

OPEN SESSION

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 Mayor called for a moment of silence in memory of former Mayor Milton Cunningham (1957-1964), who passed away recently.

The flag salute was followed by the roll call.

ROLL CALL

	PRESENT	ABSENT
<i>Mayor Patten</i>	✓	
<i>Councilmember Harinxma</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Rosenberg</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; James M. Eufemia, Chief of Police and Frederick Raffetto, Esq., Borough Attorney.

APPROVAL OF AGENDA

The agenda was moved by Councilmember Sikorski, seconded by Councilmember Rosenberg and unanimously approved as submitted.

APPROVAL OF MINUTES

Minutes of the June 5, 2006 open and closed sessions were moved by Councilmember Sikorski, seconded by Council President Schneider and unanimously approved as submitted.

An addendum to the approved minutes of the May 16, 2006 open session was moved by Councilmember Sikorski, seconded by Council President Schneider and approved by all.

PROCLAMATION

The Mayor read aloud and presented a proclamation to the Ladies Auxiliary of Hightstown Engine Co. No. 1 in recognition of their 50th anniversary.

50th Anniversary Ladies Auxiliary of Hightstown Engine Co. No. 1

Whereas, *the Ladies Auxiliary of Hightstown Engine Co. No. 1 has supported our volunteer Fire Company for over 50 years, and celebrated its 50th Anniversary in March 2006; and*

Whereas, *the Auxiliary's dedicated fund-raising efforts over the past 50 years have included bake sales, flower sales, fashion shows, rummage sales, raffles and various forms of entertainment, and have been invaluable to Hightstown Engine Co. No. 1 and to the Borough, allowing the department to purchase much needed firefighting equipment at no cost to Borough taxpayers; and*

Whereas, *the ladies of the Auxiliary continue to this day their long-standing tradition of attending our firefighters, when needed, on working fire calls to provide coffee, water and food, offering them essential support in their tireless efforts to safeguard lives and property; and*

Whereas, *one of the original Charter Members of the Ladies Auxiliary, Pat Tornquist, is still active with the organization today; and*

Whereas, *the Ladies Auxiliary sponsors the Borough's Santa Parade each year, and proudly marches annually in our Memorial Day Parade;*

Now, Therefore, *I, Robert F. Patten, Mayor of the Borough of Hightstown in the County of Mercer, State of New Jersey, do hereby congratulate the Ladies Auxiliary of Hightstown Engine Co. No. 1 on the occasion of their 50th Anniversary, and thank them for their many years of service and support for our firefighters and our community.*

PRESENTATION

MILL REDEVELOPMENT

Richard Almquist, Vice President of Development for The Wolfington Companies addressed the Mayor and Council to present their latest proposal for redevelopment of the rug mill property on Bank Street.

Mr. Almquist offered a slide presentation and provided a handout detailing their proposal, and noted that one of the goals of the development would be to restore the Rocky Brook stream banks. The existing bridge would be maintained and featured in the design, and they anticipate a restaurant along the brook. The plan includes 119 two-bedroom luxury condominiums, including 14 onsite affordable units, and eight three-bedroom residences (127 units total).

Jeremy Lang of Maser Consulting provided some additional information. He noted that there would be ten feet between the development and the Historical Society's property, and that they have done an analysis of shared parking which indicates that needs peak at different times of the day, which reduces the amount of spaces required.

Rick Reading, financial analyst for The Wolfington Companies, noted that the proposal includes a five-year PILOT program which could effectively double the Borough's tax revenues during that period. He added that there may be some opportunities to build some of the affordable housing off-site. The developer had previously agreed to provide \$35,000 in matching funds for the Small Cities grant awarded to the Borough for streetscape improvements in the redevelopment area.

Once the redeveloper is named, the Wolfington representatives said, it would take between 14 and 18 months to get to the point where building permits would be issued. Numerous outside agencies must issue their approval, financing must be arranged, and a redeveloper's agreement approved in the meantime.

It was noted that Wolfington now owns the property, and that the NJDEP has indicated that no further remedial action will be necessary east of Rocky Brook. There are still some environmental issues left by the prior owners on the west side of the brook, and plans for remediation are under review by the DEP. The contamination there, however, is "not bad," and can be remediated as other parts of the process unfold. "The time is now to move forward," Mr. Almquist said.

Mayor Patten opened the floor for questions.

