

OPEN SESSION

Mayor Patten called the meeting to order at 7:05 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; Carmela Roberts, Borough Engineer; and Frederick Raffetto, Esq., Borough Attorney.

APPROVAL OF AGENDA

The agenda was moved by Councilman Sikorski, seconded by Councilman Thompson and unanimously approved as submitted.

APPROVAL OF THE MINUTES

The minutes of the November 7, 2005 open and closed sessions were moved by Councilman Sikorski, seconded by Councilwoman Laudenberger and unanimously approved as submitted.

PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

Phyllis Deal, 305 Stockton Street, noted that the Animal Welfare Committee's Trap-Neuter-Release program is now underway, and requested donations of traps or funding.

She went on to report that she has placed "25 mph" signs on Stockton Street near her home, and asked when the Borough would be purchasing a radar sign that shows the speed of oncoming drivers, as it was her understanding that this had been included in the 2005 budget. Mayor Patten stated that the item had been cut from the budget.

Eugene Sarafin, 600-628 South Main Street, referring to the recent general election, stated, "incumbents don't lose unless the public is not satisfied with the Council. The whole Council lost." He said that he was surprised because this Council "does good work." Mr. Sarafin went on to criticize actions taken by 4th Congressional District Representative Chris Smith and President George W. Bush. He asked Council, as a "microcosm of this macrocosm," to "say enough of this."

J. P. Gibbons, 602 North Main Street, thanked the voters of the Borough of Hightstown for voting "to go in another direction." He expressed support for the Fire Department's request to purchase a new fire truck, and voiced his opposition to appointing Satish Mehta as redeveloper for the Mill project. He further opposed an increase (from 72 to 92) in the number of residential units to be included in that project. Lastly, Mr. Gibbons requested that September Planning Board minutes be posted on the Borough's website and applauded those Council members who "take time out of their day to attend meetings and functions."

Rita Talmazan, 214 Chamberlin Avenue (and owner of the property on South Main Street adjacent to Evergreen Avenue who had requested that it be vacated) said that she wished to explain more about their request. They purchased the South Main Street home as a primary residence, she said, but can't live there right now because, at only 900 square feet, it is too small for their family, which is "large and keeps growing." They requested the vacation so that they would be able to increase the size of their existing home on Main Street, move in there and sell their property on Chamberlin Avenue. "In our view," she said, "that area of South Main Street is the best part of Hightstown." She said that they would like to enlarge the home and put in a swimming pool that can be enjoyed by their children and grandchildren, and added that they are willing to pay all of the required expenses as well as the increased taxes that would result. She asked Council to disregard other rumors about their plans, which, she said "are not true."

Chris Emigholz, 148 South Street, provided an update on the activities of the Borough's recently appointed Housing Code Committee. The committee plans to make a report to Council in January, he said. Regarding the recent election, Mr. Emigholz stated that, while he expects the newly-elected Council members to do a fine job, "if the voters knew all that Ron [Sackowitz] and Nancy [Walker-Laudenberger] have done, they'd realize that they made a mistake." He thanked Councilman Sackowitz and Councilwoman Laudenberg for their work.

Dr. Paul Talmazan, 214 Chamberlin Avenue, noted that the vacation of Evergreen Avenue will stop the use, by the other adjacent owner, of public property as a private driveway. He said that he was surprised that this had been allowed by the Borough, as it presents liability issues in the event that someone is injured there. He expressed hope that Council would support vacation of the street.

Torry Watkins, 68 Meadow Drive, stated that, now that we are in the middle of "leaf season," leaves are sometimes piled almost to the middle of the street, and when they get wet, they can't be vacuumed, leaving "The Scoop" as the Borough's only means of collection. That equipment, he said, burns a lot fuel and requires a crew of four men. He recommended that the Borough consider requiring leaves to be bagged next season.

Irene Papafilipakis, Princeton Pike, Lawrenceville (and active member of the Hightstown First Aid Squad) spoke regarding a Resolution listed on the agenda to authorize an interim agreement with St. Francis Medical Center for EMS services. She questioned why it is now necessary to pay St. Francis \$17,000 to cover the Borough for the remainder of the year, and asked what other providers the Borough is considering, noting that MONOC is now in East Windsor Township, and "we should seriously consider regionalizing with them." The Squad now has three new members who want to ride, she said. She said that she would like the agreement with St. Francis to be "more precise." The Mayor asked her if she was speaking on behalf of the entire Squad and she said that she was not. Mayor Patten noted that Borough officials will be meeting the next day to discuss EMS services during 2006, and that a Squad member has been invited to participate in that meeting. He thanked her for her concerns.

