

Resolution 2015-246

*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 October 5, 2015 beginning at 6:15pm 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 Service (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: January 5, 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.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-247

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 \$97,793.21 from the following accounts:

Current		\$44,245.39
W/S Operating		25,910.53
General Capital		12,209.85
Water/Sewer Capital		5,813.00
Grant		0.00
Trust		0.00
Housing Trust		3,735.85
Animal Control		10.80
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		17.29
Escrow		<u>5,850.50</u>
Total		<u>\$97,793.21</u>

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-248

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

AUTHORIZING THE PURCHASE OF AN ULTRAMEDIC III AMBULANCE FROM FIRST PRIORITY EMERGENCY VEHICLES IN THE AMOUNT OF \$181,283.00 THROUGH OUR PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) A NATIONAL COOPERATIVE PURCHASING PROGRAM PURSUANT TO P.L.2011, C.139.

WHEREAS, the Borough of Hightstown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of Houston-Galveston Area Council of Governments (H-GAC), 3555 Timmons, Suite 120, Houston, TX 77027 pursuant to the provision of P.L.2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperative or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

WHEREAS, First Priority Emergency Vehicles, 2444 Ridgeway Blvd, Bldg 500, Manchester, NJ 08759 has been awarded the contract for this ambulance under H-GAC's Category: Ambulances, EMS, and Other Special Service Vehicle (AM 10-14); and

WHEREAS, the Purchasing Agent and Borough Administrator recommend the utilization of this contract; and

WHEREAS, under H-GAC Contract No. AM 10-14, First Priority Emergency Vehicles can provide to the Borough of Hightstown an Ultramedic III, 168" x 96" Ford E450 (v-10, Gas) Cutaway, Item DDA11 as per their quote in the amount of \$181,283.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that First Priority Emergency Vehicles under H-GAC Contract # AM 10-14 be utilized to provide an Ultramedic III, 168" x 96" Ford E450 (v-10, Gas) Cutaway, Item DDA11 as per their quote in the amount of \$181,283.00 to the Borough of Hightstown First Aid Squad.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-249

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

AUTHORIZING THE PURCHASE OF A 33-YARD CAPACITY EXPERT HELPING HAND TRASH TRUCK WITH MACK CHASSIS THROUGH OUR PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE (NJPA) A NATIONAL COOPERATIVE PURCHASING PROGRAM PURSUANT TO P.L.2011, C.139.

WHEREAS, the Borough of Hightstown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of National Joint Powers Alliance Cooperative, 202 12th Street NE, P. O. Box 219, Staples, MN 56479 pursuant to the provision of P.L.2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperative or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

WHEREAS, Sanitation Equipment Corp., S-122 Route 17 N, Paramus, NJ 07652 has been awarded the contract for this trash truck under NJPA's Category: Waste and Recycling (112014-LEG); and

WHEREAS, the Purchasing Agent and Borough Administrator recommend the utilization of this contract; and

WHEREAS, under NJPA Contract No. 112014-LEG, Sanitation Equipment Corp. can provide to the Borough of Hightstown a 33-yard Capacity Expert Helping Hand Trash Truck with Mack Chassis as per their quote in the amount of \$313,687.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that Sanitation Equipment Corp. under NJPA Contract No. 112014-LEG be utilized to provide a 33-yard Capacity Expert Helping Hand Trash Truck with Mack Chassis as per their quote in the amount of \$313,687.00 to the Borough of Hightstown.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-250

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

LIFTING A MORATORIUM ON THE ISSUANCE OF YEARLY A-FRAME SIGN PERMITS AND GRANTING A TEMPORARY EXTENSION AND WAIVER OF A-FRAME SIGN PERMIT FEES

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

WHEREAS, the Borough Council issued said moratorium pursuant to resolution 2015-163 on June 15, 2015; and

WHEREAS, the Planning Board is investigating alternatives to the A-Frame Sign and will be proposing a new ordinance which will include examples and design samples for A-Frame signs; and

WHEREAS, the Planning Board has requested that the Borough Council lift the moratorium on A-Frame signs as established by resolution 2015-163 and grant a temporary extension and waiver of A-Frame sign permit fees for a period of three months and/or until a new ordinance is adopted; and