Councilman Thompson asked why the Planning Board process would not take priority in the timeline. Mr. Almquist replied that he would "like to see it be a synergistic process." Currently, the Borough's ordinance does not allow what they are proposing. That Board does hold priority, he said, and added, "I hope that the Planning Board, Council and all parties may see that this is a good plan. We have been through a long process determining what will be best, including a market analysis." He said that he hopes it could be done at the same time. The Planning Board does have to change the zoning, he said, but naming a redeveloper starts the process of getting a redevelopment agreement in place, which will take time.

Councilmember Rosenberg asked about Wolfington's past experience in developing large, multi-use projects. Mr. Almquist stated that they are about to break ground on a 120-unit townhouse development at the site of the former Mrs. Smith's pie factory in Pottstown, PA, and they have done a "massive redevelopment project" in the Poconos. They are also involved in a project that will create a large town center along with a residential community in Pennsylvania in the area of the Delaware Water Gap. They have done smaller projects as well, he said.

Councilman Quattrone asked if they would consider including a parking garage, as he is concerned that some parking spaces are too far away from the buildings. "Residents will likely find spaces nearby," Mr. Almquist replied.

Council President Schneider asked about the parking as shown in the slide presentation. It was noted that the parking shown is actual onsite parking and does not include the shared parking anticipated, some of which would be used by restaurant patrons. The restaurant, Mr. Lang said, will generate the need for 35 parking spaces. Mr. Schneider noted that this plan calls for parking along Bank and North Academy Streets and asked if they anticipate including parking in Rocky Brook Park. Mr. Almquist replied that they would not be using the park for parking purposes.

Councilman Thompson asked about the timeline to completion of the project. Mr. Almquist said that this would depend on the rate of sale. It could take two to four years to build out, or it may be faster if the demand is there. He added that units would be *built* but would not be fitted out until they are sold. Satish Mehta was present and stated that the project would be completed in stages.

Mike Vanderbeck (Chair, Economic Development Committee) asked at what point the townhouses would be completed. He was told that the townhouses and the condominium building behind it would be completed during the first phase of construction. The townhouses would be done first. Mr. Vanderbeck asked if things would be going on elsewhere at the same time. "Yes," Mr. Almquist replied, and added that they would probably do the duplexes and the new construction right away, but they may hold some back so that the new construction does not compete with sales in the existing building. "We will probably have a mixture available from the start," he said. Mr. Mehta noted that marketing cannot begin until all of the approvals have been gained.

Nancy Walker-Laudenberger (Planning Board member) thanked the Wolfington representatives for their presentation and for incorporating the Planning Board's comments into their refined plan. She asked (as incoming president of the Historical Society) how this will affect the Society's headquarters at the Ely House. Mr. Almquist replied that the building would be within ten feet of the Historical Society's property line (not their building).

Kathy Patten (Historic Commission member) asked how many bedrooms would be included in the affordable units. Mr. Almquist and Mr. Reading replied that we must offer a mix of one-, two- and three-bedroom units. They plan to offer two each of one-bedroom and three-bedroom units, and the remaining affordable units would have two bedrooms.

William Searing (Planning Board member) asked about density calculations. Determining the proper density, he said, has been a frustrating issue for the Planning Board.. Mr. Almquist stated that they use FAR (Floor Area Ratio) to determine density in a mixed use development, and Mr. Lang added that there should be "a range, with flexibility." This is an urban,

compact site, he said, and the Borough should determine what is appropriate for that site in terms of the goals it wishes to achieve there. "Look at it from a fiscal standpoint," he said, "and provide a range." Mr. Searing asked if the square footage per unit should be fixed or flexible. Mr. Almquist said that, at the last Planning Board meeting, there was talk of a 1,200 square foot minimum. There should be some flexibility there for the affordable units, he said.

Jim Jurgens (Planning Board member) asked, regarding the timeline for completion, what they are using as an "absorption rate" right now. If started today, Mr. Almquist replied, they would anticipate selling 15 units per month. The market at the time of sale will drive that, he added. Baby boomers, he said, are retiring every year now and downsizing, and "this end of the market is nice." Mr. Jurgens asked how many spec units they would anticipate building. Mr. Almquist replied that this would be driven by financing, and what the bank will allow. "With aggressive marketing," he said, "we can probably have a pretty good presales market." Mr. Jurgens asked how quickly they would anticipate filling the commercial/retail space. Mr. Almquist replied that experts in his office feel that this would take between nine and 15 months, but he is more conservative.