No one else came forward and the floor was closed.

ENGINEER'S ITEMS

RESOLUTION 2005-237, AWARDING CONTRACT FOR RECONSTRUCTION OF WYCKOFF'S MILL ROAD

Ms. Roberts reviewed the provisions of Resolution 2005-237, which would award the contract for the reconstruction of Wyckoff's Mill Road to the low bidder, S. Brothers General Contractors. Mayor Patten thanked Ms. Roberts for her engineering in bringing the project to this point.

Councilman Quattrone asked if the work will include sidewalks. "Yes," she said, "on the north side." He asked if there is any way to avoid taking down the trees there. She said that there is not, and explained that the right-of-way there is 33 feet wide. The 28-foot-wide roadway, six-inch curbs and four-foot-wide sidewalk will take up the entire right of way. "We are literally working from property line to property line to put in the minimum that is needed," she said. She has met on more than one occasion with our Shade Tree Official in an attempt to save the trees (two pin oaks, a maple and a blue spruce) but, unfortunately there is no way to do that in this case. She added that the homeowners who would lose the blue spruce have suggested that the road be made one-way and narrowed, but it would not be her recommendation, as this is a well-traveled route and should be two lanes. Council agreed.

Resolution 2005-237 was moved by Councilman Quattrone and seconded by Councilwoman Laudenberger.

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

Resolution adopted, 6-0.

RESOLUTION 2005-237 AWARDING CONTRACT FOR RECONSTRUCTION OF WYCKOFF'S MILL ROAD

WHEREAS, four (4) bids were received on November 10, 2005, for the reconstruction of Wyckoff's Mill Road in the Borough of Hightstown; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the firm's recommendation that the contract be awarded to the low bidder, S. Brothers General Contractors, Inc. of South River, New Jersey; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by S. Brothers General Contractors is in order with respect to legal compliance; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this expenditure;

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

1. The contract for the reconstruction of Wyckoff's Mill Road is hereby awarded to S. Brothers General Contractors, Inc. of South River, New Jersey in the amount of One Hundred and Seventy-Four Thousand Five Hundred and Eighty-Five (\$174,585.00) Dollars.
2. The Mayor and Borough Clerk are hereby authorized to execute an agreement with S. Brothers General Contracting, Inc., subject to approval of the Borough Attorney.
3. This contract is awarded subject to the approval of the New Jersey Department of Transportation.

RESOLUTION 2005-238, AUTHORIZING VAC/CON SEWER CLEANING SERVICE

Following a brief review by Ms. Roberts, Resolution 2005-238 was moved by Councilman Quattrone and seconded by Councilman Sikorski.

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

Resolution adopted, 6-0.

RESOLUTION 2005-238 AUTHORIZING VAC/CON SEWER CLEANING SERVICE

WHEREAS, at the recommendation of the Superintendent of the Advanced Wastewater Treatment Plant, the Borough of Hightstown has undertaken a five-year program to clean three to five miles of sanitary sewer pipe each year, beginning in 2003; and

WHEREAS, the Advanced Wastewater Treatment Plant Superintendent has obtained competitive quotes for the 2005 portion of this service and has recommended that the Borough engage Oswald Enterprises, Inc. of Belford, New Jersey to perform the cleaning for an estimated eight day period at a cost of \$1,075.00 per day, plus a fuel surcharge of \$38.00 per day, as outlined in their quote dated October 3, 2005, for a total cost of \$8,904.00; and

WHEREAS, the Chief Financial Officer has certified that funds for this expenditure are available in the 2005 water-sewer budget;

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

1. The Borough is hereby authorized to engage Oswald Enterprises, Inc. of Belford, New Jersey to clean the Borough's sewer pipes for an estimated eight-day period at a cost of \$1,075.00 per day, plus a fuel surcharge of \$38.00 per day, as outlined in their quote dated October 3, 2005.
2. The total expenditure authorized by this Resolution is \$8,904.00 and shall not be exceeded except as authorized by further Resolution of the Borough Council.

**RESOLUTION 2005-239, REQUESTING EXTENSION OF TIME IN WHICH TO AWARD CONTRACT
FOR GREENWAYS, PHASE I**

Ms. Gallagher and Roger Cook, chairman of the Environmental Commission, explained the need for this Resolution.

