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| OPEN SESSION |
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Mayor Robert Patten called the meeting to order at 7:00 p.m. and read the Open Public Meetings Act statement which stated that adequate notice and posting of the meeting had taken place in accordance with the requirements of P.L. 1975, Chapter 231.

The flag salute was followed by the roll call.

### ROLL CALL

|                                   | PRESENT | ABSENT |
|-----------------------------------|---------|--------|
| <i>Mayor Patten</i>               | ✓       |        |
| <i>Councilmember Sackowitz</i>    | ✓       |        |
| <i>Councilmember Laudenberger</i> | ✓       |        |
| <i>Councilmember Quattrone</i>    | ✓       |        |
| <i>Councilmember Schneider</i>    | ✓       |        |
| <i>Councilmember Sikorski</i>     | ✓       |        |
| <i>Councilmember Thompson</i>     | ✓       |        |

Also in attendance: Candace Gallagher, Borough Clerk/Administrator; James M. Eufemia, Chief of Police; and Frederick Raffetto, Esq., Borough Attorney.

### APPROVAL OF AGENDA

Resolution 2005-236, authorizing a closed session, was amended to include a discussion of contract negotiations for emergency medical services. The agenda was moved as amended by Councilwoman Laudenberger, seconded by Councilman Sikorski and approved by all.

### APPROVAL OF MINUTES

Minutes of the October 17, 2005 open session were moved by Councilman Sikorski, seconded by Council President Schneider and unanimously approved as submitted.

### PROCLAMATION – SUZANNE CAMLIN, HOUSING AUTHORITY COMMISSIONER

Mayor Patten read aloud and presented to Suzanne Camlin a framed proclamation from the governing body recognizing her contribution to the Borough as a long-time Housing Authority Commissioner. Ms. Camlin thanked the Mayor and Council for the honor.

**Suzanne Camlin**  
**Hightstown Housing Authority Commissioner**

*Whereas, Suzanne Camlin has faithfully served the Borough of Hightstown as a Commissioner of the Hightstown Housing Authority since June 9, 1997, when she was first appointed to the Authority by the State of New Jersey and served a five year term; and*

*Whereas, Ms. Camlin continued her service on the Commission as an appointee of the Hightstown Borough Council, serving from October 15, 2002 through October 21, 2005; and*

*Whereas, Ms. Camlin was an invaluable asset to the Housing Authority during her tenure on the Commission. She was adept at solving problems with a clear and concise thought process, and her experience in property management was most helpful; and*

*Whereas, Hightstown is fortunate to have enjoyed the service of Suzanne Camlin as a Commissioner of the Hightstown Housing Authority, and she has helped to make a genuine difference in the quality of life for Housing Authority residents;*

*Now, Therefore, Be It Proclaimed by the Mayor and Council of the Borough of Hightstown that we hereby recognize and thank **Suzanne Camlin** for her many years of loyal and dedicated service as a Hightstown Housing Authority Commissioner, and we wish her success in all her future endeavors.*

## PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

**Matt Cuddy**, 216 South Main Street, asked the Borough Council not to designate Satish Mehta as redeveloper of the rug mill because he lacks experience in historic rehabilitation. "We need to hear from experienced redevelopers," he said. Mr. Cuddy added that the redevelopment plan is important, and asked the governing body to "figure out what's important and stick to it."

**Eugene Sarafin**, 600-628 South Main Street, read aloud a letter he had submitted to the editor of the *Windsor Hights Herald* criticizing the rug mill project as "absurd" and "ridiculous." He expressed concern about stormwater runoff from the planned parking lot and once again recommended that a parking garage be included as part of the project.

**Kevin Burns**, 605 South Main Street, expressed support for the purchase of a new first responder fire truck (see the discussion under "New Business," page 4). The older truck is 26 years old and needs to be replaced he said, noting the "importance of getting to fires quickly and having the right equipment at the scene early."

No one else came forward and the floor was closed.

## ORDINANCES

### PUBLIC HEARING AND FINAL READING: ORDINANCE 2005-36,

#### AN ORDINANCE AUTHORIZING THE VACATION OF A PAPER STREET KNOWN AS EVERGREEN AVENUE

Ms. Gallagher provided a brief overview of Ordinance 2005-36, and noted that the sixth "Whereas" clause contained therein, which states that the adjacent property owners "are supportive of this action, and have requested that the Borough consider such vacation," should be changed or deleted, since only one of the adjacent owners has expressed support.