David Zaiser (Environmental Commission) noted that his architectural firm, KSS Architects, has been working with another firm (Dranoff Properties) who presented a proposal earlier to the Borough and "may or may not be involved anymore." He said that he was "mystified" that Greystone (aka Wolfington Companies) would be asked to make this presentation "after proposals were accepted through the RFP process." He asked about renovations to the existing police station, and Mr. Almquist stated that this was not included in their plan. Mr. Zaiser noted that, in that event, the building "will look exactly the way it does right now." He added that he sees more asphalt than open space in this plan, and feels that, if the plan calls for 29 more parking spaces than would be required, there may be an opportunity to create more green space instead.

Dee Santos, certified landscape architect for Maser Consulting, responded to say that they met with the Environmental Commission and Parks and Recreation Commission before the plan was in place. They incorporated feedback received from both boards to create a core of green space down the middle of the property, with pedestrian access through the site from downtown. There are "pocket green space areas," she said, and it will be an improvement over the impervious coverage that currently exists on the site. The surplus parking usage is flexible at this time, she added, and they would be happy to incorporate it into green space; however, they had received input that there can be a strain on the existing parking when court is in session and during certain other events. At present, this is a flexible option, and they will work with the Borough to make those decisions.

Eugene Sarafin (Borough resident) asked when the site work would be done. He was told that this would be driven by the receipt of permits. Mr. Sarafin stated that they should install curbs, sidewalks and sewer lines before doing anything else. Mr. Almquist stated that this work would be done in the early stages, once approvals are received. Mr. Sarafin asked how they planned to handle "200,000 plus gallons of [stormwater] runoff." Mr. Lang stated that the site as it currently exists is already largely impervious. Mr. Sarafin asked if they would include a parking garage. Mr. Lang stated that it is not part of the project at this time, and there is enough parking available to serve the development. Mr. Sarafin asked how it was determined that 6,300 square feet of municipal space would be provided. This, Mr. Lang responded, was the result of meetings with the Planning Board and other bodies.

Bob Schneider (Borough resident) asked about an entrance from Main Street. Fire Chief John Archer stated that the public uses the entrance between Borough Hall and the firehouse all the time. While the parking is private on that side of the building, the entrance is not, he said.

Mr. Sarafin asked when the developer would make a presentation to the Planning Board. "When we are invited," Mr. Almquist responded. Mr. Sarafin asked what they need from the Borough at this time, and was told that they need for the Planning Board to agree to a plan that will work for the site, similar to this plan.

Gary Rosensweig (Planning Board attorney) asked if the developer has completed a traffic study. Mr. Lang replied that both a traffic study and a shared parking analysis have been completed, and have been delivered to the Borough engineer for her review. There is degradation in some areas and improvement in others, he said, and there are opportunities to improve things through the timing of traffic signals, etc. "The degradation is very minimal," he said, adding that "traffic is an indicator of prosperity." There must be a balance, he said, between a vibrant downtown and the traffic it creates.

Ms. Roberts noted that "we are still at the concept stage." She said that she sees places where we can make changes. More green area is needed, she said, and the plan includes more parking than is necessary. She said that she has reservations about parking on Bank Street, as it will become a major route. "I see a number of places where we can improve this as the process unfolds," she said, adding that she is thinking forward to water and sewer on North Academy Street and noting that Bank Street may need "a complete facelift" by the time this is done. Ms. Roberts said that she has some concern about using standard percentages from the county in the traffic analysis, rather than "looking at things we know are happening here and surrounding us, such as Enchantment." The redevelopment agreement will be very important, she said, and added, "this is a good start, and we can only move to make it better."

Mr. Raffetto stated, regarding the 6,300 square feet of municipal space, that this was "a matter of give and take during the negotiating sessions with the redevelopment subcommittee." Borough representatives, he said, felt that it would be advantageous to the Borough to have retail space on that part of Main Street and additional municipal space. He also noted, with respect to Mr. Zaiser's comments, that, when the Borough decided to issue RFPs for this project, it never said that it would not continue to consider Greystone as a possible redeveloper. "We haven't received anything back from Dranoff since the presentation," he said.

Mr. Raffetto went on to recommend that, since the Planning Board is actively considering changes to the Redevelopment Plan, the Borough should hold off on naming a redeveloper until the Planning Board has completed its work. Then, he said, Council should move forward with revisions to the Plan, and *then* select the redeveloper. With respect to the redeveloper's agreement, he said, the Borough had already begun to put together a "relatively thick" agreement, and we "won't be starting at ground zero" when a redeveloper is named.

There being no further questions, a brief recess was called before the meeting continued. Councilmember Rosenberg left the meeting at this time.

PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

Eugene Sarafin, 600-628 South Main Street, stated that it is "good to see progress" with the redevelopment of the Mill. He recommended that a three-story parking garage, owned and run by the Borough, be included in the plan.