Ms. Gallagher stated that Mr. Cook was recently informed by the Peddie School that they will not be able to grant the easement that would be needed for a portion of this phase of the Greenway. The deadline to award the contract for this work is December 20, so it will be necessary to request another extension of time while the Borough redesigns the pathway's route and acquires any additional permits and/or easements that may be needed as a result. At that time, the Borough would apply for a change in the scope of the original grant.

Mr. Cook stated that the Peddie School was "right in what they did, although it's disappointing." It will not be viable to put the path in the planned location (from East Ward Street through to the Baptist Church property) because it would cause problems with the splitting of a driveway, and Peddie's future plans for that property would be adversely affected. "Peddie has supported the Greenway project for the 16 years that we have been working on it," Mr. Cook said, "and they will continue to support it." He noted that the school has already built a portion of the path near their faculty housing. The alternate route under consideration would run between Wachovia Bank and the First Baptist Church, travel down South Main Street and turn onto East Ward Street. Mr. Cook said that he expects to hear from the engineer soon about the viability of that path.

Resolution 2005-239 was moved by Council President Schneider and seconded by Councilwoman Laudenberger.

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

Resolution adopted, 6-0.

WHEREAS, the Borough of Hightstown has been awarded discretionary funding through the New Jersey Department of Transportation for Phase I of the Greenways Project; and

WHEREAS, the deadline (as previously extended) to award a contract for the project is December 20, 2005; and

WHEREAS, NJDEP permits have been approved, and plans and specifications for the project are substantially complete; however, due to unforeseen problems with obtaining the necessary easements, it will not be possible to award a contract for the project prior to the deadline date; and

WHEREAS, in light of the above, the Borough wishes to request a six-month extension of time, to June 20, 2006, in which to award this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough hereby requests from the New Jersey Department of Transportation a six-month extension of time to June 20, 2006, in which to award a contract for Phase I of the Greenways project.

STATUS REPORT: GREENWAYS, PHASE II

Ms. Roberts reported that she is in the process of preparing plans for award of a contract in the spring for Phase II of the Greenways project. That path would run from the area of Enchantment through the Borough's downtown, then travel along Railroad Avenue past Dawes Park to Summit Street, hopefully continuing through the Minute Maid site when that is redeveloped. Because it utilizes only existing rights-of-way, no easements will be needed. There are, however, some other difficulties.

Because it has been funded through the DOT's bikeway program, the pathway must be at least eight feet wide. This is a problem on Railroad Avenue between Rogers Avenue and South Academy Street. Ms. Roberts suggested making that section of Railroad Avenue "one way" in order to provide enough room to install the Greenway path. She said that Chief Eufemia has no objections to this, and is most concerned that the Greenway path consists of material that is not permanent, such as stone dust, because it assists with enforcement related to loitering. Mr. Cook also supports this recommendation, she said. With Council's support, she will submit this to NJDOT. It would require a change to our ordinances and the erection of signs, which could be done as part of the Greenway project.

Councilman Quattrone asked where traffic would be diverted if there was a problem in that area. Ms. Roberts stated that, in a worst case scenario, police could direct traffic in the opposite direction if necessary. "There are parts of the Borough that are not easy to detour around," she said, "and this is one of them. We would have to rely on the police to get us through that kind of situation."

Mr. Cook noted, regarding this section of Railroad Avenue, that when the Housing Authority took over the parking lot in that area, "we saw fifteen feet there that belonged to the Borough. When we looked for it, we found it behind the parking lot – a steep bank that goes down into the Post Office property. They've occupied that." The property is "useless anyway," he said, and extends into Sun Bank's parking lot. He expressed his support for recommendation to make Railroad Avenue one way in that area, and confirmed that Chief Eufemia supports this and has indicated that it would assist the department in patrolling the area.

The unanimous consensus of Council was to move forward with the changes proposed by Ms. Roberts.

ORDINANCES

FINAL READING¹: ORDINANCE 2005-36,

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

Mr. Raffetto provided an overview of Ordinance 2005-36, noting that it will vacate a "paper street" which dates back to at least 1917. There are no existing records as to how the Borough acquired the property, he said, and the title company engaged for this purpose has been unable to locate any dedication document, indicating that this is not a parcel owned by the Borough but rather an area over which we have maintained a right-of-way. Because the property is not actually owned by the Borough, he said, we do not have the option of selling it.