WHEREAS, the Borough Council finds that lifting the moratorium and granting a temporary extension and waiver of A-Frame sign permit fees for a period of three months and/or until a new ordinance is adopted is beneficial to the businesses affected by the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the moratorium on A-Frame signs as implemented by resolution 2015-163 is hereby lifted and a temporary extension and waiver of A-Frame sign permit fees for a period of three months and/or until a new ordinance is adopted is hereby immediately in effect.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-251

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

AUTHORIZING EXPENDITURE FOR RESEARCH AND EVALUATION SERVICES PERTAINING TO 9-1-1 AND DISPATCH OPERATIONS

WHEREAS, there exists the need for research and evaluation services to assist the Borough of Hightstown to determine the technical requirements and budgetary estimates that would be required for the Borough to enter into a 9-1-1 and dispatch operation with another municipality ; and

WHEREAS, the Borough Council wishes to hire IXP Corporation of Princeton, New Jersey to conduct the research and evaluation necessary and provide a written report regarding same; and

WHEREAS, the project plan will include five major technology areas including 9-1-1 Telephony System, Radios, CAD/RMS, Logging and Recording and Networking; and,

WHEREAS, the cost for said research and evaluation services and providing a written report regarding same shall not exceed \$7,500.00; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that it is hereby authorized for IXP Corporation of Princeton, New Jersey to conduct the research and evaluation necessary as stated herein and provide a written report regarding same at a cost not to exceed \$7,500.00.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-252

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

RESOLUTION AUTHORIZING A SIX MONTH RENEWAL TO THE LEASE FOR THE BOROUGH'S CONTINUED USE OF A PORTION OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 61.01, LOTS 43, 44 & 45, COMMONLY KNOWN AS 415A MERCER STREET, HIGHTSTOWN, NEW JERSEY

WHEREAS, the Hightstown Borough Governing Body previously adopted Ordinance 2014-02 which authorized the Borough of Hightstown (the "Borough") to enter into a Lease Agreement (the "Agreement") with Hights Realty, LLC, regarding the Borough's temporary use of a portion of the premises located at 415 Mercer Street in the Borough, commonly known and designated as Block 61.01, Lots 43, 44 and 45 on the Borough's Tax Map (hereinafter referenced as the "Property"), for the relocation of the Borough's Police Department and associated operations; and

WHEREAS, the Agreement was executed by the parties on February 1, 2014; and

WHEREAS, on February 1, 2015, the parties executed a "1st Amendment to Lease Agreement and First Renewal Thereof," which modified the renewal terms set forth in the initial Agreement; and

WHEREAS, pursuant to the "1st Amendment to Lease Agreement and First Renewal Thereof," the parties wish to renew said Agreement for the second renewal term, which constitutes a six month period from August 1, 2015 to January 31, 2016, under all the same terms and conditions set forth in the initial Agreement, as modified by the "1st Amendment to Lease Agreement and First Renewal Thereof,"

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown that the Mayor is hereby authorized to execute and the Borough Clerk to attest documentation required to renew said Agreement, in accordance with the provisions set forth above, for a six month period commencing on August 1, 2015 and concluding on January 31, 2016, subject to all of the terms and conditions set forth in the initial Agreement, as modified by the "1st Amendment to Lease Agreement and First Renewal Thereof,"

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

1. Hights Realty, LLC
2. Frederick C. Raffetto, Esquire, Borough Attorney
3. Lt. Frank Gendron

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-253

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

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2015 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 2015 as follows:

Source	Amount	Revenue Title	Appropriation Title
State of New Jersey	\$7,661.31	Municipal Court Alcohol Education and Rehabilitation Fund	Municipal Court Alcohol Education and Rehabilitation Fund

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-254

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

**RESOLUTION ADOPTING THE HEARING OFFICER'S
RECOMMENDATION TO DISMISS THE CHARGES SET FORTH IN
THE NOTICE OF DISCIPLINARY ACTION SERVED ON FRANK
MARCHIONE ON MARCH 12, 2015 AND HEARD ON JUNE 18, 2015
AND AUGUST 27, 2015**

WHEREAS, Officer Frank Marchione was served with a Notice of Disciplinary Action containing four (4) charges dated March 9, 2015 and served on March 12, 2015. The Charges alleged that Marchione committed an act of conduct unbecoming a police officer by engaging in sexual acts while on duty, he violated department Rule and Regulations by engaging in activities which are not directly related to the performance of his duties; he used a department vehicle for personal business and pleasure, and truthfulness; and

WHEREAS, Marchione requested a hearing on the charges which took place on June 18, 2015 and August 27, 2015; and

WHEREAS, the hearing officer heard and reviewed the evidence present during the hearings, and on August 27, 2015 issued a verbal recommendation stating that the Borough failed to prove its case by a preponderance of the evidence on the March 9, 2015 set of charges; and

WHEREAS, the hearing officer's findings have been reviewed by the Borough Council for the Borough of Hightstown.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, that it hereby adopts the hearing officer's findings and recommendations issued on August 27, 2015 and dismisses the March 9, 2015 set of charges.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-255

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

AUTHORIZING THE MAYOR TO EXECUTE A COUNTY WIDE MUTUAL AID AGREEMENT

WHEREAS, the President of the United States in Homeland Security Directive (HSPD-5), directed the development and administration of a National Incident Management System (NIMS) which would provide a consistent nationwide approach to Federal, State, local and Tribal governments to work together more efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the County of Mercer has adopted the NIMS as the standard for incident management and directed its use for all emergency incidents; and

WHEREAS, “The New Jersey Civilian Defense and Disaster Act”, N.J.S.A. app. A:9-30 et seq (the “Disaster Control Act”), provides for the health safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency; and

WHEREAS, the “Fire Service Resource Emergency Deployment Act”, N.J.S.A. 52:14E-11 et seq. (the “Fire Service Act”) establishes a mechanism for the coordination of fire service resources throughout the state to facilitate quick and efficient response to any emergency incident or situation that requires the immediate deployment of those resources in order to protect life and property from damage or destruction of fire, explosion or other disaster; and

WHEREAS, the Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules commonly referred to as the “Fire Service Resource Emergency Deployment Regulation” N.J.A.C. 5:75A-2.2 et seq.; and

WHEREAS, the County of Mercer has adopted the Mercer County Emergency Operations Plan and has developed a County Wide Mutual Aid Agreement; and

WHEREAS, Hightstown Borough recognizes that entering into an agreement for mutual aid and assistance with each other to protect loss, damage or destruction in “Emergency Situations”, and to address those situation when additional aid and assistance is needed, is essential to protect the best interests of the person and property in each individual jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor is hereby authorized to execute the “County Wide Mutual Aid Agreement on behalf of Hightstown Borough and its participation in the agreement.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-256

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

**AUTHORIZING THE MAYOR TO EXECUTE AN AUTHORIZATION AND LETTER
OF INTENT TO PARTICIPATE IN THE MERCER COUNTY HAZARD
MITIGATION PLAN UPDATE**

WHEREAS, Hightstown Borough has adopted and is a participant in the Mercer County Hazard Mitigation Plan (HMP); and

WHEREAS, Hightstown Borough is committed to participating in the Mercer County Hazard Mitigation Plan Update Project; and

WHEREAS, it is required that Hightstown Borough execute an Authorization and Letter of Intent to Participate in the Mercer County Hazard Mitigation Plan Update; and

WHEREAS, Hightstown Borough agrees to meet the minimum requirements of municipal participation in the Mercer County Hazard Mitigation Plan Update.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor is hereby authorized to execute the Authorization and Letter of Intent to Participate in the Mercer County Hazard Mitigation Plan Update on behalf of Hightstown Borough.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk

Resolution 2015-257

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

**AUTHORIZING CHANGE ORDER #1 – PIONEER GENERAL CONTRACTING CO.,
INC. (ENCHANTMENT AT HIGHTSTOWN ROAD IMPROVEMENT PROGRAM)**

WHEREAS, on July 20, 2015 the Borough Council awarded a contract for the Enchantment at Hightstown Road Improvement Program to Pioneer General Contracting Co., Inc. of South River, New Jersey in the amount of \$334,083.00; and

WHEREAS, the contractor has submitted change order #1 in the amount of \$26,308.00 for additional sidewalk and driveway apron replacement, re-mortar Belgian Block curb joints and to re-set pavers at the Hight Boulevard entrance, pursuant to requests from the Enchantment at Hightstown Homeowners Association; and

WHEREAS, the Borough Engineer has recommended approval of Change order #1 in the amount of \$26,308.00; 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 \$26,308.00 to Pioneer General Contracting Co., Inc. of South River, New Jersey is hereby approved as detailed herein.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 5, 2015.

Debra L. Sopronyi
Borough Clerk