Mr. Raffetto reviewed the Ordinance from a legal perspective, noting that typically, properties such as this are disposed of through a vacation ordinance, as adjacent property owners still have rights to the property up to the center line. The title work on this property is not yet complete. Depending on the result of that work, the property would either be disposed of in this way (most likely) or, if the Borough actually owns the property outright, it could be disposed of through a private sale to the adjacent owners. In either case, he said, the property owners would be paying additional amounts in taxes and the property is not likely to have value to anyone other than the adjacent owners. It would be to the Borough's benefit to relinquish its rights to this property if there is no intention to ever utilize it. He added that a motion to strike the sixth "Whereas" clause, as noted by Ms. Gallagher, would not be considered a substantive change, and could be made without creating the need for re-publication of the Ordinance.

**Motion:** Councilman Sikorski moved that the sixth "Whereas" clause be struck from the Ordinance. His motion was seconded by Councilwoman Laudemberger, and a roll call vote was taken.

Roll Call: Councilmembers Laudemberger, Sackowitz, Schneider and Sikorski voted yes.  
Councilmembers Quattrone and Thompson voted no.

**Motion carried (ordinance amended), 4-2.**

Discussion continued.

Councilman Sackowitz asked if vacating this property would create a lot for either of the owners that would be big enough to build two homes on. Mr. Raffetto stated that this would depend on the final size of the lot.

Councilman Thompson asked how the value of the property would be determined in the event that the Borough was able to sell the property rather than vacate it. Mr. Raffetto stated that the assessor would determine the fair market value of the property. Mr. Thompson asked if the Borough could charge a higher price to one of the owners if it turned out that obtaining the additional property would make their lot subdividable. Mr. Raffetto said that he would need to review that with the assessor.

At this time, Mayor Patten opened the public hearing on Ordinance 2005-36.

**Eugene Sarafin**, 600-628 South Main Street, noted that any development to take place on this property would need to be approved by the Planning Board, and expressed support for putting it onto the tax rolls.

**Matt Cuddy**, 216 South Main Street, asked if only one of the adjacent property owners is interested in obtaining this property. Councilwoman Laudemberger stated that one of the owners came to Council to request that it be vacated; however, her understanding is that both adjacent owners would want their respective half of the property if the vacation takes place. Mr. Cuddy asked if this 50-foot right-of-way could be vacated as a single lot and then sold at auction. Mr. Raffetto stated that whether or not the property can be sold rather than vacated will depend on the results of the title search.

**Dan Buriak**, 194 Stockton Street, suggested that no decision be made until further information is obtained.

**Kevin Burns**, 605 South Main Street, stated that he is one of the adjacent property owners and is "not totally against" the vacation, but has some concerns that he would like Council to consider before making a final decision. He noted that this vacation was requested by the other adjacent property owner, and not by him. He asked Council to consider the following:

- He and his neighbors are concerned about the future use of this property and what type of structure(s) will be built there. He noted that this area has low water pressure. "Will the developer be required to expand water lines and increase pressure?" he asked.
- The existing right-of-way allows firefighting apparatus to go behind the structures of Meadow Lane and South Main Street. He would like to know if the Fire Chief feels that it is important for this accessway to remain open. "The two new homes that will be built there," Mr. Burns said, "will be very close together. I'd like the Chief to address that also."
- For the past 20 to 25 years, he said, the property owner (currently himself) at 605 South Main Street has maintained 28 feet of that 50-foot width, and the property owner at 595 South Main Street has maintained 22 feet of it. He asked if Council would consider dividing the property along that traditional boundary line rather than evenly in half. "Three feet is not a lot," he said, "but it allows me to maintain my driveway space."

- Since this vacation is being considered solely at the request of the other owner, he requested that they be asked to incur all of the fees/costs involved. He feels that he will not incur any benefit from the vacation, as the land on his side of the line is not useable, and he would then have a new structure built next door to him, which, he feels, would devalue his property.
- There is a tree or trees along the centerline of the property. He would like to see a requirement for approval by both property owners before any tree along that line is removed.