In vacating the right-of-way, Mr. Raffetto explained, the law provides that the area must be split in half, as existing property owners on each side have rights to the center line. That area will be returned to them through this ordinance. At the last meeting, he said, one adjacent owner had asked if the property could be split along a 28 foot/22 foot boundary. That is not possible, he said, and the Borough has no control over that. He noted that the property owners would have the option of working this out between themselves.

Mr. Raffetto also said that he and Ms. Roberts have reviewed the zoning in that area, and adding 25 feet to the adjacent lots will not increase the size to where an owner could, by right, "slice off a buildable lot." In order to do that, they would have to receive approval from the Planning Board for a subdivision.

Mr. Raffetto noted that vacating this property removes any liability that the Borough could have for anything that might happen in that area, and any responsibility of the Borough to maintain it. This ordinance, he said, removes any interest that the Borough has over the property, given that there are no plans for it to be open to public use now or in the future.

Ms. Gallagher noted that she spoke with the Fire Chief regarding concerns expressed at the last meeting about losing access for firefighting purposes. He informed her that the Fire Department has no concerns in that respect.

Councilman Sikorski stated that he and Councilman Quattrone visited the site earlier that day.

Ms. Roberts noted that, prior to action on this Ordinance, it should be amended to correct the Block number from "63" to "63.01." Mr. Raffetto stated that this change is not substantive, and could be made by motion prior to the Ordinance's adoption.

Motion: It was moved by Councilman Sikorski, seconded by Councilman Quattrone that Ordinance 2005-36 be amended to correct the Block number to read "63.01." The motion was **unanimously approved**, and the Ordinance was so amended.

Ordinance 2005-36 was then moved as amended by Councilman Sikorski and seconded by Councilman Thompson.

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

Ordinance adopted, 6-0.

¹ The public hearing on this Ordinance was held on November 7, 2005.

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

WHEREAS, there exists a certain unimproved paper street within the Borough of Hightstown known as "Evergreen Avenue," which is located within Block 63.01 as shown on the Hightstown Borough Tax Map, and which is adjacent to the properties known and designated as Block 63.01, Lots 4, 5 and 10 on the Tax Map; and

WHEREAS, this unimproved paper street is shown on the Tax Map as running perpendicular to South Main Street and is reflected on Borough maps dating back to 1917; and

WHEREAS, the Borough is unable to determine the specific manner in which the paper street came under the jurisdiction of the Borough; and

WHEREAS, it has been determined that the said unimproved paper street is not needed now or in the future for any public purpose(s) of the Borough, and that the public's interests would be best served by the vacation of the paper street, and the extinguishment of all public right, title and interest in and to the said paper street, so that the underlying land area(s) may be combined with and become part of the adjacent properties; and

WHEREAS, a vacation of a public street, or part thereof, which has not been opened by the municipality, may be authorized by the municipal governing body by Ordinance pursuant to N.J.S.A. 40:67-19, et seq., when there is no longer any need for the use of said area by the public; and

WHEREAS, to the extent that any portion(s) of the underlying vacated area does not transfer automatically to the adjacent property owner(s) by operation of law, the Borough wishes to authorize the conveyance of said underlying area(s) to the adjoining property owner(s), for nominal consideration, pursuant to N.J.S.A. 40:67-19, et seq., N.J.S.A. 40:60-28, and N.J.S.A. 40A:12-13(b)(5); and

WHEREAS, the Borough Council believes that it is in the best interests of the Borough of Hightstown and its residents to proceed with the matters referenced above.

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

1. That, pursuant to N.J.S.A. 40:67-19, et seq., the Borough of Hightstown hereby vacates, extinguishes, releases and abandons all public right, title and interest in and to a certain unimproved paper street known as "Evergreen Avenue" within the Borough, as shown within Block 63.01 on the Borough's Tax Map, and which is more particularly located adjacent to the properties known and designated as Block 63.01, Lots 4, 5 and 10 on the Tax Map.
2. That the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company (as defined in N.J.S.A. 48:2-13), or by any cable television company (as defined in N.J.S.A. 48:5A-1, et seq.), to maintain, repair, and replace any existing facilities in, adjacent to, over, or under the said vacated area.
3. That, following the adoption of this Ordinance, the Borough Clerk shall, within sixty (60) days of the effective date of the Ordinance, file a copy of this Ordinance, certified by the Clerk, under seal of the Borough, to be a true and exact copy of the Ordinance, together with a copy of the proof of publication thereof, in the Office of the Mercer County Clerk for recordation in the County's Book of "Vacations," pursuant to N.J.S.A. 40:67-21.
4. That, once the unimproved paper street has been vacated, then the Borough's interests in and to the said unimproved paper street shall be released. To the extent that any portion(s) of the underlying vacated area does not transfer automatically to the adjacent property owner(s) by operation of law, then the Borough hereby authorizes the conveyance of said underlying area(s) to the adjoining property owner(s) by Deed, for nominal consideration, pursuant to N.J.S.A. 40:67-19, et seq., N.J.S.A. 40:60-28, and N.J.S.A. 40A:12-13(b)(5), so that these portions may be combined with and become a part of the said adjacent properties.
5. That the Borough attorney is hereby authorized and directed to undertake all actions and to prepare all documents that are necessary in order to effectuate the intentions of the within Ordinance.
6. That all costs associated with this matter shall be the responsibility of the adjacent property owners.