No one else came forward and the floor was closed.

ENGINEER'S ITEMS

RESOLUTION 2006-148, AUTHORIZING PAYMENT NO. 1 – JONICO, INC. (GREENWAYS, PHASE II PROJECT)

Following a brief review by Ms. Roberts, Resolution 2006-148 was moved by Councilmember Quattrone and seconded by Councilmember Thompson.

Roll Call: Councilmembers Harinxma, Quattrone, Schneider, Sikorski and Thompson voted yes.
Councilmember Rosenberg was absent.

Resolution adopted, 5-0.

RESOLUTION 2006-148 AUTHORIZING PAYMENT NO. 1 – JONICO, INC. (GREENWAYS, PHASE II PROJECT)

WHEREAS, on March 20, 2006 the Borough Council awarded a contract for Greenways, Phase II project to Jonico, Inc. of Lambertville, NJ in the amount of two hundred and one thousand five hundred thirty-three (\$201,533.00) Dollars; and

WHEREAS the contractor has submitted Payment Request No. 1 for work done in the total amount of \$29,039.85, together with the required certified payrolls; and

WHEREAS the Borough Engineer has recommended approval of this payment request;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Payment Request No. 1 from Jonico, Inc. of Lambertville, NJ in the amount of \$29,039.85 is hereby approved, and the Treasurer is authorized to issue same.

Councilman Quattrone asked Chief Eufemia to look into motorcyclists and recreational vehicle users traveling at high speeds in the area that goes to Summit Street.

**RESOLUTION 2006-149, AUTHORIZING CHANGE ORDER NO. 1 & FINAL AND PAYMENT NO. 2 & FINAL –
S. BROTHERS, INC. (OAK LANE RECONSTRUCTION, R&R FILE NO. H1729)**

Following a brief review by Ms. Roberts, Resolution 2006-149 was moved by Councilmember Sikorski and seconded by Councilmember Quattrone.

As this change order represents a reduction in the contract, Mayor Patten asked if the savings revert to the Borough or to the State. Ms. Roberts stated that the savings are the Borough's, as the project total was more than the DOT grant received. Council President Schneider asked what changes were made that resulted in this change order. Ms. Roberts replied that the changes during construction included design changes in the shape of the roadway, which reduced costs somewhat. In addition, at the time of bidding, she estimated the quantities a little on the high side to accommodate unexpected things. The change order, she said, is the result of "a series of a little bit less here and there." One \$4,000 increase in the contract resulted from the fact that NJDOT told us near the end of the project that we would need to install ADA-compliant domes in place of certain handicap ramps. Councilman Quattrone asked about changes to the shade trees planned as part of this project. This contractor did not plant them, Ms. Roberts replied, and that \$6,000 will be available to the Environmental Commission to purchase and plant trees on Oak Lane. Councilman Thompson said that the new sidewalks there are "beautiful and safer for the kids."

Roll Call: Councilmembers Harinxma, Quattrone, Schneider, Sikorski and Thompson voted yes.
Councilmember Rosenberg was absent.

Resolution adopted, 5-0.

**RESOLUTION 2006-149 AUTHORIZING CHANGE ORDER NO. 1 & FINAL AND PAYMENT NO. 2 & FINAL –
S. BROTHERS, INC. (OAK LANE RECONSTRUCTION, R&R FILE NO. H1729)**

WHEREAS, on June 20, 2005 the Borough Council awarded a contract for the reconstruction of Oak Lane to S. Brothers General Contractors, Inc. of South River, New Jersey, in the amount of Two Hundred and Twenty Eight Thousand Four Hundred and Thirty (\$228,430.00) Dollars; and

WHEREAS the contractor has submitted Change Order No. 1 and Final to this contract in the amount of NEGATIVE Six Thousand Three Hundred Fifty-Five Dollars and Eighty Cents (-\$6,355.80) as detailed on the attached documentation; and

WHEREAS, the contractor has also submitted Payment Request No. 2 and Final in the amount of \$18,924.12, along with the required certified payrolls, maintenance bond and other closeout documents; and

WHEREAS, the Borough Engineer has recommended that Change Order No. 1 and Final and Payment Request No. 2 and Final be approved; and

WHEREAS, the Borough Attorney has reviewed the closeout documents submitted by S. Brothers, Inc. for this project, and has found them to be in order;

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

1. Change Order No. 1 and Final to the contract with S. Brothers General Contractors, Inc. of South River, New Jersey, in the amount of NEGATIVE Six Thousand Three Hundred Fifty-Five Dollars and Eighty Cents (-\$6,355.80) is hereby approved, and the Mayor is authorized to execute same.
2. By virtue of the approval of Change Order No. 1 and Final, the revised and final contract price is Two Hundred Twenty-Two Thousand and Seventy-Four Dollars and Twenty Cents (\$222,074.20).
3. Payment No. 2 and Final to S. Brothers General Contractors, Inc. in the amount of \$18,924.12 is hereby approved, and the Borough Treasurer is authorized to issue same.
4. The Oak Lane Reconstruction project is hereby accepted.
5. The Borough Clerk is authorized and directed to release the Contractor's performance guarantee in the amount of \$228,430.00.

PRIORITIZATION OF APPLICATIONS FOR NJDOT TRANSPORTATION TRUST FUNDING

Ms. Roberts recommended that the Borough prioritize the Trust Fund Applications about to be submitted as follows: #1, Morrison Avenue; #2, Outcalt Street; #3, First Avenue. Council agreed with her recommendation.

WILSON AVENUE REPAIRS

Ms. Roberts stated that we have awarded a contract for repairs to Wilson Avenue totaling about \$50,000. There is about \$60,000 for road repairs available in the ordinance which funded that, and Mr. Blake would like to expand this contract by five or six thousand dollars in order to make repairs to the worst part of Cranbury Station Road, from the old Coolidge Electric property toward the water tower. In addition, the Borough has about \$3,800 remaining in older funding for repairs to Church and Forman Streets, and he would like to use those funds to have this contractor repair a puddling issue at Church and Stockton Streets. Council President Schneider asked why this would be a change order rather than a separate contract. Ms. Roberts replied that because this contractor is here and mobilized, it would cost less to add that work to this contract than to have someone come here just for that purpose. This contractor will expand the contract at the bid price. Council had no objections to this.

EXPANSION OF GREENWAYS PHASE II PROJECT

Ms. Roberts stated that the Borough's grant for the Greenways Phase II project is \$250,000. The contract awarded was for approximately \$200,000. She asked Council to consider a change order of between \$20,000 and \$25,000 to make additional improvements in some areas of the Greenway, such as additional fencing and upgraded inlets, all of which is within the scope of what DOT would pay for. If the contract is expanded to \$225,000, she said, the Borough will be able to utilize the remaining \$25,000 for inspections. Council President Schneider asked if inlet upgrades would be required anyway, and how soon. Ms. Roberts replied that we are required to replace inlets within five years as part of our stormwater permit. Councilman Quattrone asked about signage. That, Ms. Roberts said, is in the contract already. The consensus of Council was to proceed as recommended by Ms. Roberts.

REQUEST FOR PROPOSALS - GRANT AVENUE DRAINAGE IMPROVEMENTS

Ms. Roberts noted that, years ago, a developer provided payment to the Borough in lieu of constructing a detention basin, and those funds were intended to fix drainage problems in the Grant Avenue area. A new pipe was installed from Stockton Street to Grant Avenue, and the entire storm system was televised along Grant Avenue to Academy Street. That part was cleaned up and repaired. There is still \$20,000 left of that money, and Mr. Blake has recommended that the Borough request proposals to upgrade the storm sewer inlets in that area of Grant Avenue. It would not be necessary to re-televiser, she said. Council was supportive of Ms. Roberts's recommendation and would like to proceed.

ORDINANCES

INTRODUCTION AND FIRST READING: ORDINANCE 2006-17, AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS FOR THE REVALUATION OF REAL PROPERTY

Ms. Gallagher provided a brief review of Ordinance 2006-17, which would provide for a \$15,000 special emergency appropriation for tax map revisions necessary in conjunction with the Borough's upcoming revaluation. This expense would be funded through appropriations in the budgets of the next five succeeding years, beginning in 2007. Ms. Roberts noted that the county has reviewed our current tax maps and requested certain modifications. Her proposed fee includes converting the maps to digital format. The work is anticipated to take approximately two months.

Ordinance 2006-17 was moved for introduction by Councilmember Sikorski and seconded by Councilmember Quattrone.

Roll Call: Councilmembers Harinxma, Quattrone, Schneider, Sikorski and Thompson voted yes.
Councilmember Rosenberg was absent.

Ordinance introduced, 5-0.

RESOLUTIONS

RESOLUTION 2006-150, AMENDING THE 2006 BUDGET

Following a detailed review by Ms. Gallagher, Resolution 2006-150 was moved by Councilmember Thompson and seconded by Councilmember Sikorski.

Roll Call: Councilmembers Harinxma, Quattrone, Schneider, Sikorski and Thompson voted yes.
Councilmember Rosenberg was absent.

Resolution adopted, 5-0.

RESOLUTION 2006-150 **AMENDING THE 2006 BUDGET** *(included at end of these 6/19/06 minutes)*

RESOLUTION 2006-151, AWARDED CONTRACT FOR PURCHASE OF FIRE APPARATUS

Following a brief review by Ms. Gallagher, Resolution 2006-151 was moved by Councilmember Harinxma and seconded by Council President Schneider.

Councilman Quattrone asked about the difference in bid prices for this equipment. Ms. Gallagher stated that there was an approximate \$250 difference in the bid prices. Mr. Raffetto noted that the second bidder submitted a nonconforming bid which included a six month demo period that was not a part of our bid specifications. Chief Archer was in attendance and stated that he was comfortable awarding this bid.

Roll Call: Councilmembers Harinxma, Quattrone, Schneider, Sikorski and Thompson voted yes.
Councilmember Rosenberg was absent.

Resolution adopted, 5-0.

RESOLUTION 2006-151 AWARDING CONTRACT FOR PURCHASE OF FIRE APPARATUS

WHEREAS, two (2) bids were received by the Borough of Hightstown on June 12, 2006, for the purchase of Fire Apparatus for use by Hightstown Engine Co. No. 1; and

WHEREAS, the bids have been reviewed by the Fire Company's Truck Committee and the Fire Chief, and it is their recommendation that the contract be awarded to the low bidder, Ferrara Fire Apparatus, Inc., of Holden, LA; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Ferrara Apparatus, Inc., is in order with respect to legal compliance; and

WHEREAS, funding for this expenditure was provided in Bond Ordinance 2006-16, which ordinance was finally adopted on June 5, 2006, and published in the *Trenton Times* on June 7, 2006; and

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

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

1. The contract for the purchase of Fire Apparatus is hereby awarded to Ferrara Fire Apparatus, Inc., of Holden, LA, in the amount of Five Hundred and Ninety Three Thousand Six Hundred and Fifty-Seven (\$593,657.00) Dollars.
2. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Ferrara Fire Apparatus, Inc., subject to approval of the Borough Attorney.
3. This Resolution shall take effect on June 27, 2006, which date is 20 days after the publication of Bond Ordinance 2006-16, provided that no protest against the incurring of indebtedness authorized therein has been filed with the Borough Clerk in accordance with the provisions of *N.J.S.A. 40:49-27*.

**RESOLUTION 2006-152, A RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED FOR THE
PROVISION OF SOLID WASTE COLLECTION SERVICES WITHIN THE BOROUGH OF
HIGHTSTOWN, AND AUTHORIZING THE BOROUGH TO REVISE THE BID SPECIFICATIONS AND
TO RE-ADVERTISE FOR BIDS**

Following a brief review by Ms. Gallagher, Resolution 2006-152 was moved by Councilmember Sikorski and seconded by Council President Schneider.

Roll Call: Councilmembers Harinxma, Quattrone, Sikorski, Schneider and Thompson voted yes.
Councilmember Rosenberg was absent.

Resolution adopted, 5-0.

RESOLUTION 2006-152

A RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS RECEIVED FOR THE PROVISION OF SOLID WASTE COLLECTION SERVICES WITHIN THE BOROUGH OF HIGHTSTOWN, AND AUTHORIZING THE BOROUGH TO REVISE THE BID SPECIFICATIONS AND TO RE-ADVERTISE FOR BIDS

WHEREAS, on November 7, 2005, the Mayor and Borough Council authorized the Borough of Hightstown to seek competitive bids for the provision of solid waste collection services to the Borough, commencing in 2007; and

WHEREAS, the bids for the provision of such services were received by the Borough on May 26, 2006; and

WHEREAS, subsequent thereto, the Borough has determined that it wishes to substantially revise the bid specifications covering such services; and

WHEREAS, as a result, and pursuant to N.J.S.A. 40A:11-13.2(d), the Borough wishes to reject all of the bids heretofore received for the provision of such services, and to authorize the Borough to re-advertise for the receipt of competitive bids for the proposed services, as revised.

