

**Meeting Minutes  
Hightstown Borough Council  
Business Meeting  
August 15, 2016  
7:00 p.m.**

The meeting was called to order by Mayor Quattrone at 7:00 pm and he read the Open Public Meetings Act statement which stated, “Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk’s office.”

The flag salute followed Roll Call.

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

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk; Henry Underhill, Borough Administrator and Tamara Lee, Borough Planner.

**EXECUTIVE SESSION**

**Resolution 2016-149 Authorizing a Meeting that Excludes the Public**

Councilmember Kurs moved Resolution 2016-149; Councilmember Stults seconded.

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

Resolution adopted 5-0.

Resolution 2016-149

*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 15, 2016 at 7:00 p.m. at the Hightstown Engine Co. #1 Fire House Hall located at 140 North Main 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 – Court  
Affordable Housing

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 15, 2016, 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.

Fred Raffetto, Borough Attorney, arrived at 7:02 p.m. and is now present.

Mayor Quattrone called the public meeting to order at 7:35 p.m. and again read the Open Public Meetings Statement.

**APPROVAL OF AGENDA**

Councilmember Kurs moved the agenda; Councilmember Stults seconded.

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

Agenda approved 5-0.

**APPROVAL OF MINUTES**

Councilmember Montferrat moved the July 18, 2016 Executive Session minutes for approval; Councilmember Kurs seconded.

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

Minutes approved 5-0.

Councilmember Misiura moved the July 18, 2016 Business Session minutes for approval; Councilmember Montferrat seconded.

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

Minutes approved 5-0.

George Lang, CFO arrived at 7:42 and is now present.

**PRESENTATIONS**

Mayor Quattrone presented the members of Girl Scout Troop #70105 with Certificates of Appreciation for recognition of their contribution to the beautification of the World War II Memorial Garden. The Girl Scouts have

been helping Gary Grubb with planting flowers at the Word War II Memorial Garden since Hurricane Irene in the fall of 2011.

Mayor Quattrone presented a letter of appreciation to Mrs. Virginia Nardino, Hightstown High School Art Teacher, for the refurbishment of the Hightstown Borough gateway signs.

### **PLANNER ITEMS**

Tamara Lee, Borough Planner, spoke about the Borough's existing housing element and Fair Share Plan. Ms. Lee reviewed her June 17, 2016 memo to Mayor and Council. Planning Board is currently rewriting the Fair Share Plan. They will describe the new housing element that will become policy. This will need to be adopted by ordinance before it can be implemented.

Discussion ensued regarding the existing housing element and fair share plan, the proposed revisions to the HE & FSP, the Borough's affordable housing obligation, affordable infill zoning overlay, new boarding house and the Hightstown Housing Authority.

After further discussion, Council agreed that it would like Planning Board to move ahead with the proposed plan. Ms. Lee will take Council's feedback to the Planning Board.

### **PUBLIC COMMENT**

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

**Stacey Judge, 307 Morrison Avenue** – Was present to speak on behalf of the Parks and Recreation Commission. At their last meeting the Smoke Free Parks Ordinance was discussed and the Parks and Rec Commission supports the ordinance. In implementing this ordinance, Hightstown can connect with the National Parks Service *Healthy Parks Healthy People* program. Passing this ordinance would also gain points for Sustainable New Jersey.

**Barbara Jones, 215 Greely Street** – Speaking on behalf of the Environmental Commission. Stated that during park clean ups the item that is most picked up is cigarette butts. Stated that Hightstown is in dire need of points for Sustainable New Jersey to maintain our bronze status and passing this ordinance would help with that.

**Jean Ray, 499 South Main Street** – Speaking on behalf of the Board of Health. Stated that the parks in Hightstown should be made smoke free, this is a health issue. Cigarette butts are the number one thing picked up along beaches and in parks. They contain nicotine and if not extinguished correctly could cause brush fires.

**Scott Caster, 12 Clover Lane** – Complimented the Deputy Clerk on the minutes and thanked her for helping tell the history and story of Hightstown. Regarding no smoking in the parks – looking for a definition of park; asked about downtown or the lake area. Would like to see this expanded to downtown stating that the downtown area is like a mall, if it is smoke free this could attract more businesses and shoppers.

