) dollars of construction costs of all other permits. Such surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending March 31, June 30, September 30 and December 3, and not later than one (1) month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, such fee shall be collected and remitted for the third and fourth quarters only. (1991 Code § 81-22; Ord. No. 847 § 1)

(Ord. 2000-19, Amended, 08/24/2000)

**Subsection 12-2-9 Report of Fees Collected.**

The enforcing agency shall report annually, at the end of each fiscal year, to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, such report shall be for the third and fourth quarters only. (1991 Code § 81-23; Ord. No. 847 § 1)

(Ord. 2000-19, Amended, 08/24/2000)

**Subsection 12-2-10 Temporary Waiver of Construction Permit Fees**

Fees shall be waived for all municipal construction permits issued for alterations on any building in the Borough’s designated CC-1 (Central Commercial 1) zone between November 1, 2001 and the date of completion of the downtown revitalization or December 31, 2002, whichever occurs first. New Jersey DCA training fees will not be waived. (New - Ord. No. 2001-21)

**Subsection 12-2-11 Application for a Variation**

The fee for an application for a variation in accordance with the Uniform Construction Code shall be one hundred and fifty (\$150.00) dollars. (New – Ord. No. 2008-09)

Section 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

August 17, 2015

Section 4. 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 5. This ordinance shall take effect after final passage and upon publication according to law.

**Ordinance 2015-19 First Reading and Introduction** – An Ordinance Amending Chapter 29 “Signs” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Councilmember Bluth moved ordinance 2015-19 for introduction, Council President Hansen seconded.

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

Ordinance introduced 5-0; Public Hearing to be held September 8, 2015.

Ordinance 2015-19  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AMENDING CHAPTER 29 “SIGNS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN**

**WHEREAS**, the Zoning Officer and Planning Board Subcommittee have made certain recommendations for revisions to Chapter 29 of the Borough Revised General Ordinances of the Borough of Hightstown; and

**WHEREAS**, the Planning Board has reviewed and concurs with these recommendations;

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

Section 1. Section 29-6 “Sign Exempt From Permits” is hereby amended as follows (underline for additions, strikethroughs for deletions):

Subsection 29-6F is amended as follows:

F. Yard, ~~tag or~~ garage sales. Such signs shall not exceed four (4) square feet; shall not be erected more than forty-eight (48) hours prior to such sale; shall include the address and ~~date~~ of the sale; and shall be removed immediately after the sale. No premises shall be permitted to erect such signs more than four (4) times in any calendar year. ~~and no off-premises signs are permitted.~~ No yard or garage sale shall take place for more than two (2) consecutive days, and sales taking place on consecutive days shall be treated as a single sales event. One (1) off premise sign shall be permitted to be placed in the Borough’s right-of-way. In the event the resident of the property in front of which the sign is placed objects to its placement, the sign shall be removed by the person placing the sign or by property owner.

Section 2. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

August 17, 2015

**Ordinance 2015-14 Final Reading and Public Hearing** – Bond Ordinance Providing a Supplemental Appropriation of \$331,000 for Improvements to the Peddie Lake Dam Walking Bridge in and by the Borough of Hightstown, in the County of Mercer, New Jersey and Authorizing the Issuance of \$331,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Mayor Quattrone opened the public hearing on ordinance 2015-14 and the following individuals spoke:

Eugene Sarafin, 628 S. Main St. – commented that this is a long time coming and it will be nice.

Scott Caster, 12 Clover Lane – stated “kudos to all”.

Darek Hahn, Chair of the Greenway Walking Bridge Committee – corrected incorrect statements that were in a newspaper article and gave an overview of the project to date.

Doug Mair, 536 S. Main Street – noted what he thought was an error in the bond ordinance; but after review by the CFO and Clerk it was found that it was not an error, he misunderstood the ordinance.

Council President Hansen noted that she would like to see a press release go out giving an explanation of the financing of the greenway walking bridge.

Councilmember Misiura noted that this project was dead until Council members Misiura, Bluth and the Engineer pursued the grant and Council should receive some credit.

Darek Hahn commented that the Committee never considered this project as dead.