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

1. That all bids heretofore received by the Borough of Hightstown for the provision of solid waste collection services are hereby rejected pursuant to N.J.S.A. 40A:11-13.2(d).
2. That the Borough is hereby authorized to substantially revise the bid specifications for said services, and to re-advertise for the receipt of competitive bids for the proposed services, as revised, pursuant to and in accordance with the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
3. That the Borough Administrator is hereby authorized and directed to return all bid packages (and associated documents) previously received to all of the prior bidders.
4. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Candace B. Gallagher, Borough Clerk/Administrator
 - b. Larry Blake, Director, Department of Public Works
 - c. Frederick C. Raffetto, Esquire, Borough Attorney

CONSENT AGENDA

Resolutions 2006-144, 145, 146, 147, 153, 154, 155, 156, 157, 158, 159 and 160 were moved by Councilmember Sikorski and seconded by Councilmember Thompson.

Roll Call: Councilmembers Harinxma, Quattrone, Schneider, Sikorski and Thompson voted yes.
Councilmember Rosenberg was absent.

Resolutions adopted, 5-0.

RESOLUTION 2006-144

AUTHORIZING PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISES) OF LIQUOR LICENSE #1104-32-001-003 – WINE DEPOT CORPORATION (T/A HEDY'S LIQUORS)

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License No. 1104-32-001-003, held by Wine Depot Corporation (t/a Hedy's Liquors) for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that approval is hereby granted, effective this date, June 5, 2006, of the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 500 Mercer Street, Hightstown, New Jersey to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

RESOLUTION 2006-145 AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-32-001-004 – WINE DEPOT CORPORATION, T/A HEDY'S LIQUORS

WHEREAS, Wine Depot Corporation has made application to the Borough for renewal of their Plenary Retail Consumption License with Broad Package Privilege License #1104-32-001-004, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Wine Depot Corporation is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

WHEREAS, the Chief of Police has been consulted and has no objections to renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Wine Depot Corporation, doing business as Hedy's Liquors at 500 Mercer Street:

2006-07 Plenary Retail Consumption License with Broad Package Privilege
License #1104-32-001-004
Fee: \$2,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

RESOLUTION 2006-147 AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-33-003-007 – CMMA, LLC (T/A THEO'S LAKESIDE TAVERN)

WHEREAS, CMMA, LLC, has made application to the Borough for renewal of their Plenary Retail Consumption License #1104-33-003-007, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that CMMA, LLC, is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to renewal of said license; and

WHEREAS, the Chief of Police has been consulted and has no objections to renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to CMMA, LLC, doing business as Theo's Lakeside Tavern at 101-103 Main Street:

2006-07 Plenary Retail Consumption License
License #1104-33-003-007
Fee: \$2,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

RESOLUTION 2006-153 AUTHORIZING REFUND OF PERMIT FEE

WHEREAS on April 7, 2006, SSG-Barco, Inc., 2033 Route 130 South, Monmouth Junction, New Jersey, paid \$58.00 to the Borough of Hightstown for construction permit #20060086 relative to work at 201 Mechanic Street; and

WHEREAS it was subsequently determined that this work would not be done, and the Construction Office has requested that the permit fee paid by SSG-Barco be refunded to them;

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

1. The Treasurer is hereby authorized to issue a refund to SSG-Barco, Inc. in the amount of \$58.00 for their construction permit #20060086.
2. A certified copy of this Resolution shall be provided to:
 - a. Treasurer Arlene O'Rourke
 - b. Construction Official Harry Wetterskog
 - c. SSG- Barco, Inc.

**RESOLUTION 2006-154 AUTHORIZING AGREEMENT FOR ACCEPTANCE AND PROCESSING OF
SEPTIC WASTE WATER, GRAY WATER AND/OR FATS AND GREASE – A. C. BROWN SEPTIC**

WHEREAS, A. C. Brown Septic of Somerset, New Jersey has requested the use of the Borough of Hightstown Advanced Wastewater Treatment Plant for delivery of septic waste water, gray water and/or fats and grease; and

WHEREAS, their request has been reviewed and approved by the Superintendent of the Advanced Wastewater Treatment Plant and the Borough Engineer, and A. C. Brown Septic has submitted a signed agreement for the consideration of the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the agreement with A. C. Brown Septic for acceptance and processing of septic waste water, gray water and/or fats and grease, which agreement is attached hereto and incorporated herein, is hereby approved, and the Mayor and Borough Clerk are authorized to execute same, subject to receipt of a Certificate of Insurance as specified in the agreement.

**RESOLUTION 2006-155 AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2006 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2006 temporary budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes above mentioned; and

WHEREAS, it is the desire of the Mayor and Council to create emergency temporary appropriations as set forth on Schedule "A," attached; and

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2006 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	157,967.00	1,536,165.00	1,694,132.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	127,207.00	127,207.00
Water/Sewer	36,862.00	618,634.06	655,496.06
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	591,550.00	591,550.00
TOTAL	194,829.00	2,873,556.06	3,068,385.06

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof.
2. Each emergency appropriation listed will be provided for in the 2006 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Treasurer.