**Eugene Sarafin, 628 South Main Street** – Stated that it was nice for the girl scouts to be present at the meeting. Regarding the smoke free ordinance; this should be put into effect but don't make the fine so high. Make the fine \$5 and enforce it. Regarding LOSAP; he stated that he has always disagreed with the program and feels that the list in the resolution is fraudulent. Asked Council to please take a closer look at the list before approving the payment.

**Keith LeProvost, 213 Greely Street** – Thanked Council for talking about Affordable Housing in public; it is important for the residents to know what is going on. Referenced Resolution 2016-152; the resolution refers to a contract but no contract was included in the public packet. Asked if the public would get to see the contract prior to Council voting on the resolution.

**Frank Rivera, 110 Broad Street** – Stated that he likes the idea of the smoke free parks but please think carefully about enforcement.

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

**RESOLUTIONS**

**Resolution 2016-150 Authorizing Payment of Bills**

Councilmember Stults moved Resolution 2016-50; Councilmember Misiura seconded.

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

Resolution adopted 4-0 with one abstention.

Resolution 2016-150  
*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 \$509,520.34 from the following accounts:

Current		\$241,133.17
W/S Operating		239,845.89
General Capital		4,232.23
Water/Sewer Capital		16,210.00
Grant		0.00
Trust		5,422.90
Housing Trust		0.00
Animal Control		8.40
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>2,667.75</u>
Total		<u>\$509,520.34</u>

**Resolution 2016-151 Appointing and Authorizing an Agreement for Professional Services – Administrative Agent of Hightstown Borough Affordable Housing Program – Rehabco, Inc.**

Councilmember Kurs moved Resolution 2016-151; Councilmember Bluth seconded.

Mr. Underhill explained that the administrative agent will inspect the Affordable Housing units and certify the income of the renters to ensure that we are following State regulations.

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

Resolution adopted 5-0.

Resolution 2016-151

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES – ADMINISTRATIVE AGENT OF HIGHTSTOWN BOROUGH AFFORDABLE HOUSING PROGRAM – REHABCO, INC.**

**WHEREAS**, there exists the need for an Administrative Agent to oversee the Affordable Housing Program in Hightstown Borough; and

**WHEREAS**, the Borough Council wishes to appoint Rehabco, Inc. of Brick, New Jersey as the Administrative Agent of the Hightstown Borough Affordable Housing Program effective August 15, 2016; and

**WHEREAS**, the cost for the proposed services shall be paid by the program, landlord, tenant or seller associated with each unit; and,

**WHEREAS**, the Borough Attorney will review and approve the contract for execution by the Borough; and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding, provided that the Resolution authorizing the contract and the contract itself are available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, it has been determined that the value of this contract may exceed \$17,500, and therefore the contract is also subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the anticipated term of this contract is for one (1) year; and

**WHEREAS**, this contract is intended to be awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law;

**WHEREAS**, Rehabco, Inc. has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), and has further submitted a certification that the firm is in compliance with the Borough’s own Pay-to-Play ordinance (Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*);

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Borough Council of the Borough of

Hightstown, in the County of Mercer and State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Rehabco, Inc. regarding the above-referenced professional administration services, as set forth herein.
2. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Rehabco, Inc. is a firm whose staff are authorized by law to practice a recognized profession.
3. That this contract is being awarded in accordance with the Local Unit Pay-to-Play Law and Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, and the Business Disclosure Entity Certification, and other certifications required pursuant to same shall be placed on file with the contract.

**Resolution 2016-152 Resolution Authorizing the Borough of Hightstown to Enter into an Agreement with Norman A. Randolph, Jr. for the Expenditure of the Affordable Housing Trust Funds in Order to Facilitate the Provision of Affordable Housing Units within the Borough**

Councilmember Kurs moved Resolution 2016-152; Councilmember Misiura seconded.

Mr. Raffetto explained that the contract was not part of the public packet prior to the meeting because the contract was still being negotiated. For the benefit of the public, Mr. Raffetto summarized the resolution and the contract.

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

Resolution adopted 5-0.