Doug Mair commented that the facts were not clear until Mr. Hahn’s explanation and he agreed with Council President Hansen’s suggestion for a press release.

Mayor Quattrone closed the public hearing on ordinance 2015-14.

Councilmember Montferrat moved ordinance 2015-14 for adoption, Councilmember Kurs seconded.

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

Ordinance adopted 5-0.

Ordinance 2015-14  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$331,000 FOR IMPROVEMENTS TO THE PEDDIE LAKE DAM WALKING BRIDGE IN AND BY THE BOROUGH OF HIGHSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$331,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHSTOWN, 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 August 17, 2015

the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$331,000, such sum being in addition to the \$210,000 appropriated therefor by bond ordinance #2013-07 of the Borough, finally adopted April 1, 2013 (the "Original Bond Ordinance"), including the \$331,000 grant from the State of New Jersey Department of Transportation Alternatives Program (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no additional down payment is provided for the costs of the improvements since the project described in Section 3(a) hereof is being partially funded the State Grant.

Section 2. In order to finance the additional cost of the improvement or purpose and in anticipation of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$331,000 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 improvements to the Peddie Lake Dam walking bridge, 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 \$531,000, including the \$200,000 authorized by the Original Bond Ordinance and the \$331,000 bonds or bond anticipation notes authorized herein
- (c) The estimated cost of the improvement or purpose is \$541,000, including the \$210,000 appropriated by the Original Bond Ordinance and the \$331,000 appropriated herein.

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 15 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 \$331,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

August 17, 2015

- (d) An aggregate amount not exceeding \$95,00 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, \$35,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$60,000 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 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.

**Ordinance 2015-15 Final Reading and Public Hearing** – Bond Ordinance Providing for Improvements to Stockton Street and Joseph Street in and by the Borough of Hightstown, in the County of Mercer, New Jersey Appropriating \$430,000 Therefor and Authorizing the Issuance of \$430,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Mayor Quattrone opened the public hearing on ordinance 2015-15 the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that he supports this ordinance; you need to fix the streets.

Doug Mair, 536 S. Main Street – noted that the Safe Routes to School grant is \$155,000 short of project proposal costs, how are we paying for this?

Mr. Lang advised that the ordinance is based on the engineer's estimate. Mr. Underhill noted that the project has not yet been bid and the ordinance is necessary for engineering design. Once the project is bid, anything over the grant amount is paid through debt service.

Mayor Quattrone closed the public hearing on ordinance 2015-15.

Councilmember Kurs moved ordinance 2015-15 for adoption, Council President Hansen seconded.

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

Ordinance adopted 5-0.

August 17, 2015

Ordinance 2015-15  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO STOCKTON STREET  
AND JOSEPH STREET IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE  
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$430,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$430,000 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 is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$430,000, including a \$275,000 grant from the Safe Routes to School Program administered by the State of New Jersey Department of Transportation (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvements since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$430,000 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to Stockton Street and Joseph Street, 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 as stated in Section 2 hereof.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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:

August 17, 2015

- (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 \$430,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

Section 8. Any grant moneys received for the purpose described in Section 3(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 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.

**Ordinance 2015-16 Final Reading and Public Hearing – An Ordinance Amending the “Revised General Ordinances of the Borough of Hightstown, New Jersey” Adding Regulations and Enforcement Regarding Recyclable Materials**

Mayor Quattrone opened the public hearing on ordinance 2015-16 and the following individuals spoke:

Walter Sikorski, 326 N. Main Street – noted that he is concerned with police and civilian enforcement and the fines because others can put things in these cans and you would not know it; it could subject neighbors to revenge.

The Borough Attorney noted that the language cited is already in the ordinance; the ordinance is being amended to include the Housing Inspector as an official who can enforce it. There was discussion regarding police enforcement and the August 17, 2015

probability of others putting things in neighbor's cans.

Eugene Sarafin, 628 S. Main Street – commented that the issue is that people are not properly recycling and enforcement is a good idea; the Borough should also force composting.

Doug Mair, 536 S. Main Street – commented that you lose the expectation of privacy when you put your cans to the curb.

Mayor Quattrone closed the public hearing.

Council President Hansen noted that enforcement for cardboard in front businesses is what brought this ordinance forward.

Councilmember Kurs moved ordinance 2015-16 for adoption, Councilmember Montferrat seconded.

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

Ordinance adopted 5-0.

Ordinance 2015-16  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY” ADDING REGULATIONS AND ENFORCEMENT REGARDING RECYCLABLE MATERIALS** WHEREAS, the appearance of properties and the health and safety of Borough residents can be adversely affected by the accumulation of recyclable materials; and

**WHEREAS**, it is necessary to have enforcement applicable to recyclable materials; and

**WHEREAS**, it is in the public interest for the Borough of Hightstown to establish a mechanism to enforce recycling regulations and property maintenance regarding recyclable materials.

**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 14, entitled “Property Maintenance,” Section 5.2, entitled “Appearance,” of the Revised General Ordinances of the Borough of Hightstown is hereby amended to read as follows (underlines are additions):

**14-5.2 Appearance.**

- a. All structures (including fences) shall be kept painted or whitewashed where necessary for purposes of preservation and appearance, free of broken glass, loose shingles, crumbling stone or brick, or excessive peeling paint.
- b. All properties, vacant or improved, shall be maintained free of any accumulation of debris, rubbish, garbage, recyclable material, junk or litter as defined herein.

Section 2. Chapter 18, entitled “Garbage and Rubbish,” Section 2-7, entitled “Enforcement,” of the Revised General Ordinances of the Borough of Hightstown is hereby amended to read as follows (underlines are additions):

August 17, 2015

**18-2.1 Enforcement.**

The Borough of Hightstown Recycling Coordinator, Housing Official/Housing Inspector, and the Hightstown Borough Police Department are hereby authorized and directed to enforce this Section. Enforcement may include random inspections of garbage set out for disposal in order to determine compliance.

Section 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. 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 5. This ordinance shall take effect after final passage and upon publication according to law.

The Borough Engineer departed the meeting at this time.

**Resolution 2015-209 Authorizing the Payment of Bills**

Councilmember Misiura requested that items talle005, kerri005, and miran005 be pulled from the resolution and voted separately.

Councilmember Kurs moved resolution 2015-209 without items talle005, kerri005, and miran005; Councilmember Bluth seconded.

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

Councilmember Montferrat moved items talle005, kerri005, and miran005 for payment, Councilmember Kurs seconded.

Council members Bluth, Kurs, Hansen and Montferrat voted yes; Councilmember Misiura abstained.

Resolution adopted 4-0, with one abstention.

Resolution 2015-209

*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 \$190,171.30 from the following accounts:

August 17, 2015

Current		\$86,758.60
W/S Operating		49,884.19
General Capital		31,848.50
Water/Sewer Capital		0.00
Grant		0.00
Trust		6,160.81
Housing Trust		1,312.50
Animal Control		24.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		5,464.20
Escrow		<u>8,718.50</u>
Total		<u>\$190,171.30</u>

**Resolution 2015-210 Authorizing the Transfer of Liquor License No. 1104-44-002-010 (Family Wines & Liquors, LLC to Hightstown Liquors & Wine, LLC)**

Councilmember Kurs moved resolution 2015-210, Council President Hansen seconded.

Borough Clerk Sopronyi explained that this business has been sold.

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

Resolution adopted 5-0.

Resolution 2015-210

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

**AUTHORIZING TRANSFER OF LIQUOR LICENSE NO. 1104-44-002-010  
(FAMILY WINES & LIQUORS, LLC TO HIGHTSTOWN LIQUORS & WINES, LLC)**

**WHEREAS**, an application has been filed for a person-to-person transfer of Plenary Retail Distribution License #1104-44-002-010, heretofore issued to Family Wines & Liquors, LLC, for premises located at 107 Stockton Street; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been August 17, 2015

properly renewed for the current term; and

**WHEREAS**, The Alcoholic Beverage Retail Licensee Clearance Certificate for this transfer has been issued; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statute, regulations promulgated thereunder and pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, The applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hightstown, County of Mercer, State of New Jersey, does hereby approve the transfer of the aforesaid Plenary Retail Consumption License to Hightstown Liquors & Wines, LLC, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Hightstown Liquors & Wines, LLC”

**Consent Agenda Resolutions 2015-211, 2015-213, 2015-214, 2015-215, 2015-216, 2015-217, 2015-218, 2015-219, 2015-220, 2015-221, 2015-222, 2015-223, 2015-224, and 2015-225:**

Councilmember Kurs moved resolutions 2015-211, 2015-213, 2015-214, 2015-215, 2015-216, 2015-217, 2015-218, 2015-219, 2015-220, 2015-221, 2015-222, 2015-223, 2015-224, and 2015-225 as the consent agenda, Councilmember Bluth seconded.

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

Resolutions adopted 5-0.

Resolution 2015-211

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

**URGING STATE LEADERS TO PROTECT LOCAL PROPERTY TAXPAYERS AND  
GOVERNING BODIES BY PRESERVING THE STRUCTURE AND INTEGRITY OF THE  
FISCALLY SOLVENT LOCAL PENSION SYSTEMS**

**WHEREAS**, New Jersey public employee pensions are apportioned to account separately for State employees and Local Government employees; and

**WHEREAS**, the local pension systems funded by county and municipal property tax payer dollars are actuarially sound as counties and municipalities have prudently met their pension obligations as employers; and

**WHEREAS**, local pension systems include the local Public Employees Retirement System (PERS) funded at 73.9% and the local Police and Fire Retirement Systems (PFRS) funded at 76.9% according to the latest valuation reports; and

**WHEREAS**, the local pension systems are close to or have exceeded the target funded ratio of 75% by fiscal year 2012 pursuant to the pension and health benefits reform law enacted in 2011, and have combined actuarial valued assets of \$42 Billion with estimated retirement allowances due of \$3 Billion; and

**WHEREAS**, the New Jersey Pension and Health Study Commission in its report entitled “A Roadmap to Resolution”, recommends in part, applying for a unified State and Local approach to pension benefits funding as a result of the State’s well-documented mismanagement of its systems for over two decades; and

August 17, 2015

**WHEREAS**, the New Jersey Association of Counties (NJAC) recognizes that the State must take meaningful steps to make the State government funded pension systems more affordable for taxpayers and sustainable members; but, objects to any reforms that would affect, alter, or integrate the local pension systems with that of the State's; and

**WHEREAS**, it is in the best interest of county and municipal taxpayers and governing bodies across the State that the State reform its pension systems with viable, meaningful, and long-term solutions that pay off existing State pension deficits without affecting, diluting, or diverting valuable local pensions systems assets; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Hightstown, County Mercer, State of New Jersey that it hereby urges State leaders to protect local property taxpayers and governing bodies by preserving the structure and integrity of the fiscally solvent local pension systems; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk shall forward a certified copy of this resolution to Governor Chris Christie, the President of the New Jersey Senate, the Speaker of the General Assembly, Mercer County Legislative Delegation, Mercer County Municipalities, the New Jersey Association of Counties, Municipal Clerks' Association of New Jersey, the New Jersey League of Municipalities, the Attorney General of the State of New Jersey and to the Clerks of the Boards of Chosen Freeholder of all twenty-one counties urging them to approve and distribute similar resolution.

Resolution 2015-213

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-004 TO THE HIGHTSTOWN  
APOLLO LODGE NO. 41**

**WHEREAS**, the Hightstown Apollo Lodge No. 41 wishes to hold an on-premise 50/50 raffle at the corner of Rt. 33 & Main Street, during the Hightstown Harvest Fair on Saturday, October 10, 2015; and

**WHEREAS**, the group has submitted application number RA-2015-004 for this raffle along with the required fees; and

**WHEREAS**, The Hightstown Apollo Lodge No. 41 is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-6-37719; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-004 to the Hightstown Apollo Lodge #41 for their raffle to be held on October 10, 2015.

Resolution 2015-214

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-005 TO THE HIGHTSTOWN  
APOLLO LODGE NO. 41**

**WHEREAS**, the Hightstown Apollo Lodge No. 41 wishes to hold a Duck Race Raffle at the corner of Rt. 33 & Main Street, during the Hightstown Harvest Fair on Saturday, October 10, 2015; and

August 17, 2015

**WHEREAS**, the group has submitted application number RA-2015-005 for this raffle along with the required fees; and

**WHEREAS**, The Hightstown Apollo Lodge No. 41 is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-6-37719; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-005 to the Hightstown Apollo Lodge #41 for their raffle to be held on October 10, 2015.

Resolution 2015-215

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-006 TO THE ROOSEVELT  
VOLUNTEER FIRE COMPANY, INC.**

**WHEREAS**, the Roosevelt Volunteer Fire Company, Inc. wishes to hold an on-premise raffle at 101 North Main Street on Saturday, August 22, 2015; and

**WHEREAS**, the group has submitted application number RA-2015-006 for this raffle along with the required fees; and

**WHEREAS**, The Roosevelt Volunteer Fire Company is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 432-9-40444; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-006 to the Roosevelt Volunteer Fire Company, Inc. for their raffle to be held on August 22, 2015.

Resolution 2015-216

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-007 TO THE ROOSEVELT  
VOLUNTEER FIRE COMPANY, INC.**

**WHEREAS**, the Roosevelt Volunteer Fire Company, Inc. wishes to hold an on-premise 50/50 raffle at 101 North Main Street on Saturday, August 22, 2015; and

**WHEREAS**, the group has submitted application number RA-2015-007 for this raffle along with the required fees; and

**WHEREAS**, The Roosevelt Volunteer Fire Company is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 432-9-40444; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the August 17, 2015

requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-006 to the Roosevelt Volunteer Fire Company, Inc. for their 50/50 raffle to be held on August 22, 2015.

Resolution 2015-217

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-013 TO THE HIGHTSTOWN  
WOMEN'S CLUB**

**WHEREAS**, the Hightstown Women's Club wishes to hold an off-premise raffle at 320 North Main Street on Saturday, February 27, 2016; and

**WHEREAS**, the group has submitted application number RA-2015-013 for this raffle along with the required fees; and

**WHEREAS**, The Hightstown Women's Club is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-8-23817; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-013 to the Hightstown Women's Club for their raffle to be held on February 27, 2016.

Resolution 2015-218

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-008, RL2015-009, RL2015-012  
TO THE HIGHTSTOWN ENGINE CO #1 LADIES AUXILIARY.**

**WHEREAS**, the Hightstown Engine Co #1 Ladies Auxiliary wishes to hold on-premise 50/50 raffles at 140 North Main Street on September 11, 2015, October 24, 2015 and November 14, 2015; and

**WHEREAS**, the group has submitted application numbers RL-2015-008, RL2015-009 and RL2015-012 for the raffles along with the required fees; and

**WHEREAS**, The Hightstown Engine Co #1 Ladies Auxiliary is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-27140; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-2015-008, RL2015-009 and RL2015-012 to The Hightstown Engine Co #1 Ladies Auxiliary, Inc. for their 50/50 raffles to be held on September 11, 2015, October 24, 2015 and November 14, 2015

August 17, 2015

Resolution 2015-219

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-010 AND RL2015-011, TO THE  
HIGHTSTOWN ENGINE CO #1 LADIES AUXILIARY.**

**WHEREAS**, the Hightstown Engine Co #1 Ladies Auxiliary wishes to hold on-premise merchandise raffles at 140 North Main Street on October 24, 2015 and November 14, 2015; and

**WHEREAS**, the group has submitted application numbers RL2015-010 and RL2015-011 for the raffles along with the required fees; and

**WHEREAS**, The Hightstown Engine Co #1 Ladies Auxiliary is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-27140; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL2015-010 and RL2015-011 to The Hightstown Engine Co #1 Ladies Auxiliary, Inc. for their 50/50 raffles to be held on, October 24, 2015 and November 14, 2015

Resolution 2015-220

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

**AUTHORIZING ISSUANCE OF BINGO LICENSE #BL-2015-002 TO HIGHTSTOWN ENGINE  
CO. NO. 1 LADIES AUXILIARY**

**WHEREAS**, the Hightstown Engine Company No. 1 Ladies Auxiliary wishes to hold a Bingo Game at 140 North Main Street on the November 14, 2015; and

**WHEREAS**, the group has submitted application number BA-2015-02 for this bingo along with the required fees; and

**WHEREAS**, Hightstown Engine Company No. 1 Ladies Auxiliary is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-27140; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the games, and the games themselves, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Bingo License No. 2015-02 to the Hightstown Engine Company No. 1 Ladies Auxiliary for their bingo to be held on November 14, 2015.

Resolution 2015-221

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER*

August 17, 2015

STATE OF NEW JERSEY

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH  
THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
FOR AN OWNER OCCUPIED HOUSING REHABILITATION PROGRAM**

**SCHEDULE I: RESOLUTION**

**WHEREAS**, the Borough of Hightstown desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for a \$200,000 Housing Rehabilitation grant to assist low and moderate income home owners.

**BE IT THEREFORE, RESOLVED,**

- 1) that the Borough of Hightstown does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Hightstown and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Resolution 2015-222

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

**GRANT MANAGEMENT PLAN**

**FY 2016 Small Cities Programs**

**Housing Rehabilitation Fund: Rehabilitation of Owner Occupied Housing Units**

**WHEREAS**, the Borough of Hightstown is applying for a Small Cities grant from the Housing Rehabilitation Fund and, if awarded funding, will entered into Grant Agreements with the New Jersey Department of Community Affairs; and

**WHEREAS**, the Borough is required to submit a Grant Management Plan as part of each Small Cities application;

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

The Grant Management Plan prepared by the Borough and submitted to DCA Small Cities with the application for the 2016 Housing Rehabilitation Program to provide rehabilitation assistance to nine low and moderate income homeowners is hereby adopted to identify Stephen Lingle, of Triad Associates as the Project Coordinator and Henry Underhill, Borough Administrator as the Program Director and Official Contact Person.

Resolution 2015-223

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

**IDENTIFYING CDBG FAIR HOUSING OFFICER**

**Housing Rehabilitation Fund: Rehabilitation of Owner Occupied Housing**

August 17, 2015

**WHEREAS**, the Borough of Hightstown is applying for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereafter NJDCA) for funds to rehabilitate nine homes owned and occupied by low and moderate income households, and;

**WHEREAS**, the Borough of Hightstown must make efforts to affirmatively further fair housing, and;

**WHEREAS**, the Borough of Hightstown has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development, and;

**WHEREAS**, the Borough of Hightstown has made assurances in the grant agreement that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto, and;
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it, and;
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing, and;
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**NOW, THEREFORE, BE IT RESOLVED** that Henry Underhill, Hightstown Administrator shall be designated as the Fair Housing Officer for the Borough of Hightstown, and;

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall contact US HUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information, and;

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Hightstown, and;

**BE IT FURTHER RESOLVED** that the Borough of Hightstown will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

Resolution 2015-224

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

**A RESOLUTION APPROVING THE POLICY AND PROCEDURES MANUAL FOR THE FY 2016 SMALL CITIES PROGRAM HOUSING REHABILITATION FUND  
BOROUGH-WIDE OWNER-OCCUPIED HOUSING REHABILITATION PROGRAM**

**WHEREAS**, the Borough of Hightstown, by resolution authorized the Mayor to submit an application and, if a grant is awarded, to enter into an agreement with the State of New Jersey and to obtain a FY 2016 CDBG Small Cities Housing Rehabilitation Grant from the Department of Community Affairs; and

**WHEREAS**, as a condition of that grant, the Borough of Hightstown updated its Neighborhood Housing Repair Fund Policy and procedures Manual which describes the guidelines and activities of operation for the Borough's Regional Contribution Agreement, Affordable Trust Fund and Small Cities Housing Rehabilitation Programs; and

**WHEREAS**, approval of the Mayor and Borough Council is required of the said Policy and Procedures Manual;

August 17, 2015

**NOW, THEREFORE, BE IT RESOLVED** this 17th day of August 2015, by the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, that the Mayor and Borough Council have reviewed the updated Policy and Procedures Manual to incorporate Small Cities Housing Rehabilitation Program requirements; and

**BE IT FURTHER RESOLVED** that the said Policy and Procedures Manual, Updated this day August 17, 2015 is approved by the Mayor and Borough Council of the Borough of Hightstown.

Resolution 2015-225

*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*  
**CITIZEN PARTICIPATION PLAN**

**FY 2016 Small Cities Programs**  
**Housing Rehabilitation Fund: Rehabilitation of Owner Occupied Housing Units**

**WHEREAS**, the Borough of Hightstown is applying for a Small Cities grant under the Housing Rehabilitation Fund and if awarded intends to enter into Grant Agreements with the New Jersey Department of Community Affairs; and

**WHEREAS**, these Grant Agreements will require the Borough of Hightstown to comply with all federal regulations with respect to citizen participation;

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

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Borough of Hightstown; and

The Borough of Hightstown will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above, if awarded.

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

Doug Mair, 536 S. Main Street – thanked Mayor Quattrone for appointing his wife to the Historic Preservation Commission; commented that the public was told that the budget would not raise the tax rate, but the newspapers say it did; gave a review of the capital infrastructure projects approved by Council; made reference to untruths prior to the Council meeting.

Scott Caster, 12 Clover Lane – commented that perception is reality and property values have diminished due to the sanctuary city title given the Borough.

Doug Mair, 536 S. Main Street – reviewed comments made at the July 20th meeting and noted that if Councilmember Kurs and Mayor Quattrone think Hightstown is not a sanctuary city, a resolution should be adopted.

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

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

Councilmember Kurs – commented that he attended Shakespeare in the Park and noted that it was a great event; National Night Out was a huge success; noted that due to the recent heat wave, a cooling station has been set up at the firehouse by the OEM Coordinator, get the word out and tell your neighbors; Bonnie Watson Coleman sent a letter congratulating a Teacher of the Kreps School for their service and participation with the Library of Congress, and our congratulations also goes out to that individual.

August 17, 2015

**Councilmember Montferrat** – congratulated and welcomed Mrs. Mair to the Historic Preservation Commission; and noted that this has been a productive meeting.

**Councilmember Bluth** – congratulated the Shakespeare in the Park participants and staff for a job well done; the last concert in the park will be held August 27<sup>th</sup>; the Triathlon will be held on September 13<sup>th</sup>.

**Councilmember Misiura** – noted the history of the Shakespeare in the Park Program and commented that it is a great program; advised that the redevelopment sub-committee hopes to meet with developer of the Rug Mill sometime in September.

**Council President Hansen** – noted that the Cultural Art Commission will meet on Wednesday to approve the Arts Master Plan and their logo and they are working with the Harvest Fair Committee; there is a lot going on with water/sewer and finding out what is under the roads in town will have long term effects on the Borough; sanctuary city should not keep being brought to the front with so much positive going on in the Borough.

**Mayor Quattrone** – noted that the supplemental debt statement is a snapshot in time; advised that his comments regarding sanctuary city meant that Hightstown is not a sanctuary city; commented that attended Shakespeare in the Park and it was great; this is Small Town USA.

#### **Resolution 2015-207 Authorizing a Meeting Which Excludes the Public**

The Borough Attorney advised that the subject the executive session should be amended to read Attorney-Client Privilege.

Councilmember Kurs moved resolution 2015-207 as amended, Councilmember Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2015-07

*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 August 17, 2015 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:

Attorney-Client Privilege

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: November 17, 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 adjourned into executive session at 10:35pm.

August 17, 2015

Council returned to open session at 10:45pm.

Mayor Quattrone asked Council what they would like to do now that have heard the Attorney's advice. The Borough Attorney advised Council that it is their decision as to whether they wish to approve the additional leave and Council should have discussion and provide direction to the Administrator.

Mayor Quattrone noted that a condition of the approval will be that a fitness for duty will be required prior to Officer Krupa's return to duty.

Councilmember Kurs moved the requested leave of absence for a three week period be granted to Officer Krupa with the condition that a fitness for duty will be required prior to Officer Krupa's return to duty, Councilmember Bluth seconded.

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

Motion approved 5-0.

Councilmember Montferrat moved to adjourn at 10:50pm, Council President Hansen seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk

August 17, 2015