RESOLUTION 2006-156 APPOINTING BOROUGH TAX ASSESSOR

WHEREAS, Kenneth Pacera of Allentown, New Jersey was appointed to the position of Borough Tax Assessor effective January 1, 2006 to fill an unexpired term, which term will expire on June 30, 2006; and

WHEREAS, it is the desire of the Mayor and Council to appoint Mr. Pacera to a succeeding four-year term as Tax Assessor;

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

1. In accordance with the provisions of N.J.S.A. 40A:9-148, Kenneth Pacera of Allentown, New Jersey is hereby appointed to the office of Tax Assessor for the Borough of Hightstown for a four-year term running from July 1, 2006 through June 30, 2010.
2. A certified copy of this Resolution shall be provided forthwith to the Mercer County Division of Taxation.

**RESOLUTION 2006-157 AUTHORIZING AGREEMENT WITH CANDACE B. GALLAGHER
AS BOROUGH ADMINISTRATOR**

WHEREAS Candace B. Gallagher has served as Borough Administrator since July 1, 2003, and her current term expires June 30, 2006; and

WHEREAS it is the desire of the Mayor and Council to appoint Ms. Gallagher to a succeeding term as Borough Administrator and to authorize an agreement establishing the terms and conditions of her employment as Administrator during this succeeding term;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the agreement with Candace B. Gallagher as Borough Administrator which is attached hereto and made a part hereof is hereby approved, and the Mayor is authorized to execute same.

RESOLUTION 2006-158 AUTHORIZING ISSUANCE OF TAXICAB DRIVER'S LICENSE - JOAQUIN H. MORA

WHEREAS, an application for issuance of a taxicab driver's license, which application complies with Section 4-21.5 of the *Revised General Ordinances of the Borough of Hightstown*, has been submitted by Joaquin H. Mora, 114 Manlove Avenue, Hightstown, New Jersey; and

WHEREAS, the Chief of Police has reviewed the application and has approved issuance of the license;

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 2006 taxicab driver's license to Joaquin H. Mora, 114 Manlove Avenue, Hightstown, New Jersey.

RESOLUTION 2006-159 AUTHORIZING ISSUANCE OF TAXICAB DRIVER'S LICENSE - FREDY MORA

WHEREAS, an application for issuance of a taxicab driver's license, which application complies with Section 4-21.5 of the *Revised General Ordinances of the Borough of Hightstown*, has been submitted by Fredy Mora, 58-03 Garden View Terrace, East Windsor, New Jersey; and

WHEREAS, the Chief of Police has reviewed the application and has approved issuance of the license;

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 2006 taxicab driver's license to Fredy Mora, 58-03 Garden View Terrace, East Windsor, New Jersey.

RESOLUTION 2006-160 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 **\$379,055.55** from the following accounts:

Current	\$ 126,948.92
W/S Operating	64,650.23
General Capital	155,185.15
W/S Capital	39.45
Animal Control	12.30
Trust	270.00
Public Defender	425.00
Grant	8,419.02
RCA COAH Escrow	19,320.00
Escrow-Subdivision & Site Plan (First Washington Bank)	2,293.00
Lien Trust – Tax Collector	1,492.48
Total	<u>\$379,055.55</u>

UNFINISHED BUSINESS

STONY BROOK-MILLSTONE WATERSHED ASSOCIATION MUNICIPAL ASSESSMENT PROGRAM

Council discussed and agreed that a Resolution authorizing the Borough's participation in the Stony Brook-Millstone Watershed Association Municipal Assessment Program, as presented by the Association at the June 5 Council meeting, would be placed on the next meeting agenda.

NEW BUSINESS

SUMMER COUNCIL MEETING SCHEDULE

It was discussed and agreed that the July 3 Council meeting would be cancelled. The next regular meeting will be held on July 17. It is possible that the second Council meeting in August could be cancelled also. That decision will be made at the August 7 meeting.

PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

Eugene Sarafin, 600-628 South Main Street, noted that Council has taken no action in response to his suggestion that the Borough analyze the benefits of outsourcing. He claimed that outsourcing "the whole operation" would save "20% of the total tax bill." He suggested that a committee of "citizens with financial backgrounds" be appointed to examine this.

No one else came forward and the floor was closed.

There being no further business, adjournment was moved by Councilmember Sikorski, seconded by Councilman Thompson and unanimously approved. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk