

**Meeting Minutes
Hightstown Borough Council
Workshop Meeting
March 2, 2015
7:00 p.m.**

The meeting was called to order by Mayor Quattrone at 7:00 p.m. 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; Henry Underhill, Borough Administrator; George Lang, CFO; Frederick Raffetto, Borough Attorney

Councilmember Hansen moved the agenda for approval; Councilmember Montferrat seconded.

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

Agenda approved 6-0.

Councilmember Kurs moved February 2, 2015 open session minutes for approval; Council President Hansen seconded.

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

Minutes approved 5-0, with one abstention.

Councilmember Bluth moved February 17, 2015 executive session minutes for approval; Councilmember Stults seconded.

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

Minutes approved 6-0.

Council President Hansen moved February 17, 2015 open session minutes for approval; Councilmember Misiura seconded.

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

Minutes approved 6-0.

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

Phyllis Deal, 305 Stockton Street – Inquired as to the status of the Animal Welfare Committee ordinance. Mayor Quattrone responded that he, Mr. Underhill, and the Health Department are working on it.

Lynn Woods, 315 Park Avenue – commented that the Mayor should not be selective when requesting the public to be quiet during the meeting.

Eugene Sarafin, 628 South Main Street – noted that Public Works has done a good job plowing snow.

Robert Thibault, 504 S. Main Street – commented that he is glad to see the Borough Nurse here and that the hiring of a Grant writer is being discussed; he has an issue that it is not noted on the agenda as to whether action will be taken following the executive session. Mr. Raffetto responded that action will not be taken following executive session. Mr. Thibault continued that the previous Mayor over stepped his bounds in giving Mr. Underhill a raise; Council should set things right and do a resolution authorizing the raise.

Jerry Katz, 301 Lincoln 400 Stockton Street – inquired as to whether Rick Pratt’s resignation from the Historic Preservation Commission was voluntary or forced.

Doug Mair 536 N. Main Street – noted that he agrees with Mr. Thibault’s comments regarding the Borough Administrator’s raise and that it is in question because Council did not do a resolution; staff is paid for doing a good job and raises should be given for going above and beyond, where is the justification? He also commented that the public found out about the raise from the media, not Council.

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

Resolution 2015-81 Authorizing the Payment of Bills

Councilmember Bluth requested that Item #W1122 be pulled from the bills list and voted on separately.

Councilmember Kurs moved Resolution 2015-81 without item #W1122, Councilmember Stults seconded.

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

Councilmember Kurs moved item #W1122 for payment, Council President Hansen seconded.

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

Resolution adopted 5-0, with one abstention.

Resolution 2015-81

*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 \$1,821,194.46 from the following accounts:

Current		\$1,547,738.53
W/S Operating		206,853.18
General Capital		34,655.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		12,750.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		11,000.00
Unemployment Trust		0.00
Escrow		<u>8,197.75</u>
Total		<u>\$1,821,194.46</u>

Public Health Nurse

Mayor Quattrone noted that the Nurse has been invited to the meeting to let the Borough Council know what she does for in her position.

Jamie Yates, Public Health Nurse for the Borough of Hightstown, advised that she performs the duties required pursuant to N.J.S.A. 52. She then outlined that her duties include, but are not restricted to, running the Children’s Health Clinic; linking residents to available services; maternal and child health visits; developing partnerships with various community organizations; immunization audits; annual flu shot clinics; blood pressure screenings; communicable disease reporting and investigations; emergency preparedness and point of distribution plan (POD). She then explained that she also ran a free breast cancer screening for residents who would not have otherwise gotten the screening.

Ms. Yates presented a certificate to Clerk Sopronyi on behalf of RISE. The certificate was to acknowledge the employees who adopted a family during the holidays and donated gifts and meals to them.

Mayor Quattrone then inquired as to whom Ms. Yates answers to; Ms. Yates responded that she answers to the community, but Ms. Swanson, Health Officer is her immediate supervisor.

There was a brief question and answer period with the Borough Council and Mayor Quattrone thanked Ms. Yates for her services to the community and for attending the meeting.

DVRPC Classic Towns Initiative

Karen Cilurso, from the DVRPC Classic Towns Initiative, noted that the program is handled by the Community Revitalization Division of the DVRPC and the program began in 2008. She then presented the benefits of the program, including but not limited to: an on-line cooperative marketing program with profile pages on the website; distribution of fliers and etc.; provides logos and literature; participation in invitation only workshops; and priority rating with grants. She then distributed information to Council.

Rick Pratt, Chair of the Historic Preservation Commission, then came forward and noted that the Historic Preservation Commission is willing serve as the liaison to the program.

There was a brief question and answer period with Council in which the following items were addressed: the cost for the program is \$2,500.00 per year with the requirement of a two-year commitment; the program promotes smaller downtowns; and that a resolution authorizing the Borough's enrollment in the program is needed. Mr. Pratt noted that the taxpayers will not be paying the fee; it will be paid from other sources.

There was discussion regarding approving the resolution and funding sources. Council requested that the required resolution be placed on the next business meeting agenda. Mayor Quattrone thanked Karen Cilurso for attending the meeting.

Fire Truck

Mr. Underhill advised that there was a meeting to discuss the ladder truck and information was sent to Council via his memo. He noted that refurbishing the current truck is not advisable and they would like to work with the Grant Writer. The committee is looking at various manufacturers for the truck.

Councilmember Kurs advised that the Fire Department was very thorough in their research; it is time to replace the truck.

There was discussion regarding mutual aid and shared costs. The CFO explained the funding process for the purchase of a new truck.

Budget 2015 Water/Sewer

Mr. Underhill noted the summary for the water/sewer budget he sent to Council with his weekly update, and advised that budget meeting dates need to be set up.

George Lang, CFO, advised that the aid numbers from the state have come out and are the same as in the last couple years; he gave an explanation of state aid.

There was discussion regarding capital and infrastructure needs being part of the budget process. The Borough Clerk was directed to set up two budget meeting during the month of March, while avoiding other meetings at which Council members are scheduled to attend. She will e-mail the dates to Council to confirm their availability.

Traffic Ordinance Amendments

Mr. Underhill advised that the ordinance to add Reed Street to the parking restriction ordinance to allow emergency vehicle access, and install stop signs on Morrison Avenue will be on the next agenda pursuant to previous discussion; Mr. Underhill noted that a notice will be sent out to the residents of Reed Street to let them know of the change, once the ordinance is introduced.

Ken Lewis, DPW Superintendent, has requested that parking be restricted on several other streets, during snow, to allow for proper plowing. There was discussion regarding this request, parking alternatives, scheduling of plowing to accommodate parking, and current parking restrictions on these streets. Council noted that they need clarification and requested that the DPW Superintendent attend the next workshop meeting to discuss his proposal.

It was decided that the traffic ordinance amendment for Reed Street and the Morrison Avenue stop signs will be on the next agenda for introduction; another ordinance addressing the no parking when snow covered request will be considered after Council speaks with Mr. Lewis.

RFP – Grant Writer

Mr. Underhill advised that two samples for the RFP for a Grant Writer are provided in the packet. While one is more definitive (Woodland Park), the other provides for a not to exceed amount. He would prefer to send out an RFP similar to the one put out by Woodland Park; we can put out the RFP as soon as Council approves it.

There was discussion regarding an evaluation process for costs and services; establishing a budget for the services; and the scope of services required by the Borough.

The Borough Clerk was directed to place a resolution to approve the RFP on the next agenda.

Administrator Contract

Mayor Quattrone noted that Mr. Underhill's contract was up in February, and he would like to renew the contract. He has met with Mr. Underhill, and Mr. Underhill has agreed to the same contract with his present salary which includes the raise given him in August.

Attorney Raffetto responded to Mr. Thibault's comment during the public comment period where he had suggested that the previous Mayor had overstepped his bounds regarding the raise that had been given to Mr. Underhill in August; and Mr. Mair's comment where he suggested that he had only found out about the raise from the media, implying that there had been no public discussion on the matter. Mr. Raffetto read aloud the portions of the August 4th and August 18th, 2014 meeting minutes which addressed the matter publicly and noted that the minutes refute the comments previously made. Mr. Raffetto then reviewed the history of Mr. Underhill's hiring and that his contract stated that he would have a review regarding his compensation after serving in the position for six months; the contract was attached to the resolution, and both public documents were included in the public packet for the meeting. It was known and understood at that time that there would be a performance review with the possibility of an increase in salary. Mr. Raffetto then reviewed the salary range at Mr. Underhill's time of hire, noting that the Mayor then performed the performance review as required. The former Mayor then approached the Borough Council in executive session, due to the matter being personnel, with the recommendation to increase Mr. Underhill's salary to \$80,000; and a majority of Council agreed to the salary increase. Given that this salary was outside of the present Administrator salary range, it was necessary for the Governing Body to amend its salary ordinance to increase the range. Therefore, an amending salary ordinance was prepared to increase the salary range of the Borough Administrator to \$80,000. Mr. Raffetto then read the following from the meeting minutes of August 4, 2014:

"Council President Bluth moved ordinance 2014-15 for introduction, Councilmember Kurs seconded.

Councilmember Thibault inquired as to what the previous range was in the ordinance that was adopted earlier this year; Borough Clerk Sopronyi noted that it was \$40,000 to \$75,000.

Mayor Kirson noted that Council re-evaluated Mr. Underhill's performance in executive session, as agreed when he was hired. It is Council's desire to increase his salary to \$80,000 annually.

Roll Call Vote: Council members Bluth, Hansen, Kurs and Quattrone voted yes. Councilmember Thibault voted no.

Ordinance introduced 4-1; public hearing to be held August 18, 2014."

Mr. Raffetto noted that there was public discussion regarding the increase, there was nothing hidden. The ordinance was advertised in accordance with law and scheduled for public hearing on August 18, 2014. On that date the public hearing was held as advertised, and Mr. Raffetto read the following from the meeting minutes of August 18, 2014:

"Mayor Kirson opened the public hearing on ordinance 2014-15 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that he agrees with the ordinance and thinks the Administrator is doing a good job.

Scott Caster, 12 Clover Lane – commented that he supports this ordinance and believes the title should have a salary of \$130,000 for full time.

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

Council President Bluth moved ordinance 2014-15 for adoption, Councilmember Quattrone seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura and Quattrone voted yes. Councilmember Thibault voted no.

Ordinance adopted 5-1.”

Mr. Raffetto noted that all of these activities took place in public, and there was open public discussion of the proposed salary increase, and it was known and understood at that time that Mr. Underhill was receiving a salary increase. Mr. Raffetto read aloud N.J.S.A. 40A:9-36, which pertains specifically to the Administrator position; and N.J.S.A. 40A:9-135, which pertains to government employee salaries in general. He noted specifically that salaries are determined by ordinance, not by resolution; that the Borough Council did nothing wrong and their actions were entirely in accordance with state statutes and were in line with the Borough’s past practice when it comes to the salary of the Administrator.

There was Borough Council discussion regarding the agreement expiration and evaluation dates in the agreement. Council directed that a resolution renewing Mr. Underhill’s agreement be placed on the next agenda.

Resolution 2015-82 Authorizing a Contract for the Installation of Two Cla-Valves in the Booster Pump Room at the Water Plant

Council President Hansen moved Resolution 2015-82; Councilmember Bluth seconded.

There was discussion regarding the need for the valves.

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

Resolution adopted 6-0.

Resolution 2015-82

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

AWARDING A CONTRACT FOR THE INSTALLATION OF TWO CLA-VALVES IN THE BOOSTER PUMP ROOM AT THE WATER PLANT

WHEREAS, Three (3) quotes were received for the Installation of two (2) new owner supplied cla-valves in the Booster Pump Room at the Water Plant; and,

WHEREAS, the quotes have been reviewed by Larry Blake, Hightstown Water Treatment Plant, and it is his recommendation that the contract for the installation of the two (2) new owner supplied cla-valves in the Booster Pump Room at the Water Plant be awarded to the lowest quote submitted by Layne Water Resources of Beverly, New Jersey in the amount \$16,473.00; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the installation of the two (2) new owner supplied cla-valves in the Booster Pump Room at the Water Plant be awarded to Layne Water Resources of Beverly, New Jersey in the amount of \$16,473.00.

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

Robert Thibault, 504 S. Main Street – commented that he is not surprised by the Attorney’s comments, he is hired to protect the Borough; while referencing previous salary ordinances and resolutions, he noted that the Administrator’s contract was never amended for the new salary.

Eugene Sarafin, 628 South Main Street – commented that it is very complicated to move vehicles when there is snow; he complimented Councilmember Stults for observing the need for alternative parking. He recommended that it be investigated how other towns do this parking restriction and noted that this was an enjoyable meeting. He then thanked Mr. Raffetto for referring to him as a professional regarding the salary issue.

Borough Attorney Raffetto clarified that he did not refer to the individuals who made the public comments as professionals in the matter; he simply read their comments to note that the matter had indeed been discussed publicly and

it was publicly known that the ordinance was to implement a raise for Mr. Underhill.

Lynn Woods, 315 Park Avenue – recommended that Council look at ordinance 7-8-1, it already prohibits parking in an emergency.

Doug Mair, 536 S. Main Street – commented that the problem is that when Council modifies a salary, it should be done in a public meeting. He then recited verbiage from the minutes of the August 4th and 18th 2014 meetings, noting that the matter was discussed in executive session at the July 21st meeting, but not at the August meetings.

Scott Caster, 12 Clover Lane – commented that it has been customary in Hightstown that ordinances set salary ranges and resolutions establish the actual salaries; this is confusing to the public.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Bluth – noted that she is attempting to get the missing Parks & Recreation minutes posted to the website.

Councilmember Stults – noted that the Planning Board minutes are also being posted to the website, others must be approved and then they will also be posted. There is a draft of design standards before the Planning Board; he invited the public to attend the meeting next week.

Councilmember Montferrat – noted that he is working with the State Historic Preservation office and attended the Bike and Walk summit to get tips and information from the state. He is happy that the DVRPC came in and gave their presentation; he will be happy to answer any questions regarding the Classic Towns Initiative; and Downtown Hightstown is beginning their annual flower basket fundraiser for the flowers that will hang downtown during the spring and summer.

Councilmember Kurs – advised that this past weekend four members of Council attended a budget seminar and it was very educational and informative; the insurance company has approved the replacement of an ambulance and the First Aid is working with vendors regarding bid specs and to determine the process that would be most financially beneficial; the Fire Department had a house fire which was caused by a dryer, and the Fire Company was prompt in their response.

He continued that the High School, in conjunction with Mercer County College, has announced a Junior Enrollment program where students can enroll for college courses and receive credits; congratulations to the HHS FirstTech Challenge Team Mercury (#3944) for winning the "Snow Day Showdown VIII" qualifier, Team Mercury was the captain of the winning alliance, with W-Prime Robotics from Westport, CT, and The Walkers from Washington, NJ, with 529 points, they broke the state high score for the game, breaking their own prior score 500. The team also received the THINK award for their outstanding documentation of their design process through their engineering notebook. They have now qualified for the state championship "Garden State Rumble" event on March 8th at NJIT. The Future Business Leader of America are #1 in New Jersey, heading to Chicago for the National Competition in Entrepreneurship; Congratulations and good luck to Mehdi Husani and Jay Vankagar. The HHS DECA Team has won the state championships and going to compete in the National competition in Orlando, Florida! Ananya Ramachandran moved on to the Nationals in Human Resource Management and Ryan Geraty and Raveena Kumar were also State finalists.

He then advised that an incident occurred in East Windsor Township, where an individual presented himself as a Hightstown Borough employee and entered into a home under the guise of doing some type of inspection; this individual is not a Borough employee and the Hightstown Police are working with the East Windsor Police to address the matter. The individual had displayed an obviously fake identification card, and he reminded everyone to be diligent when opening your door to strangers; if someone comes to your door and you are unsure of their identity, contact the police. In response to this incident, Lt. Gendron is preparing new identification cards for all Borough employees.

Councilmember Misiura – noted that there was a very nice article about the Hightstown High School/Mercer County College program in the Trenton Times, we have a great school system and sometimes it does not get the credit it deserves; the school is putting on "Susical the Musical" and the public is invited to come out and see the play; the Environmental Commission did not meet due to a lack of quorum, they are in need of members; the Housing Authority was given a tour of the apartments and the units are very nice and well managed. He then thanked everyone for their support in the past week due to the death of his father.

Council President Hansen – noted that the part time secretary at the sewer plant left and collections are on track. The Borough Engineer, AWWTP Engineer, Administrator, Mayor and she met to evaluate filter issues at the plant and the affect septic intake is having. It has been determined that they will reduce intake of septic by 25% and stop taking grease. The UV manufacturer is being revised and the well #2 project has been approved for a grant; inspections at the plants are being conducted. The road bids are due March 11th and Council will be discussing them soon. A bond for capital projects is forthcoming in April. The Borough is testing ultrasonic meters to replace the 4” meters presently being used for water billing.

There was discussion regarding the new Sensus System used for meter reading and billing.

Council President Hansen then read aloud the executive session minutes of the July 21, 2014 meeting to refute statements that Council has no knowledge or discussion regarding Mr. Underhill’s salary, noting that while she was not present, all other Council members were; she then referenced the minutes of the August 4th and 18th, 2014 public meetings. She commented that she does not know how someone who served on Council during these discussions can say there was no discussion or vote on the matter; accusing Council of wrongdoing because you did not agree with the determination is unfair and damaging to Council.

Borough Administrator Underhill – noted that the Senior Tax Freeze forms have been mailed by the state and the tax office is available for assistance.

Mayor Quattrone – thanked Council for a good meeting. He noted that discussions have been ongoing with the insurance regarding Borough Hall and there will be some tough decisions coming up. The budget meetings are very important and the workshop meetings are going well.

Resolution 2015-83 Authorizing a Meeting Which Excludes the Public

Councilmember Stults moved Resolution 2015-83. Councilmember Montferrat seconded.

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

Resolution Adopted 6-0.

Resolution 2015-83

*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 March 2, 2015 directly following the general meeting in the First Aid Building located at 168 Bank Street, Hightstown that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Contract Negotiations – Shared Services (Various – Police/Dispatch/Court)

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: May 31, 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 9:05 p.m.

March 2, 2015

Council reconvened into public at 10:00pm

Councilmember Stults moved to adjourn at 10:00pm, Council President Hansen seconded. All Ayes.

Respectfully Submitted,

Debra L. Sopronyi
Borough Clerk