Resolution 2016-152

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

**RESOLUTION AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO ENTER INTO AN AGREEMENT WITH NORMAN A. RANDOLPH, JR. FOR THE EXPENDITURE OF THE AFFORDABLE HOUSING TRUST FUNDS IN ORDER TO FACILITATE THE PROVISION OF AFFORDABLE HOUSING UNITS WITHIN THE BOROUGH.**

**WHEREAS**, the Governing Body of the Borough of Hightstown (the "Borough") is committed to addressing its Third Round obligation for the provision of affordable housing to satisfy the regional need for the same, in accordance with requirements still to be finally determined; and

**WHEREAS**, to that end, the Borough is in the process of updating its Housing Element and Fair Share Plan (the "Fair Share Plan"); and

**WHEREAS**, the Borough's updated Fair Share Plan shall promote an affordable housing program pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*); and

**WHEREAS**, the Borough intends to include within the Borough’s updated Fair Share Plan, the property located at 278 Academy Street, more commonly known and designated as Block 38, Lot 1 on the Borough’s Tax Map (the “Property”), which Property is under the record ownership of Norman A. Randolph, Jr. (the “Owner”), as a site for the provision of affordable housing, so long as certain conditions are fulfilled; and

**WHEREAS**, the Property currently comprises a rooming/boarding home commonly known as the “Randolph Rooming House,” which contains nine (9) separate living units; and

**WHEREAS**, the Owner has proposed the imposition of deed restrictions on all nine (9) units at the Property, with the length of the restrictions to endure for a period of thirty (30) years, so that the units may only be occupied as affordable units by income-eligible inhabitants; and

**WHEREAS**, the Owner’s proposal is premised upon the Borough providing a contribution to the Owner to underwrite the provision of these new affordable units; and

**WHEREAS**, the Borough has previously adopted Ordinance(s) authorizing the imposition and collection of development fees in connection with certain new residential and non-residential construction in the Borough, which funds were to be deposited into an Affordable Housing Trust Fund (also referenced as the “Trust Fund”); and

**WHEREAS**, the monies collected and deposited into the Trust Fund are intended to be utilized in order to facilitate the provision of affordable housing units within the Borough; and

**WHEREAS**, the Borough has agreed to contribute certain funding from the Trust Fund to the Owner, in order to facilitate the creation of these new affordable units, which will assist the Borough in satisfying its affordable housing requirements for the Third Round; and

**WHEREAS**, the terms and conditions associated with this undertaking are set forth in a proposed Agreement between the Borough and the Owner, a copy of which is attached hereto and made a part hereof; and

**WHEREAS**, the Borough Council wishes to authorize the execution of the attached Agreement, or one which is substantially similar thereto and which meets with the approval of the Borough Attorney and the Borough’s Affordable Housing Administrative Agent, conditioned upon the following:

- (1) Certification from the Borough’s Affordable Housing Administrative Agent that all of the nine (9) housing units referenced above satisfy the necessary requirements in order for the Borough to gain credit for the units as part of its Fair Share Plan; and
- (2) The execution and recording of a deed restriction relating to the nine (9) housing units ensuring that they shall remain restricted for the provision of affordable housing for a period of not less than thirty (30) years, which deed restriction must be approved as to form by the Borough Attorney and the Borough’s Affordable Housing Administrative Agent; and

**WHEREAS**, the Hightstown Borough Council finds and declares that, subject to the conditions referenced above, the execution of the said Agreement is in the best interest of the residents of the Borough, and that it shall further the Borough’s commitment to addressing its Third Round obligation for the provision of affordable housing to satisfy the regional need for the same.

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

1. That, subject to the conditions referenced above, the Mayor is hereby authorized to execute and the Borough Clerk to attest, the attached Agreement (or one which is

substantially similar thereto and which meets with the approval of the Borough Attorney and the Borough's Affordable Housing Administrative Agent) regarding the Property, in order to facilitate the provision of nine (9) new units of affordable housing within the Borough.

2. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Norman A. Randolph, Jr.  
200 Mercer Street, Suite B  
Hightstown, New Jersey 08520
  - b. Rehabco, Inc.  
470 Mantoloking Rd.  
Brick, New Jersey 08723;
  - c. Henry Underhill, Borough Administrator;
  - d. Tamara L. Lee, PP, AICP, Borough Planner;
  - e. Frederick C. Raffetto, Esq., Borough Attorney;
  - f. Jolanta Maziarz, Esq., Planning Board Attorney; and
  - g. Ken Pacera, Tax Assessor.

#### **AGREEMENT**

#### **FOR THE CREATION OF AN AFFORDABLE HOUSING PROJECT AND DISBURSEMENT OF MUNICIPAL HOUSING TRUST FUNDS IN RELATION THERETO.**

This **AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between:

**THE BOROUGH OF HIGHTSTOWN**, a municipal corporation in the County of Mercer and State of New Jersey, having its principal office located at 156 Bank Street, Hightstown, New Jersey 08520, also referenced herein as the "Borough" or "Hightstown"; and

**NORMAN A. RANDOLPH, JR.**, having a principal office located at 200 Mercer Street, Suite B, Hightstown, NJ 08520, also referenced herein as "Randolph" or "Owner";

**WHEREAS**, the Governing Body of the Borough of Hightstown is committed to addressing its Third Round obligation for the provision of affordable housing to satisfy the regional need for the same, in accordance with requirements still to be finally determined; and

**WHEREAS**, to that end, the Borough is in the process of updating its Housing Element and Fair Share Plan (the "Fair Share Plan"); and

**WHEREAS**, the Borough's updated Fair Share Plan shall promote an affordable housing program pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*); and

**WHEREAS**, the Borough intends to include within the Borough's updated Fair Share Plan, the property located at 278 Academy Street, more commonly known and designated as Block 38, Lot 1 on the Borough's Tax Map (the "Property"), which Property is under the record ownership of Norman A. Randolph, Jr., as a site for the provision of affordable housing, so long as certain conditions are fulfilled; and

**WHEREAS**, the Property currently comprises a rooming/boarding home commonly known as the “Randolph Rooming House,” which contains nine (9) separate living units; and

**WHEREAS**, the Owner has proposed the imposition of deed restrictions on all nine (9) units at the Property, with the length of the restrictions to endure for a period of thirty (30) years, so that the units may only be occupied as affordable units by income-eligible inhabitants; and

**WHEREAS**, the Owner’s proposal is premised upon the Borough providing a contribution to the Owner to underwrite the provision of these new affordable units; and

**WHEREAS**, the Borough has previously adopted Ordinance(s) authorizing the imposition and collection of development fees in connection with certain new residential and non-residential construction in the Borough, which funds were to be deposited into an Affordable Housing Trust Fund (also referenced as the “Trust Fund”); and

**WHEREAS**, the monies collected and deposited into the Trust Fund are intended to be utilized in order to facilitate the provision of affordable housing units within the Borough; and

**WHEREAS**, subject to certain conditions, the Borough has agreed to contribute certain funding from the Trust Fund to the Owner, in order to facilitate the creation of these new affordable units, which will assist the Borough in satisfying its affordable housing requirements for the Third Round; and

**WHEREAS**, the terms and conditions associated with this undertaking are set forth below.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, the Borough and the Owner (hereafter collectively referenced as the “parties”) agree as follows:

1. **DEED RESTRICTION.** The Owner hereby agrees to the placement of a deed restriction (the “deed restriction” or “restriction”) which shall endure for a period of not less than thirty (30) years on the Property, which deed restriction shall impose affordability controls on nine (9) housing units located at the Property, in an effort to assist the Borough in satisfying its Third Round fair share affordable housing obligation. The deed restriction shall ensure that the nine (9) housing units at the Property may only be occupied by income-eligible households during the term of the restriction, and that the rents charged shall not exceed prevailing acceptable rent levels for affordable housing units. The deed restriction shall inure to the benefit of the Borough, and shall run with the land and be binding upon the Owner, as well as all successors in title to the Property, during the term of the deed restriction. It is anticipated at this time by the parties that, of the nine (9) units at the Property to be restricted with affordability controls, seven (7) units shall be occupied by low-income households and two (2) units shall be occupied by moderate-income households, eligibility for which shall be determined in accordance with established prevailing criteria. Said deed restriction shall be in a form which is generally consistent with the “model” form of deed restriction utilized for multi-family rental properties (a copy of which is attached hereto as “Exhibit “A”), as sanctioned by the State of New Jersey, and shall be satisfactory to the Borough.

2. **PAYMENT TO PROPERTY OWNER.** In consideration for the Owner’s placement of the thirty (30)-year deed restriction on the nine (9) housing units at the Property, as referenced in Paragraph 1 above, and subject to the conditions set forth in Paragraph 3 below, the Borough hereby agrees to make a payment to the Owner in the amount of One Hundred and Two Thousand and 00/100 Dollars (\$102,000.00) from the Borough’s Affordable Housing Trust Fund. This payment represents approximately Eleven Thousand Three Hundred Thirty-Three and 33/100 Dollars (\$11,333.33) per unit restricted, and shall be made in accordance

with the schedule set forth in Paragraph 3 below.

3. **CONDITIONS TO PAYMENT.** The parties agree that full payment of the amount referenced in Paragraph 2 above from the Borough to the Owner is hereby expressly contingent upon the following conditions:

- a. The final execution of the within Agreement; and
- b. The Borough's receipt of a written certification by the Borough's designated Affordable Housing Administrative Agent that all of the nine (9) housing units at the Property satisfy the applicable prevailing requirements for the Borough to be entitled to obtain affordable housing credits toward its Third Round affordable housing obligation; and
- c. The execution and recording of a deed restriction which is generally consistent with the "model" form of deed restriction attached hereto as "Exhibit "A," which imposes affordability controls on nine (9) housing units located at the Property for a period of not less than thirty (30) years, as referenced in Paragraph 1 above.

Payment shall be made to the Owner by the Borough following the completion of all of the above conditions.

4. **CONTINUED MONITORING OF AFFORDABLE UNITS; PROPERTY OWNER'S RESPONSIBILITIES.** During the term of the thirty (30)-year period of affordability controls on the Property, the Borough's designated Affordable Housing Administrative Agent shall be responsible for, among other things, ensuring that all proposed occupants of the nine (9) restricted housing units at the Property are income qualified prior to the commencement of their respective tenancies, that the rents charged to occupants of the units do not exceed prevailing acceptable rent levels for affordable housing units, that the units meet all applicable criteria associated with their designation as affordable housing, and that the units continue to be operated in all respects in accordance with the requirements set forth in the recorded deed restriction, as well as those prescribed by applicable N.J. affordable housing rules and regulations. The Owner shall be required to reimburse the Borough for any and all costs incurred by the Borough's Affordable Housing Administrative Agent that are associated with the above responsibilities, or which are in any way related to oversight of the Property. The Owner hereby agrees to cooperate in good faith with the Borough and the Borough's designated Affordable Housing Administrative Agent in order to ensure that all of the restricted housing units continue to be operated in a manner which is consistent with the requirements of the recorded deed restriction, as well as those prescribed by applicable N.J. affordable housing rules and regulations. This requirement shall run with the land and be binding upon the Owner, as well as all successors in title to the Property, during the term of the deed restriction.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and seals the day and year appearing below their names.

**CONSENT AGENDA**

**Consent Agenda Resolutions 2016-153; 2016-154; 2016-155; 2016-156; 2016-157; 2016-158 and 2016-159**

Councilmember Kurs moved Resolutions 2016-153; 2016-154; 2016-155; 2016-156; 2016-157; 2016-158 and 2016-159 as a consent agenda; Councilmember Misiura seconded.

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

Resolutions adopted 5-0.

Resolution 2016-153

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

**APPOINTING A MUNICIPAL HOUSING LIAISON**

**WHEREAS**, the Governing Body of Hightstown Borough (the “Borough”) is committed to addressing its Third Round obligation for the provision of affordable housing to satisfy the regional need for the same, in accordance with requirements still to be finally determined; and

**WHEREAS**, to that end, the Borough is in the process of updating its Housing Element and Fair Share Plan (the “Fair Share Plan”); and

**WHEREAS**, the Borough’s updated Fair Share Plan shall promote an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.); and

**WHEREAS**, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough is required to appoint a Municipal Housing Liaison for the administration of its affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

**WHEREAS**, the provisions relating to the appointment of a Municipal Housing Liaison to administer Hightstown Borough’s affordable housing program are set forth in Section 2-25.3 of the Borough’s Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of Hightstown Borough in the County of Mercer, and the State of New Jersey that the Borough Administrator is hereby appointed as the Municipal Housing Liaison for the administration of the Borough’s affordable housing program, pursuant to and in accordance with Section 2-25.3 of Hightstown Borough’s Municipal Code.

Resolution 2016-154

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

**AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN HIGHTSTOWN  
BOROUGH AND EAST WINDSOR TOWNSHIP FOR CONTRIBUTION OF THE  
MATCHING LOCAL SHARE FOR BUS SERVICES**

**WHEREAS**, the Borough of Hightstown is desirous of entering into a renewed shared services agreement with the Township of East Windsor for the purpose of providing public transportation services for its citizens; and

**WHEREAS**, the term of said agreement shall be from July 1, 2016 through June 30, 2017; and

**WHEREAS**, the Borough's share of the cost of this service, by the terms of the agreement, is \$2,180.00, representing no increase from prior years; 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 Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement for Contribution of the Matching Local Share for Bus Services with East Windsor Township in the amount of \$2,180.00.

Resolution 2016-155

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

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE 2016 BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2016 as follows:

<b>Source</b>	<b>Amount</b>	<b>Revenue Title</b>	<b>Appropriation Title</b>
State of New Jersey	\$3,746.75	Municipal Court Alcohol Education and Rehabilitation Fund	Municipal Court Alcohol Education and Rehabilitation Fund

Resolution 2016-156

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

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE**

**IN THE 2016 BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2016 as follows:

<b>Source</b>	<b>Amount</b>	<b>Revenue Title</b>	<b>Appropriation Title</b>
State of New Jersey Department of Community Affairs	\$150,000.00	Small Cities CDBG Block Grant	Small Cities CDBG Block Grant

Resolution 2016-157

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

**AUTHORIZING PAYMENT ON BEHALF OF PARTICIPANTS IN THE BOROUGH OF HIGHTSTOWN LENGTH OF SERVICE AWARD PROGRAM (LOSAP)**

**WHEREAS**, the Borough of Hightstown instituted a Length of Service Award Program (LOSAP) with the adoption of Ordinance 1999-20 on August 2, 1999 and its subsequent approval by referendum at the November 1999 general election; and

**WHEREAS**, said LOSAP became effective January 1, 2000; and

**WHEREAS**, in accordance with *N.J.S.A.* 40A:14-191, the Hightstown First Aid Squad and Hightstown Engine Co. No. 1 have submitted certified listings of all volunteer members who qualified for credit under the LOSAP program for the year 2015; and

**WHEREAS**, certain volunteers are also eligible to redeem amounts “banked” during prior years of qualified service; and

**WHEREAS**, the listing of all employees who qualified for credit under the LOSAP program during 2015 and/or are eligible to redeem amounts banked during prior years of qualified service is attached hereto as Schedule “A”; and

**WHEREAS**, *N.J.A.C.* 5:30-14.10 requires that these listings be approved by Resolution of the governing body;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the certified listings set forth on the attached Schedule A of volunteer members of the Hightstown First Aid Squad and Hightstown Engine Co. No. 1 who qualified for credit under the LOSAP program for the year 2015 are hereby

approved, and the Borough Administrator is directed to take all steps necessary to provide payment on their behalf to Lincoln Financial Group in accordance with the provisions and requirements of *N.J.S.A. 40A:14-191* and *N.J.A.C. 5:30-14.1 et seq*; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be provided to the Hightstown First Aid Squad and Hightstown Engine Co. No. 1; and

**BE IT FURTHER RESOLVED** that, in accordance with *N.J.S.A. 40A:14-192*, copies of the approved listings shall be posted for a period of not less than 30 days in the Borough Clerk's office, at the Hightstown Firehouse and at the Hightstown First Aid Squad building.

**Schedule "A" – Page 1 of 2**

*The following volunteers qualified by points earned during the year 2015 for credit in the Borough of Hightstown Length of Service Awards Program (LOSAP), AND/OR are eligible to redeem amounts "banked" during prior years of qualified service. Points were earned in accordance with the point system established in Ordinance 1999-20 and certified by the Fire Chief and First Aid Squad President. Total allowable contribution for each year of qualified service is \$750.00. Total allowable payment into fund on behalf of any one volunteer in any one year, including current year contribution, buyback of prior year service and/or redemption of amounts banked during prior years of qualified service, is \$1,150.00.*

**Hightstown Engine Co. No. 1**

Dye, Carl

Jones, Lawrence

Baldino, John.

Havens, Sr., W.

Paglione, William

Sheenan, Michael

Mastriano, Richard

Bukowski, Matthew

Sidelinger, James

Sugg, Charles

Esch, Ed

Havens, Jr., W.

Madonia, M.  
Evers, Gary  
Van Kirk, Lawrence  
Jenkins, Scott  
Johnson, B.  
Krakowski, Scott  
Reed, Chad  
Hastings, Daniel  
Derr, Donald  
  
Pietszch, Charles  
  
Glackin, Neal  
McClenahan, C.  
Krakowski, Jacob  
  
Lawson, Matt  
  
Belgard, Scott  
  
Derr, Stephanie  
  
Hagadorn, Sean  
  
Teller, Jim  
  
Zullo, Joseph

**Schedule "A" – Page 2 of 2**

Hightstown First Aid Squad

Boguszewski, Nancy  
Boguszewski, Stephen  
Guyette, John  
Guyette, Margaret  
Lecorchick, William  
Stackhouse, Keith  
  
Moore, Christina  
  
Storey, Lisa  
  
Lidke, Theresa

Resolution 2016-158  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, an overpayment of 2016 taxes was made for Block 11, Lot 17.02, 157 Monmouth Street, in the amount of \$773.59 due to the reassessment of the land value ; and

**WHEREAS**, the owner, Hights Realty, LLC, 401 East Linden Avenue, Linden, New Jersey, 07036 has requested that a refund be issued for the overpayment in the amount of \$773.59; and

**WHEREAS**, the Tax Collector has requested that said overpayment be refunded in the amount of \$773.59.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Tax Collector and CFO are hereby authorized to issue a refund in the amount of \$773.59 to Hights Realty, LLC, 401 East Linden Avenue, Linden, NJ 07036, representing the tax overpayment as set forth herein.

Resolution 2016-159  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**ACCEPTING MEMBERSHIP OF KARA LYONS IN  
HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Kara Lyons of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Ms. Lyons has undergone and passed the required physical examination, and her membership application has been reviewed and approved by Fire Chief Scott Jenkins;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the membership of Kara Lyons in Hightstown Engine Company No. 1 is hereby accepted.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

**PUBLIC COMMENT PERIOD II**

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

**Eugene Sarafin, 628 South Main Street** – Commented that he was very upset that Council would vote for a fraudulent LOSAP list. Went on to comment on Donald Trump and Chris Christie.

**Keith LeProvost, 213 Greely Street** – Commented that there is an issue again with the water at the Housing Authority. Thanked Larry Blake for coming out to look at the situation again. The infrastructure is the

problem. Apparently the water coming from the water plant is good.

**Frank Rivera, 110 Broad Street** – Stated once again that he supports the smoke free parks ordinance but warned Council that they need to pay attention to the enforcement. There could be blowback if the ordinance is extended to other public places.

**Scott Caster, 12 Clover Lane** – Spoke about taxes and Downtown Hightstown. Thanked the Mayor for all the work he is doing with downtown. His dream is to bring more business to downtown; this will put Hightstown into high gear.

**Milton Matamoros, 135 Purdy Street** – Questioned what is being done about illegal immigration. Stated that there is a cultural change in the demographic in Hightstown; people need to realize that they are in America now and they need to change their ways to make a better tomorrow. Hightstown should be more like Princeton, not Trenton.

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

## **DISCUSSION**

### **Smoke Free Parks**

**Councilmember Stults** – Stated that he was originally on the fence about this ordinance but after traveling, he feels that if this is done correctly it could be good. The key to this will be enforcement. He believes this is a logical step in improving our parks and downtown.

**Councilmember Kurs** – Stated that he has reservations about the ordinance. Regarding the littering of cigarette butts; we have an ordinance for littering in place, this needs to be enforced. His two main concerns are government controlling people and the language of the proposed ordinance.

**Councilmember Misiura** – Stated that he has always been in favor of this ordinance. He feels that people should be able to enjoy the parks without being subject to smoke. He has questions about some of the language in the proposed ordinance and feels that the fine associated with it be lower, but in general supports an ordinance.

**Councilmember Montferrat** – His opinion about an ordinance remains unchanged, he will support this. This is a public health issue. He stated that the language regarding adjacent areas needs to be firmed up before introduction.

**Councilmember Bluth** – Refrained from participating in the discussion due to a conflict of interest.

**Mayor Quattrone** – Stated that as a former smoker, other people should not be bothered by your smoke. He supports smoke free environments.

After more discussion, it was agreed to move forward with introducing a Smoke Free Parks Ordinance. Council instructed Mr. Raffetto to work on the changes in the proposed ordinance. First reading of the ordinance is planned for September 6, 2016.

## **MAYOR/COUNCIL/ADMINISTRATIVE REPORTS**

### **Councilmember Stults**

**Downtown Business Meeting** – Meet again with businesses. Morgan’s Island Grill attended the meeting for the first time and is very excited to connect with the other businesses downtown. Mr. Stults encouraged owners to come to the meetings which will continue monthly.

**Construction and Zoning** – They are continuing with re-inspections and are well ahead of where they were last year. Repeat offenders are being dealt with. Signage in downtown is being cleaned up.

**Downtown Hightstown** – The board met last week and they are coming up with some promotional ideas to get people into town for lunch.

**9/11 Memorial Ride** – The last ride will take place on Saturday. They will be driving through Hightstown between 2:00 and 3:00 p.m. This is an amazing thing to see.

### **Councilmember Kurs**

**9/11 Memorial Ride** – He will be participating in the ride from Delaware to New York City.

**National Night Out** – Was an excellent event. There was food, rides and raffles. Thank you to the Police Department for hosting the event.

**Promotion and Swearing In Ceremony** – The Police Chief, two new sergeants and officers were sworn in last week. It was a wonderful night and he extended his congratulations to everyone.

### **Councilmember Misiura**

**Infrastructure** – Water mains are old. We replace infrastructure every year during road projects. This is an ongoing process.

**Downtown Hightstown** – Downtown did not get to the state it is in overnight. We are seeing improvements a little at a time. We have some great restaurants now. Small businesses drive downtown and the problems will not be solved overnight.

**Planning Board** – Meet last Monday. Discussed the Minute Maid Settlement; DOT concerns have been resolved. There was an information applicant for a multifamily property on Stockton and Church Streets. They are looking to subdivide. Planning Board cannot give much direction because this is informal at this time.

### **Councilmember Montferrat**

Stated that he was at training at a local company recently and they informed him that they order lunch from Hightstown Restaurants every Friday. Hightstown is coming along.

**Latino Festival** – Has been rescheduled for August 27<sup>th</sup> at Rocky Brook Park with a rain location at Hightstown High School

**Smoke Free Parks** – Disagrees with the state's choice of prohibiting smoking at state parks and beaches only, and should have enacted a broader ban extending to county and local recreational sites.

**Councilmember Bluth**

**Cultural Arts Commission** – Theatre in the Park held their performances in the Firehouse this year due to the weather. This is a fantastic program that was expanded this year and she hopes that the program continues. The Fundraiser scheduled for August 17<sup>th</sup> was cancelled due to lack of interest. They are scheduling a Halloween Fundraiser for October 30<sup>th</sup>. More information to follow.

**Parks and Recreation Commission** – The new liaison to the Cultural Arts Commission is Michelle Jordan. The Farmer’s Market at the Lake on Thursday nights continues and the attendance has increased. Peddie Lake is available for open swim. The triathlon is scheduled for September 11<sup>th</sup> and they have received many applications already.

**Mayor Quattrone**

**Girl Scouts** – Thanked the Girl Scouts for attending the meeting and for all of the work they do for the Borough.

**Blue Ribbons** – There are blue ribbons around town to show Police Appreciation. Thank an officer for all they do for our community.

**Ovarian Cancer Awareness** – September is Ovarian Cancer Awareness Month. The Borough is once again participating in Turn the Town Teal to support this. During the month of September you will see teal ribbons throughout town.

Thanked everyone for coming out to the meeting.

**ADJOURNMENT**

Councilmember Montferrat moved to adjourn at 9:16 p.m.; Councilmember Misiura seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio  
Deputy Borough Clerk