Councilman Sackowitz asked Mr. Burns to clarify his references to a "developer." Mr. Burns said that it is his understanding that the other adjacent property owner has no intention of living there but plans to build one or two homes and either sell or rent them. Mr. Sackowitz asked if any plans have been submitted to the planning or zoning board. Mr. Burns said that they have not, but "residents are very concerned about what will happen going forward." There are historic homes there, he said, and they want to be sure that the homes there maintain the look and feel of the neighborhood.

Mr. Burns added that, if he is required to pay his share of the costs in order to obtain his share of the vacated property, he will do so rather than relinquish it to the other owner; however, the property has no benefit to him.

**Don Anderson**, 557 South Main Street, said that, while it "sounds nice to get something off the books," neighbors are concerned about "what is going in next to us." All of the information, he said, should be "on the table" so that an informed decision can be made.

**Mr. Burns** spoke again to ask the Borough Attorney about easement rights which the adjacent property owners may have based on their past use of the property along the 28 foot/22 foot boundary. Mr. Raffetto replied that he is not able to advise Mr. Burns regarding his rights in that respect. Mr. Burns then asked if there is a legal objection to dividing the property along the 28 foot/22 foot boundary. Mr. Raffetto stated that this will depend on the results of the title work.

No one else came forward and the public hearing was closed.

**Motion:** Council President Schneider moved that final action on Ordinance 2005-36 be postponed to November 21, 2005 (or thereafter, if title work has not been completed by that date). His motion was seconded by Councilman Sackowitz and a roll call vote was taken.

Roll Call: Councilmembers Laudenberger, Quattrone, Sackowitz, Sikorski, Schneider and Thompson voted yes.

**Motion carried (Ordinance postponed), 6-0.**

## NEW BUSINESS

### HIGHTSTOWN ENGINE CO. NO. 1 – REQUEST FOR PURCHASE OF NEW FIRE TRUCK

Fire Chief John Archer, Assistant Chief Mike Sheenan, Chip Sugg and Roger Leroux addressed the Mayor and Council regarding the need for a new first response truck to replace an existing 26-year old vehicle (1979 Hahn, Telesquirt 41). They utilized a PowerPoint presentation to address the need for the new vehicle and to provide information about the advanced technology it would be able to utilize. The presentation was followed by an opportunity for governing body members and the public to ask questions. During the presentation and Q&A session, the following information was provided:

- The first response truck is used for initial fire attack and rescue. It seats an officer, driver and four firefighters and holds 500 gallons of water. It will be fully NFPA (National Fire Protection Association) compliant.
- The new truck would utilize a compressed air foam system (C.A.F.S.), allowing for superior fire suppression while minimizing water consumption, property damage, exertion and stress on firefighters. It can control a blaze about eight times faster than water alone.
- Our existing Telesquirt also holds 500 gallons of water; however, the C.A.F.S. system on the new truck extends the use of those 500 gallons to the equivalent of about 1,500 gallons. There is a separate tank for the foam, with the capability to use that exclusively, if needed, for certain types of fires.
- Increased compartment space will allow the new truck to be better equipped with the tools needed in a first response vehicle.
- The truck will not be equipped with All Wheel Drive, as it will stay within Hightstown nearly all of the time and will rarely be used for mutual aid. It will be able to navigate our narrow streets and access areas.
- The Fire Company has done a great deal to extend the life of the truck which will be replaced. In 1999, it was refurbished at a cost of \$85,000, paid for entirely by the Fire Company and with the assistance of donations from local repair businesses. In-house repairs are made by the Fire Company on an ongoing basis in order to keep the truck in service.
- The manufacturer of the existing fire truck (Hahn) is no longer in business, making it difficult to repair this vehicle or replace its parts. It no longer meets current NFPA standards.
- Safety features of the new vehicle will minimize the risk of injury to firefighters and reduce the Borough's insurance liability.
- The longer the Borough waits to replace this vehicle, the more it is likely to cost. Prices have seen an average annual increase of 6.87% over the past three years, and new emissions requirements that will become effective in 2007 may add another 15% to its cost.
- They are looking at the possibility of trading in the older truck, or disposing of it outside of the United States.
- With respect to financing the purchase, a 10-year lease with a \$1 buyout is common. At an estimated cost of \$500,000, this would equate to an annual payment of approximately \$71,842. Prices can be kept down by re-using existing equipment and by purchasing a "demo" model truck.
- Each truck is built to order. A similar Telesquirt truck can be viewed on Lawrenceville's website; however, their truck is considerably larger than what we would be getting.
- Our Telesquirt responds to about 200 calls per year.

Chief Archer thanked the Mayor and Council for the opportunity to make this presentation, and invited them to view an upcoming demonstration of a truck similar to that which is being requested.

## CREATION OF AN ECONOMIC DEVELOPMENT COMMISSION

Jeff Bond, Gene O'Connor, and Bill Gilmore, all members of GHEWIP (the Greater Hightstown – East Windsor Improvement Project), addressed the Mayor and Council to recommend the establishment of a Borough Economic Development Commission ("EDC") comprised primarily of citizens and business owners.

Mr. Bond stated that our community is constantly changing, and an Economic Development Commission could provide direction to small businesses, act as a conduit between businesses and Borough government, and market the advantages of locating in Hightstown to potential new businesses. In addition, they could interact with similar commissions in neighboring towns, including East Windsor, to discuss what is best for the community as a whole. Mr. Bond provided a draft ordinance to create such a commission based on ordinances in several other towns. The draft ordinance would provide for the appointment of seven members, including some non-residents, with a term of one year for each member. They would act as a liaison between the business community and the Council, advertise the benefits of locating in Hightstown, hear the concerns of small businesses. Many towns include a clause in the ordinance, he said, which would allow the commission access to certain Borough records and data that they may need. They would like to see this Commission created in time for initial appointments to be made on January 1.

Mr. Gilmore stated that the concept used to create the EDC can be very flexible. There is "a lot of talent in this community," he said, and the commission could serve as "a strategic planning tool for the Board." East Windsor has already communicated with Robbinsville and Hamilton about economic development issues, he said, and "we could be doing the same thing."

Mr. O'Connor stated that East Windsor's EDC is "doing a lot of good work" but added that ours would not be doing the same things. Our focus would be more specific, he said, and would involve individual properties, such as Minute Maid. Cooperation with East Windsor in that instance is especially important, because part of that property is in the Township. "Those kinds of opportunities enable us to talk together and develop properties to the best advantage of both towns, and use them as prudently as they can be used," he said.

Mayor Patten asked Councilman Thompson and Councilman Quattrone to meet with these three gentlemen toward the introduction of an ordinance no later than the first meeting in December so that this could be in place by the end of the year. Mr. Raffetto noted that, typically, the title "Commission" is used when a body has more power. In this instance, he said, it would appear to be more along the lines of an advisory committee. Mr. Bond indicated that they would like for this to be a Commission, but with more limited powers, and a small budget.

A straw vote was taken and the general consensus of Council was to work toward introducing an ordinance at the next meeting.

## RESOLUTIONS

At the request of Councilman Sikorski, Resolution 2005-224, appointing Mayor Patten's wife, Katherine, as a Commissioner to the Hightstown Housing Authority, was pulled for separate consideration. He objected to the process used in making this nomination and referred to a dictionary definition of "nepotism." He said that, in the future, he would prefer to see positions like this posted for all interested parties to apply and submit their resumes, from which one would be selected. He added that he "cannot comment on the merits of the proposed candidate" but would not support the appointment due to the relationship.

Mayor Patten noted that the position in question is a voluntary position with no pay, therefore there is no nepotism involved. He added that those who serve on the Housing Commission must be willing to take required courses.

**Resolution 2005-224** was moved by Councilman Quattrone and seconded by Councilwoman Laudenberger.

**Roll Call:** Councilmembers Laudenberger, Quattrone, Sackowitz, Schneider and Thompson voted yes.  
Councilman Sikorski voted no.

**Resolution adopted, 5-1.**

**RESOLUTION 2005-224 APPOINTING HOUSING AUTHORITY COMMISSIONER**

**WHEREAS**, there exists a vacancy on the Housing Authority Commission for the remainder of the five-year term running from January 1, 2004 through December 31, 2008; and

**WHEREAS**, the *Revised General Ordinances of the Borough of Hightstown* provides that such a vacancy shall be filled by appointment of the Borough Council for the remainder of its term; and

**WHEREAS**, it is the desire of the Borough Council to appoint Katherine Patten to fill that vacancy;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Katherine Patten is hereby appointed to the position of Housing Authority Commissioner for the remainder of the five-year term ending on December 31, 2008.

**Resolutions 2005-225, 226, 227, 228, 229, 230, 231, 232, 233, 234 and 235** were moved by Councilman Quattrone and seconded by Council President Schneider.

**Roll Call:** Councilmembers Quattrone, Laudenberger, Sackowitz, Schneider, Sikorski and Thompson voted yes.

**Resolutions adopted, 6-0.**

**RESOLUTION 2005-225 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 and the Treasurer in the amount of **\$1,550,887.62** from the following accounts:

|                                                          |                               |
|----------------------------------------------------------|-------------------------------|
| Current                                                  | \$ 1,406,118.99               |
| W/S Operating                                            | 86,751.35                     |
| General Capital                                          | 20,609.21                     |
| W/S Capital                                              | 2,765.00                      |
| Animal Control                                           | 371.75                        |
| Trust                                                    | 1,394.07                      |
| RCA COAH – Escrow                                        | 4,500.00                      |
| Unemployment Trust                                       | 1,469.00                      |
| Grant                                                    | 402.50                        |
| Escrow – Subdivision & Site Plan (First Washington Bank) | 26,505.75                     |
| <b>Total</b>                                             | <b><u>\$ 1,550,887.62</u></b> |

**RESOLUTION 2005-226 AUTHORIZING REFUND OF TAX OVERPAYMENTS**

**WHEREAS**, tax overpayments have been received by the Borough for the third quarter of 2005 as follows:

| Refund to:                                                                                                           | Amount of Overpayment: | Block & Lot #           | Property Address:     |
|----------------------------------------------------------------------------------------------------------------------|------------------------|-------------------------|-----------------------|
| First American Real Estate Tax Service<br>1201 Elm Street, Suite 400<br>Dallas, TX 75270<br>Attn: Refund Department. | \$1,822.34             | Block 61, Lot 11        | 163 South Street      |
|                                                                                                                      | \$976.85               | Block 2.01, Lot 1 C0094 | 142 Mill Run East     |
|                                                                                                                      | \$2,672.71             | Block 63, Lot 7         | 427 South Main Street |
| LandAmerica<br>200 North Warner Road, Suite 110<br>King of Prussia, PA 19406                                         | \$1,108.21             | Block 2.01, Lot 1 C0137 | 26 Huber Court        |

; and

**WHEREAS**, the Tax Collector has requested permission to refund the overpayments;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Tax Collector is hereby authorized to refund tax overpayments as set forth herein.

**RESOLUTION 2205-227      AUTHORIZING ISSUANCE OF LICENSE FOR AUCTION - EMPIRE AUCTIONS**

**WHEREAS**, an application for a license to hold an auction at 10 a.m. on Saturday, November 26, 2005 at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Auctions, together with the required fee; and

**WHEREAS**, the application has been reviewed and approved by the Chief of Police; and

**WHEREAS**, it is the desire of the Mayor and Council that a license be issued to Empire Auctions for this event;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a license to Empire Auctions for their auction to be held at 10 a.m. on Saturday, November 26, 2005 at 278 Monmouth Street.

**RESOLUTION 2005-228      RATIFYING ISSUANCE OF LICENSE FOR AUCTION - STOUT'S AUCTION SERVICE**

**WHEREAS**, an application for a license to hold an auction at 9:30 a.m. on Saturday, November 5, 2005 at 248 Stockton Street in the Borough of Hightstown was submitted by Stout's Auction Service on October 25, 2005, together with the required fee; and

**WHEREAS**, said auction was advertised and had been scheduled to take place prior to the next Council meeting wherein approval of the license could be obtained; and

**WHEREAS**, the application was reviewed and approved by the Chief of Police; and

**WHEREAS**, said auction was held as scheduled on Saturday, November 5, 2005;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that issuance of a license to Stout's Auction Service for their auction held on Saturday, November 5, 2005 at 248 Stockton Street is hereby ratified and approved.

**RESOLUTION 2005-229      AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-158 TO  
BETTER BEGINNINGS DAY CARE CENTER**

**WHEREAS**, Better Beginnings Day Care Center wishes to hold an off-premise merchandise raffle at 318 North Main Street on December 21, 2005; and

**WHEREAS**, the group has submitted application number RA-158 for this raffle along with the required fees; and



**WHEREAS**, the Borough Clerk and the Chief of Police 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-158 to Better Beginnings Day Care Center for their merchandise raffle to be held on December 21, 2005.

**RESOLUTION 2005-230      AUTHORIZING RECEIPT OF BIDS – COLLECTION AND DISPOSAL OF SOLID WASTE**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Administrator is hereby authorized and directed to proceed with the preparation of bid specifications and advertisement for receipt of bids for the collection and disposal of solid waste, and that the Borough is authorized to receive same following proper advertisement.

**RESOLUTION 2005-231      REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE 2005 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 2005 as follows:

| Source                                            | Amount     | Revenue Title           | Appropriation Title     |
|---------------------------------------------------|------------|-------------------------|-------------------------|
| State of New Jersey<br>Solid Waste Administration | \$2,378.42 | Recycling Tonnage Grant | Recycling Tonnage Grant |

**RESOLUTION 2005-232      REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE 2005 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 2005 as follows:

| Source                                                                                             | Amount     | Revenue Title                                  | Appropriation Title                            |
|----------------------------------------------------------------------------------------------------|------------|------------------------------------------------|------------------------------------------------|
| State of New Jersey<br>Dept of Environmental Protection<br>Municipal Stormwater Regulation Program | \$8,468.00 | NJDEP Municipal Stormwater<br>Regulation Grant | NJDEP Municipal Stormwater<br>Regulation Grant |

**RESOLUTION 2005-233      REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE 2005 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 2005 as follows:

| Source                                                             | Amount      | Revenue Title                           | Appropriation Title                     |
|--------------------------------------------------------------------|-------------|-----------------------------------------|-----------------------------------------|
| US Department of Justice -<br>Bulletproof Vest Partnership Program | \$ 2,395.34 | Bulletproof Vest Partnership<br>Program | Bulletproof Vest Partnership<br>Program |

**RESOLUTION 2005-234      AUTHORIZING A TRANSFER OF FUNDS IN THE 2005 BUDGET**

**WHEREAS**, N.J.S.A 40A:4-58 provides that the governing body may authorize a transfer of funds in the budget during the last two months of the fiscal year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2005 budget are hereby authorized:

| <b>CURRENT BUDGET:</b>                    | <i>From:</i>       | <i>To:</i>         |
|-------------------------------------------|--------------------|--------------------|
| Financial Administration – Other Expenses | 535.00             |                    |
| Police Department – Other Expenses        | 1,850.00           |                    |
| Fire Department – Other Expenses          | 2,300.00           |                    |
| Recycling – Other Expenses                | 2,000.00           |                    |
| Municipal Clerk – Other Expenses          |                    | 535.00             |
| Vehicle Maintenance – Other Expenses      |                    | 600.00             |
| Utility Expense - Electricity             |                    | 1,700.00           |
| Utility Expense - Gasoline & Diesel Fuel  |                    | 3,850.00           |
|                                           |                    |                    |
| <b>TOTAL</b>                              | <b>\$ 6,685.00</b> | <b>\$ 6,685.00</b> |

**RESOLUTION 2005-235      ESTABLISHING REVISED RATE SCHEDULE FOR COLLECTION OF GARBAGE FROM CERTAIN LICENSED RETAIL FOOD ESTABLISHMENTS**

**WHEREAS**, Section 18-1 of the Revised General Ordinances of the Borough of Hightstown provides that:

Licensed food establishments located in Block 23 or Block 33 of the Borough of Hightstown shall be permitted to utilize municipal garbage dumpsters located in the Stockton Street parking lot, provided that a written agreement is entered into between the Borough and the licensed retail food establishment, and that the food establishment pays a share of the Borough's cost for the provision of such service. A schedule of fees shall be established by Resolution of the Borough Council for services provided under this subsection, and shall be updated as necessary in order to ensure the fair distribution of costs among the users.

; and

**WHEREAS**, the Code Enforcement Official and the Borough Administrator have reviewed the fee schedule and have recommended that it be updated to reflect current usage;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that, effective November 15, 2005, the following rates shall apply for use of said garbage dumpsters:

|                                               |                 |
|-----------------------------------------------|-----------------|
| Holy Wong .....                               | \$125 per month |
| Johnnie's Deli .....                          | \$44 per month  |
| Mannino's Pizza.....                          | \$109 per month |
| Orquideas Bakery & Restaurant.....            | \$64 per month  |
| Shop for Less.....                            | \$42 per month  |
| Slowdown Café.....                            | \$42 per month  |
| New restaurant (formerly Bohemian Café) ..... | \$64 per month  |

and that these rates shall remain in effect until such time as they are modified by further Resolution of Council.

## COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilwoman Laudenberger presented the Police Report for the month of October. The report stated that during October, there were 1,283 calls, including 26 ambulance and 13 fire calls. She plans to report on the Community Fair at the next Council meeting.

Councilman Sikorski reported that he will be attending the next Planning Board meeting and is continuing to attend meetings of the redevelopment subcommittee.

Councilman Quattrone reported that the summer program at Dawes Park was very successful, and he is pleased with its performance. The Environmental Commission, he said, is working on easements related to the Greenways project and changes are being made. It is a slow process, he said. Our Public Works department has begun collecting leaves, and questions should be directed to Donna Syx. Lastly, he reported that the First Aid Squad needs volunteers, and urged anyone interested to contact him, any Council member or Ms. Gallagher.

Mr. Quattrone added that a sign near the entrance to the Main Street parking lot across from the barber shop continually gets knocked down by tractor trailers delivering goods. He recommended that a NO LEFT TURN sign, particularly for trucks, be installed at that location. Chief Eufemia agreed, and suggested that a similar sign be placed at the entrance to Wachovia's parking lot. It was noted that it may also help prevent damage to the signs if the State would relocate the sign further in on the island near Stockton Street. Chief Eufemia will look into these suggestions.

## PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

**Torry Watkins**, 68 Meadow Drive, strongly endorsed the concept of creating an Economic Development Commission, and noted that there was a "cloud" over the work done by the Economic Development *Team* because of the circumstances under which it met. Meetings, he said, were closed and records were not kept. He encouraged the Borough Attorney to "do careful research on whatever enabling legislation exists for setting up this type of Commission" and noted that it would accessible to the public.

**Eugene Sarafin**, 600-628 South Main Street, stated that the Mill project is "salvageable" and recommended that it include a parking garage in order to reduce the size of the parking lot and associated stormwater runoff. "It's a viable project," he said, "... but we don't need to rush into anything." He suggested that the Borough speak with other developers, and objected to a closed session discussion of contract negotiations that was slated on this agenda.

**Paul Byrne**, 320 Stockton Street, commended Jeff Bond for his recommendation for an Economic Development Commission. His concern, he said, is that the "little guys" in business downtown have not felt included so far. He suggested that all nationalities be included when considering this.

**Dan Buriak**, 194 Stockton Street, stated that it is ironic that Council would listen to the concerns of those on South Main Street regarding what may be constructed next to them, yet those concerned about similar issues with respect to the Mill project have been criticized. He noted that the Mayor and Councilwoman Laudenberger have taken credit for leading the Mill project, yet "you heard from residents tonight as to where we think we are right now."

**Mr. Sarafin** spoke again to say that he was disturbed by the discussion regarding Evergreen Avenue. "You listened to Kevin [Burns] giving hearsay," he said, "when your decision is whether to vacate the street and divide it among both property owners." He urged Council to "cut out that type of debate."

No one else came forward and the floor was closed.

## EXECUTIVE SESSION

Ms. Gallagher read aloud **Resolution 2005-236**, authorizing a closed session for the purpose of discussing contract negotiations. The Resolution was moved by Councilman Sikorski and seconded by Councilman Quattrone.

**Roll Call:** Councilmembers Laudenberger, Quattrone, Sackowitz, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

### RESOLUTION 2005-236      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 November 7, 2005 at approximately 9:15 p.m. at Borough Hall 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 – Greystone Mill, LLC; Emergency Medical Services**

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: February 7, 2006 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.

Upon reconvening, adjournment was moved by Councilman Sikorski, seconded by Councilwoman Laudenberger and unanimously approved. The meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC  
Borough Clerk