7. That the Mayor is authorized to execute and the Municipal Clerk to attest all documents, and to perform all actions, which are required in order to effectuate the intentions of the within Ordinance.
8. That this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.
9. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
10. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

RESOLUTIONS

RESOLUTION 2005-243, AUTHORIZING INTERIM AGREEMENT FOR EMERGENCY MEDICAL SERVICES

Ms. Gallagher reviewed the provisions of Resolution 2005-243, stating that St. Francis Medical Center began providing EMS services to the Borough early in the year, with the intention of offering 24/7 coverage at no cost. They anticipated that they would be able to cover their costs through insurance billings, but it became apparent that the Borough's call volume was not high enough to cover those costs. As a result, St. Francis has found it necessary to send their ambulance and crew out of the Borough from time to time to perform transports for which they are paid. Although they continue to provide services at no cost to the Borough when they are able to be here, they have found it necessary to utilize their ambulance elsewhere more and more of the time in order to offset their costs. The formal agreement which was approved by Council earlier in the year has never been signed, although St. Francis has continued to cover our calls whenever possible for them to do so.

In order for them to be able to provide the 24/7 coverage that the Borough needs right now, the Borough will need to provide funding to offset their costs. St. Francis has agreed to cover the Borough through January 2, 2006, using the Borough's ambulance, for a total cost of \$17,000, and has, in fact, been providing true 24/7 coverage since November 18. Our rig has been inspected and licensed, she said, and the required insurance protections are in place. She recommended that a clause be added to the draft agreement indicating that, if the Borough's rig is out of service for any reason, St. Francis will continue to provide 24/7 coverage using their ambulance, at a per diem charge to be mutually agreed upon. Council agreed that this clause should be added.

Ms. Gallagher noted that funding for this will come from a \$15,000 donation received from the Peddie School earlier in the year for EMS services, and \$2,000 will come from the First Aid Squad's budget. She added that negotiations are underway with St. Francis and MONOC regarding services for 2006. The committee, she said, consists of herself, Mayor Patten, Councilman Quattrone, Chief Eufemia, Chief Archer and Curtis Crowell of the First Aid Squad.

Councilman Quattrone commended St Francis for their assistance over the past several months, and said that he continues to work with the First Aid Squad in an effort to bring in more volunteers. Once they are back online, he said, he will do all that he can to make sure that they will continue to ride. Councilman Thompson thanked Councilman Quattrone and the members of the First Aid Squad for their efforts.

Resolution 2005-243 was moved by Councilman Quattrone and seconded by Council President Schneider.

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

Resolution adopted, 6-0.

RESOLUTION 2005-243**AUTHORIZING INTERIM AGREEMENT FOR EMERGENCY MEDICAL SERVICES**

WHEREAS there exists the need to provide emergency medical services within the Borough of Hightstown on a 24 hours per day, 7 days per week basis through January 2, 2006; and

WHEREAS the Borough Administrator has solicited competitive quotations for this service and has recommended that St. Francis Medical Center be engaged to perform emergency medical services for the period November 18, 2005 through January 2, 2006 for a total cost of \$17,000.00, as set forth in the Letter of Agreement which is attached hereto and made a part hereof²; and

WHEREAS the Chief Financial Officer 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 Borough Administrator is hereby authorized to execute a Letter of Agreement with St. Francis Medical Center for the provision of emergency medical services 24 hours a day, seven days a week, for the period November 18, 2005 through January 2, 2006, which agreement is attached hereto and made a part hereof.

CONSENT AGENDA

Resolutions 2005-240, 241 and 242 were moved by Councilman Sikorski and seconded by Councilman Quattrone

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

Resolutions adopted, 6-0.

RESOLUTION 2005-240**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
Mid Jersey Municipal Joint Insurance Fund	\$101.25	Safety Incentive Program	Safety Incentive Program

RESOLUTION 2005-241**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 **\$262,212.09** from the following accounts:

Current	\$ 153,970.96
W/S Operating	69,450.15
General Capital	5,521.18

² Letter of agreement is on permanent file in the Borough Clerk's office with the original copy of Resolution 2005-243.

W/S Capital	2,983.00
Animal Control	16.80
Trust	16,241.00
Public Defender	300.00
Grant	446.00
RCA COAH – Escrow1	2,900.00
Escrow – Subdivision & Site Plan (First Washington Bank)	383.00
Total	\$ <u>262,212.09</u>

RESOLUTION 2005-242 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:

CURRENT BUDGET:	<i>From:</i>	<i>To:</i>
Financial Administration – Salaries	1,940.00	
Assessment of Taxes – Salaries	300.00	
Uniform Fire Safety – Salaries	2,743.00	
Uniform Construction Code – Salaries	1,310.00	
Mayor & Council – Salaries		503.00
Municipal Clerk – Salaries		813.00
Tax Collection – Salaries		924.00
Housing Code Enforcement – Salaries		4,053.00
Totals:	6,293.00	6,293.00

UNFINISHED BUSINESS

CREATION OF ECONOMIC DEVELOPMENT COMMISSION

Mr. Raffetto reported that he met with Councilman Thompson, Councilman Quattrone, Jeff Bond and Gene O'Connor regarding the creation of an Economic Development Commission. They came to the conclusion that it would be more appropriate to establish it as a *committee* rather than as a commission. The statute authorizing commissions, he said, prescribes powers and duties far beyond what the Borough is contemplating here. This group would be an advisory committee consisting of seven members, with the Mayor and one Council member serving as ex officio members. It would be specified that the committee would be subject to the Open Public Meetings Act, and minutes would be taken. The group would meet periodically and would report to Council. The committee envisioned two year terms, he said, staggered at the beginning. With Council's consent, he said, he will revise the draft ordinance and present it for introduction at the December 5 meeting.

Jeff Bond was in attendance, and said that the group would like to meet monthly, and would report quarterly to the Borough.

Mayor Patten asked if an Ordinance is needed in order to establish a committee. Mr. Raffetto stated that it is not necessary; however, it would have greater weight and permanency as part of our Code.

Councilman Thompson thanked Mr. Bond for bringing this forward, and said that it is a proactive step toward identifying opportunities and strategies for the betterment of the community.

Council had no objections to proceeding with introduction of this Ordinance on December 5.

PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

Torry Watkins, 68 Meadow Drive, thanked and commended the Borough for its efforts to bring "rational first aid and ambulance service to the Borough." He noted that a few months ago, he sat with neighbors for 45 minutes as they waited for an ambulance to arrive from Monroe to take her husband to the hospital. "The police officers were masterful," he said, "but they are no substitute for an ambulance." He said that "we all share a sense of frustration and helplessness at the whole situation," and said that it is "galling" to hear that it is "unprofitable" for St. Francis to provide the EMS service. He added that 35 cents out of every health care dollar goes to bureaucracy.

J. P. Gibbons, 602 North Main Street, said "We have a First Aid Squad that needs members and is having a problem, and we've taken \$17,000 out of their budget and allocated it for this service [by Saint Francis]." He expressed concern that this will have a negative impact on the Squad, and suggested that the funds be taken from somewhere else and used to improve conditions for our volunteers or to do something to get more volunteers. He offered his own assistance as a volunteer or with a donation.

Dr. Paul Talmazan, 214 Chamberlin Avenue, thanked Council for their decision to vacate Evergreen Avenue, and thanked the Borough's professionals and administrator their work to resolve this. He assured Council that the work done on that property will "be beautiful."

No one else came forward and the floor was closed.

In response to Mr. Watkins' comments, Ms. Gallagher clarified that St. Francis has never indicated that they are seeking to make a "profit" in providing EMS services to the Borough. Rather, they are hoping to recoup a portion of their costs.

In response to Mr. Gibbons' comments, Mayor Patten noted that \$15,000 of the \$17,000 to be paid to Saint Francis is not a budget expenditure but will utilize a donation held in trust by the Borough for first aid services. Councilman Quattrone noted that the meeting to be held the next day will include a discussion about bringing in more volunteers.

Upon motion by Councilman Sikorski, seconded by Councilwoman Laudemberger and unanimously approved, the meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk