

## 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 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

Added to the agenda were Resolution 2006-85, approving Verizon's application for municipal consent to operate a cable television system within the Borough, and, at the request of Councilman Sikorski, a discussion under New Business regarding the regionalization of police services. The agenda was moved as amended by Councilmember Sikorski, seconded by Councilmember Rosenberg and unanimously approved.

### APPROVAL OF MINUTES

Following a correction noted by Ms. Gallagher to the names listed in the roll call, the minutes of the March 6, 2006 open session were moved by Councilmember Sikorski, seconded by Councilmember Quattrone and unanimously approved as submitted.

## PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

**Lisa Thibault**, 504 S. Main Street, thanked the governing body for lifting the limit on the number of cats which may be licensed, and said that it has allowed her family to rescue more than 40 cats and kittens. Each, she said, has been spayed or neutered and vaccinated, and they now thrive in loving homes where they are indoor-only pets. She estimated that the Borough's costs in trapping and disposing of these animals would have been around \$8,000. "The

cost was borne by this one taxpayer," she said, "but the value to me is being permitted to treat sentient beings with the dignity and compassion they deserve. Toward that end, I want you to consider adopting some guidelines to help Borough residents practice responsible and humane trapping." Ms. Thibault reviewed guidelines from the Humane Society of the United States, the ASPCA, and the National Wildlife Control Association<sup>1</sup> and asked Council to draft an ordinance for review by the Animal Welfare Committee. "There are individuals in my neighborhood," she said, "who set as many as six traps around the clock, every day of the year, on various properties, regardless of weather extremes and left unattended overnight. Animals caught in these traps have included a Siamese cat, and have been left unattended without proper shelter, food and water." She added that those who habitually trap and relocate wildlife are violating State law, and that baiting traps draws animals to the very area that trappers are trying to remove them from.

Mayor Patten thanked Ms. Thibault for her heartfelt efforts.

Eugene Sarafin, 600-628 South Main Street, stated that it was a pleasure to see everyone.

No one else came forward and the floor was closed.

## PROCLAMATIONS

### 2005 E.M.T. OF THE YEAR – ERINI PAPAFILIPAKIS

Mayor Patten read aloud and presented a proclamation to Erini Papafilipakis, 2005 E.M.T. of the Year. She thanked the Mayor and Council for their continued support of the First Aid Squad.

#### **2005 E.M.T. of the Year – Erini Papafilipakis**

***Whereas, Erini Papafilipakis** is performing a valuable service to the residents of Hightstown as a volunteer Emergency Medical Technician with the Hightstown First Aid Squad; and*

***Whereas, Ms. Papafilipakis** joined the Squad in 2003, and was elected as Captain for 2006. During her years with the Squad, she has held several executive offices including Vice President, Corresponding Secretary and Trustee; has served on various committees, including House, Membership, Fundraising, Social, Publicity and Uniform; and has been an active participant in many Squad activities, including the Memorial Day Parade, Pancake Breakfast, and Installation Dinners; and*

***Whereas, Ms. Papafilipakis** recently completed 10 courses at the New Jersey First Aid Council Convention, and has been recertified as an E.M.T. by the National Registry; and*

***Whereas, the volunteer services** provided to the Borough of Hightstown by Erini Papafilipakis have helped to enhance the safety, well being and peace of mind of Borough residents, and we are grateful to her for her dedicated efforts; and*

***Whereas, Ms. Papafilipakis** has been chosen by her peers as 2005 E.M.T. of the Year, the third consecutive year in which she has received this honor;*

***Now, Therefore, Be It Proclaimed** by the Mayor and Council of the Borough of Hightstown that **Erini Papafilipakis** be recognized as **2005 E.M.T. of the Year**, and that she is hereby commended for her commitment, dedication and devoted service to the Borough of Hightstown and its residents as a volunteer E.M.T. with the Hightstown First Aid Squad.*

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<sup>1</sup> On file in the Borough Clerk's office.

## DONATIONS FROM VFW POST 5700

The Mayor then presented Ms. Papafilipakis and Terri Lidke with a check from VFW Post 5700 to the Hightstown First Aid Squad in the amount of \$1,000. Mayor Patten also presented Fire Chief John Archer with a \$1,000 check from the Post made payable to Hightstown Engine Co. No. 1. "Members of VFW Post 5700 have supported the United States through their wartime efforts," he said, "and now they are supporting our community."

## 2005 POLICEMAN OF THE YEAR – FRANK GENDRON

Mayor Patten read aloud and presented a proclamation to Officer Frank Gendron, Policeman of the Year for 2005.

### **2005 Policeman of the Year – Patrolman Frank Gendron**

*Whereas, **Frank Gendron** has served as a Patrolman with the Hightstown Police Department since being sworn in as a police officer on August 5, 1996, after serving the Borough for six years as a dispatcher; and*

*Whereas, Officer Gendron has assisted the Detective Bureau with many cases and has been detached and assigned to work with the Mercer County Prosecutor's office, Special Investigations Unit on matters of mutual concern; and*

*Whereas, Officer Gendron has attended 15 training seminars on a variety of subjects related to police work; and*

*Whereas, Officer Gendron has received two department commendations; the first for his work in a burglary investigation that resulted in several arrests and the recovery of more than \$20,000 in cash, and the second for assisting in the investigation of an attempt on a resident's life; and*

*Whereas, Officer Gendron received a Borough Proclamation for his part in rescuing the Wilton family from their burning home on Stockton Street, and the A.S.I.S. award for valor; and*

*Whereas, Officer Gendron assists each year with the "Toys for Kids" program, and works with Officer Down NJ, an organization that provides monetary assistance to deceased or permanently disabled police officers throughout New Jersey; and*

*Whereas, comments about Officer Gendron from his fellow officers include, "Excellent work ethic," "consistently led other officers in arrests and summonses," "positive attitude," "shows up ready to work," "the most proactive officer," and "carries out the mission of this department"; and*

*Whereas, Officer Gendron was chosen by his fellow officers as 2005 Policeman of the Year;*

*Now, Therefore, Be It Proclaimed by the Mayor and Council of the Borough of Hightstown that **Patrolman Frank Gendron** is hereby recognized as **2005 Policeman of the Year** and is commended for his bravery, professionalism, dedication to law enforcement and service to the Borough of Hightstown and its residents.*

Chief Eufemia joined Officer Gendron during the presentation, after which he presented Mr. Gendron with a plaque from the Knights of Columbus, whose representative was unable to attend this meeting.

## PRESENTATION

### REVISED MARKET STUDY REPORT – PETER SOCKLER

Peter Sockler noted that he recently presented to Council his analysis of the Borough's adopted Redevelopment Plan. What has since come to light, he said, is that the number of COAH units which would be required, as provided by COAH experts, needed to be revised. That has been done, and it changes the conclusions of the report somewhat. The number of units required under the Redevelopment Plan has been adjusted to nine out of the 80 residential units. All other assumptions are the same. With the revised number of COAH units, the Redevelopment Plan would result in a profit of about \$322,000 (roughly one percent).

In addition, Mr. Sockler said, his analysis has been revised with respect to the plan presented by Satish Mehta on behalf of Greystone. 10 COAH units had been included in that plan, and Mr. Sockler's analysis has now been revised to include 11, resulting in a profit to the developer of about \$1,540,000. He noted that the addendum to his report includes the Borough's adopted Redevelopment Plan and other Borough documents, as well as information obtained from the State. "We are not COAH experts," he said, "and we took the numbers given to us. The addendum will prove helpful."

Councilman Quattrone thanked Mr. Sockler for "a wonderful job." "It's all in black and white now," he said.

Councilman Thompson noted the value of this report "as a tool" and asked if the difference in price in Mr. Sockler's analysis of the 98-unit plan is due to the size of the units. Mr. Sockler said that this difference is consistent with the addition of 100 square feet and with Mr. Mehta's clarification regarding base pricing of the units (at \$275,000). Councilman Thompson stated that the \$79,000 sale price for the COAH units reflected in the analysis is "not accurate according to some." Mr. Sockler responded, saying that this price was derived from information provided by Mr. Gottesman and also by Rick Redding, who is a COAH expert and was involved with the Mt. Laurel lawsuit that prompted the legislation. \$79,000 is about the right price, he said, and noted that the addendum of his report includes information provided by Mr. Redding that confirms this. Councilman Thompson stated that there was a scenario previously prevented that stated that the sales price for COAH units would be determined based on income, in which case "we could see the average go twice as high," which would add to the profit. Mr. Sockler said that he has learned that the calculations are based on census and other demographic data, so the "swing would not be as dramatic" as that. There could be a difference of \$1,000 to \$2,000 per unit, he said, "but I don't think you'll see much of a swing either way."

Mayor Patten noted that COAH units sold must serve all income levels – they cannot all be sold at the high end. Councilmember Sikorski referred his fellow Councilmembers to page 22 of Mr. Sockler's final report, which provides supporting detail regarding COAH pricing. "That figure is quite accurate in the worst case scenario," he said. "It is also contingent upon how the selection process goes." He urged Council to study the report and formulate any questions they may have so that those could be addressed by Mr. Sockler at a future date.

Mr. Sockler noted that, in the report's addendum, 2005 income levels for COAH region 4 are detailed, along with the various sale prices. Councilman Thompson said, "the definitive answer on COAH won't happen tonight," and stated that if the sales price were higher than stated in the analysis, multiplying the difference in sales price by the number of units would indicate the incremental profit.

Mayor Patten noted that, when this report was prepared beginning in September 2005, it represented "a snapshot of conditions" at that time. He asked how those figures would project into the future, a month or three to six months from now. Mr. Sockler stated that cost information included in the report was based on November and December cost figures. Since then, construction costs have increased, especially steel and concrete costs. This project, he said, "is unique in comparison with other local residential projects." Some of the interior floors have to be demolished, he said. He added that developers typically borrow with short term interest rates in order to complete projects. Many times, they will self fund a project to get it underway. Those rates, also, have increased over the past six months, as have home mortgage interest rates. The net effect is that the cost of borrowing will be a little more, but, he said, his projection of the cost of funds is still accurate. However, the affordability index of residual housing units does decline when mortgage rates go up. Home borrowers then can't afford as much in price.

There were no further questions, and Mayor Patten thanked Mr. Sockler for his report.

## PUBLIC HEARING

### VERIZON APPLICATION FOR MUNICIPAL CONSENT TO OPERATE A CABLE TELEVISION SYSTEM IN THE BOROUGH OF HIGHTSTOWN

Edward Butz, Anna Lustenberg and Nicholas Holland, representatives of Verizon, were in attendance at this meeting to answer any additional questions from Council and the public regarding their application for municipal consent to operate a cable television system in the Borough. Following brief introductory remarks by Mr. Butz, Mayor Patten opened the floor for continuation of the public hearing on the application.

**Eugene Sarafin**, 600-628 South Main Street, said that he read an article in the *Windsor-Hights Herald* stating that Comcast gave \$75,000 to East Windsor Township, and asked why nothing like this was negotiated for Hightstown at the time that their franchise was renewed. He asked Council to approve Verizon's application, as "it would be wise to have competition."

**Curtis Crowell**, 152 Broad Street, Chair of the Borough's Cable Television Advisory Committee, reported that the Committee endorses Verizon's application, and read into the record their formal letter stating same<sup>2</sup>. He noted that the the four percent franchise fee that is being proposed at the State level is really a tax on residents. "It is in the best interest of residents," he said, "for Verizon to pay the lowest franchise fee." He added that some things in the media now indicate that this is a tax for services that residents won't receive, but that is not true.

**Torry Watkins**, 68 Meadow Drive, said that this is a "no-brainer," and that Council should approve the application.

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

### RESOLUTION 2006-85, A RESOLUTION GRANTING MUNICIPAL CONSENT TO VERIZON OF NEW JERSEY, INC., TO CONSTRUCT AND OPERATE A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF HIGHTSTOWN

Resolution 2006-85 was moved by Councilmember Quattrone and seconded by Councilmember Sikorski. Discussion ensued.

Mr. Raffetto noted that, if approved, Hightstown would be the first municipality in New Jersey to approve Verizon's application. Now that the public hearing has been closed, Council has 30 days to make a decision as to whether or not to grant consent, however, they may do so immediately. Once that is done, they will have 45 days to draft and negotiate an agreement in the form of an ordinance that must be submitted for approval to the Office of Cable Television at the Board of Public Utilities. That Ordinance will include the terms and conditions of the agreement. Mr. Raffetto added that he has received a draft Ordinance from Verizon as well as forms from the Board of Public Utilities.

Councilman Thompson asked if there was any downside to approving the application at this time. Mr. Raffetto said that, once consent is granted, it would be difficult to withdraw if terms can't be agreed upon; however, the process to date "has not been contentious," and he does not foresee any difficulty in drafting an agreement that is satisfactory to all.

Council President Schneider asked who would be determining the terms and conditions once approval is granted. Mr. Raffetto stated that he would work with the CATV Advisory Committee in their negotiations with Verizon. His fees, he said, would be covered under his retainer with the Borough, as we are not permitted to charge Verizon escrow in excess

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<sup>2</sup> The Committee's letter is on file with Verizon's application in the Borough Clerk's office.

of a \$50 fee per hearing. The draft agreement would come back to Council prior to submission to the BPU. It would not require formal action at that time, but Council will have the opportunity to review it.

The roll was then called for Resolution 2006-85.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

**RESOLUTION 2006-85                    A RESOLUTION GRANTING MUNICIPAL CONSENT TO VERIZON OF NEW JERSEY, INC., TO  
CONSTRUCT AND OPERATE A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF  
HIGHTSTOWN**

**WHEREAS**, the Borough Council of the Borough of Hightstown (the "Borough Council") has received and considered an application filed by Verizon of New Jersey, Inc. (the "Applicant") for municipal consent to construct and operate a cable television system within the Borough (the "Application"), which was filed on or about December 13, 2005; and

**WHEREAS**, the Borough Council and the Borough's Cable Television Advisory Committee (the "CATV Committee") have reviewed the Application in accordance with the municipal consent process set forth in N.J.S.A. 48:5A-22 to -29; and

**WHEREAS**, the Borough Council has held a public hearing on the Application, which was commenced on March 6, 2006 and concluded on March 20, 2006, and has received public comment on the Application in accordance with N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-11.6 to 11.8; and

**WHEREAS**, neither the presentation at the public hearing, nor any of the comments made by the public, presented any credible or valid reason to cause the Borough to deny the Application; and

**WHEREAS**, after evaluating the Application, the findings of the CATV Committee and the Applicant's responses to questions at the public hearing, the Borough Council has determined that the presence of an additional provider of cable television services within the Borough will provide the residents of the Borough with increased choice and may result in more competitive pricing, increased service quality and improved service offerings; and

**WHEREAS**, the Borough Council has further determined that such competition and choice in the provision of cable television services will have a positive impact on the Borough of Hightstown and its residents; and

**WHEREAS**, based upon its review of the Application and supporting materials and the Applicant's responses to questions posed by the Board of Public Utilities and those raised at the public hearing, the Borough Council is satisfied that the Applicant possesses the requisite legal, financial, and technical competency, and general fitness, to provide cable television services to the public, as required by N.J.S.A. 48:5A-27.

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

1. That the Mayor and Borough Council hereby grant municipal consent to the Applicant, Verizon of New Jersey Inc., to construct and operate a cable television system within the Borough of Hightstown. Such municipal consent shall be codified in the form of a municipal Ordinance, which shall be adopted in accordance with N.J.S.A. 48:5A-24.
2. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Verizon of New Jersey, Inc.
  - b. State of New Jersey Board of Public Utilities/Office of Cable Television  
(Attention: Nancy J. Wolf, Coordinator, State and Local Planning, South)
  - c. Hightstown Borough Cable Television Advisory Committee
  - d. Candace B. Gallagher, Borough Business Administrator/Clerk
  - e. Frederick C. Raffetto, Esq., Borough Attorney

## ENGINEER'S ITEMS

### RESOLUTION 2006-77, AUTHORIZING CHANGE ORDER NO. 1 AND FINAL TO CONTRACT WITH RAC GENERAL CONTRACTORS, INC. (BACKWASH WATER RECOVERY TANK PROJECT)

Following a brief review by Ms. Roberts, Resolution 2006-77 was moved by Councilmember Quattrone and seconded by Councilmember Sikorski. It was noted that the new backwash system will save the Borough in overtime costs.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

### RESOLUTION 2006-77 AUTHORIZING CHANGE ORDER NO. 1 AND FINAL TO CONTRACT WITH RAC GENERAL CONTRACTORS, INC. (BACKWASH WATER RECOVERY TANK PROJECT)

**WHEREAS** on October 7, 2003, the Borough of Hightstown awarded a contract for the backwash water recovery tank project to RAC General Contractors, Inc. of Southampton, New Jersey, in the total amount of \$424,950.00; and

**WHEREAS**, the Project Engineer has recommended that Change Order No. 1 and final to this contract be approved in the amount of \$11,500.00 as set forth on the attached documentation; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this change order;

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

1. Change Order #1 and Final to the contract with RAC General Contractors, Inc. for the Backwash Water Recovery Tank Project in the amount of Eleven Thousand Five Hundred (\$11,500.00) Dollars 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 contract price is Four Hundred and Thirty-Six Thousand Four Hundred and Fifty (\$436,450.00) Dollars.

### RESOLUTION 2006-78, AWARDING CONTRACT FOR GREENWAYS, PHASE II PROJECT

Following a brief review by Ms. Roberts, Resolution 2006-78 was moved by Council President Schneider and seconded by Councilmember Sikorski.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

### RESOLUTION 2006-78 AWARDING CONTRACT FOR GREENWAYS, PHASE II PROJECT

**WHEREAS**, four bids were received on March 16, 2006 for the Greenways, Phase II, project 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, Jonico, Inc. of Lambertville, NJ; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Jonico, Inc. 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 Greenways, Phase II, Project is hereby awarded to Jonico, Inc. of Lambertville, NJ in the amount of two hundred and one thousand five hundred thirty-three (\$201,533.00) Dollars.
2. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Jonico, 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 2006-79, AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND REDUCTION OF AMOUNTS REMAINING IN ESCROW – PEDDIE SCHOOL (LEE AND WALTER ANNENBERG SCIENCE CENTER)**

Following a brief review by Ms. Roberts, Resolution 2006-79 was moved by Councilmember Sikorski and seconded by Councilmember Rosenberg.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

**RESOLUTION 2006-79 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND REDUCTION OF AMOUNTS REMAINING IN ESCROW – PEDDIE SCHOOL (LEE AND WALTER ANNENBERG SCIENCE CENTER)**

**WHEREAS** the Peddie School has posted a performance guarantee and inspection escrow with the Borough for the their Lee and Walter Annenberg Science Center project as follows:

Cash portion of bond	\$17,249.07
Non-cash bond	\$155,242.00

; and

**WHEREAS** the Borough Engineer has inspected the projects and has recommended the release of the performance bond and reduction in the escrow funds to a balance of \$400.00, subject to receipt of a two-year maintenance guarantee in the amount of \$17,249.07;

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

1. The Borough Clerk is authorized and directed to release to the Peddie School the non-cash performance bond held relative to their Lee and Walter Annenberg Science Center project, as detailed herein.
2. The Treasurer is authorized and directed to release to the Peddie School the cash portion of the performance bond held relative to their Lee and Walter Annenberg Science Center project, in the amount of \$17,249.07.
3. The Treasurer is authorized and directed to release to the Peddie School all but \$400.00 of the amounts remaining in their escrow account for this project, subject to certifications from the Borough's professionals that all amounts due to them for this project have been fully paid.
4. Authorizations provided herein are subject to the posting by Peddie School of a two-year maintenance guarantee in the amount of \$17,249.07 in a form acceptable to the Borough Attorney.
5. A certified copy of this Resolution shall be provided to the following:
  - a. Charles Galbraith, Business Administrator, The Peddie School
  - b. Arlene O'Rourke, Treasurer
  - c. Debbie Bodine-Kolo, Planning Board Secretary
  - d. Carmela Roberts, Borough Engineer
  - f. Gary Rosensweig, Planning Board Attorney



## ORDINANCES

### PUBLIC HEARING AND FINAL READING: ORDINANCE 2006-03 (AS AMENDED AND REINTRODUCED), AN ORDINANCE PROHIBITING PARKING AT CERTAIN TIMES ALONG A PORTION OF ROGERS AVENUE IN THE BOROUGH OF HIGHTSTOWN, AND AMENDING SECTION 7-13.1 OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN* ACCORDINGLY

Following a brief review by Ms. Gallagher, Mayor Patten opened the public hearing on Ordinance 2006-03, as last revised and reintroduced.

**Torry Watkins**, 68 Meadow Drive, said that he and his family have successfully negotiated Rogers Avenue for 30 years, and he sees no reason to change things. "I don't understand why you'd want to create yet another speedway," he said, and urged Council to defeat the Ordinance.

**Eugene Sarafin**, 600-628 South Main Street, stated that parking on Rogers Avenue has been discussed for over 40 years, and he has heard both sides of the argument. He suggested that the Ordinance be adopted and, if it doesn't work, "get rid of it." He added that he would like to see curb cuts made there (as well as at a location on South Main Street) so that parking between houses would be possible.

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

Ordinance 2006-03 was moved for adoption by Councilmember Quattrone and seconded by Councilmember Sikorski. Discussion ensued.

Councilmember Harinxma stated that her major concern is that truck traffic on Rogers Avenue will increase if parking is prohibited there. She noted that she has heard that it may be possible to have that street de-designated by the County as a truck route. She has heard both sides of this argument, she said, and is "not sure what the answer is."

Councilman Thompson stated that he has been "swayed by public opinion" and recalled other conversations among Council regarding the traffic calming effect of parked cars. "I want to stay as friendly as possible for pedestrian traffic," he said, and expressed interest in the possibility of de-designating the truck route.

Councilman Quattrone stated that, "anytime the police department comes forward with a safety issue, it should be addressed." He expressed concern that the Borough may be liable if an accident were to occur as a result of a truck crossing into oncoming traffic to avoid parked cars. He commended Chief Eufemia for "doing his job, and watching out for the safety of the community and the traffic going through. That's what we need."

Council President Schneider stated that, while he is generally inclined to go along with the Chief's recommendations, there are several streets in Hightstown with this type of problem, and if we were to rectify all of them, it would significantly impact the speed of traffic. "I have the utmost respect for the Chief and his opinions," he said, "but I will vote against this Ordinance." He added that he may be willing to revisit this at some time in the future.

**Roll Call:** Councilmembers Harinxma, Rosenberg, Schneider and Thompson voted no. Councilmembers Quattrone and Sikorski voted yes.

**Ordinance DEFEATED, 4-2.**

## FINAL READING: ORDINANCE 2006-08,

### AMENDING CHAPTER 29, "SIGNS," OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*

Ms. Gallagher reviewed the provisions of Ordinance 2006-08 and noted that it has been reviewed by the Planning Board, which has recommended its adoption with one change to its language that would remove the words "a maximum of" with reference to the required size of the signs. Ms. Roberts explained that, in making this recommendation, the Planning Board felt that the size of sandwich board signs should be uniform, and that a sign less than 2' by 3' would create a tripping hazard.

Mr. Raffetto stated that this change would not be considered substantive, and that the Ordinance could be amended and adopted at this meeting. It was noted that the public hearing on this Ordinance has already been held and closed.

**Motion:** Motion was made by Councilmember Sikorski to amend Ordinance 2006-08 in accordance with the Planning Board's recommendation. The motion was seconded by Councilman Thompson, and a roll call vote was taken.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

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

Councilman Quattrone asked how the Borough would enforce bringing the signs in after closing hours. Chief Eufemia stated that, based on Council's wishes, officers could provide an initial warning, and "if it became a habit of forgetting," a summons could be issued.

Council President Schneider asked how the signs would be "securely held in place," as the Ordinance is not clear on that. Mr. Raffetto stated that some discretion would be given to the enforcement official in determining whether a sign is adequately secured. Mr. Schneider said that the affected merchants may not have a means to comply, and that this may be a requirement that can't be met.

Ordinance 2006-08 was moved for adoption, as amended, by Councilmember Thompson and seconded by Councilmember Quattrone. After brief further discussion, the roll was called.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Sikorski and Thompson voted yes. Council President Schneider voted no.

**Ordinance adopted, 5-1.**

### ORDINANCE 2006-08                      AMENDING CHAPTER 29, "SIGNS," OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*

**WHEREAS** the Hightstown Planning Board has recommended that the Borough's existing sign ordinance be amended to allow "sandwich board" signs in the Commercial and Highway Districts of the Borough; and

**WHEREAS** it is the desire of the Mayor and Council to so amend the ordinance;

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

Section 1. Chapter 29 of *The Revised General Ordinances of the Borough of Hightstown* is hereby amended as set forth below (additions **bold and underlined**, deletions in ~~strikeout text~~):

A. Paragraph B. of Section 29-3, "General Regulations," is amended as follows:

B. *Sign permit.* A permit shall be required for the installation and erection of all signs, unless exempted from such requirements under Section 29-6 of this chapter. Notwithstanding any other provision to the contrary, grand-opening signs shall require a fee of twenty-five dollars (\$25.00) for a sign permit. All other sign permit fees shall be in accordance with Section 12-2.5 and Section 29-22 of the Borough Code. Sign permits issued for portable signs, as defined in this Ordinance, shall be renewed yearly and may, after notice and hearing, be denied or revoked based on the permit holders' compliance with applicable Sign Ordinance requirements, or findings made pursuant to this Ordinance.

B. Paragraph L. of Section 29-5, "Prohibited Signs," is amended as follows:

L. Signs installed or painted on sidewalks, curbs and benches, except as permitted in Section 29-18.

C. Paragraph P. of Section 29-5, "Prohibited Signs," is amended as follows:

P. Signs which constitute a hazard to pedestrian or the traveling public by obstructing access, obstructing driving vision or by obstructing regulatory or directional signs or signals, or which may confuse or distract the attention of the operator of a motor vehicle, or otherwise constitute a safety hazard.

D. Paragraph J. of Section 29-18, "Commercial and Highway, Business and Industrial Zones – CC-1, CC-2, HC and I," is amended as follows:

J. *Portable Signs.* One sign may be erected per each street frontage. Each sign shall be not exceeding six square feet, three feet in height and two feet in width, and shall be permitted in the H-C, CC-1 and CC-2 Zones only. Such signs shall be limited to professionally manufactured type signs which may only be displayed during hours of operation and shall be removed promptly upon closing of business each day. All portable signs shall also be subject to Section 29-3B and Section 29-22, and shall be securely held in place on sidewalks consisting of a minimum of six (6) feet in width so as to permit a clear and safe passageway around the sign of at least four (4) feet. An Indemnification Agreement shall be executed between the permit holder and the Borough and an Insurance Certificate provided in an amount required by the Borough which shall name the Borough as an additional insured. This includes sandwich boards. They may only be displayed during the hours of operation.

Section 2. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. 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 that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section 4. This Ordinance shall take effect upon final passage and publication in accordance with the law.

## PUBLIC HEARING AND FINAL READING: ORDINANCE 2006-09,

### AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Following a brief review by Ms. Gallagher, Mayor Patten opened the public hearing on Ordinance 2006-09.

Eugene Sarafin, 600-628 South Main Street, stated that "bigger and better budgets" make him "proud to live here."

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

Ordinance 2006-09 was moved for adoption by Councilmember Sikorski and seconded by Councilmember Thompson.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

Ordinance adopted, 6-0.

**WHEREAS**, the Local Government Cap Law, *N.J.S. 40A: 4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, *N.J.S.A. 40A: 4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Mayor and Council of the Borough of Hightstown in the County of Mercer finds it advisable and necessary to increase its CY 2006 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$ 34,194.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2006 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$ 119,682.33, and that the CY 2006 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

## INTRODUCTION AND FIRST READING: ORDINANCE 2006-10,

### AN ORDINANCE OF THE BOROUGH OF HIGHTSTOWN PROVIDING FOR THE PROCEDURES FOR APPLICATION, APPROVAL AND ADMINISTRATION OF TAX EXEMPTION AND ABATEMENT AGREEMENTS

Mr. Raffetto reviewed the provisions of this Ordinance, which was drafted by the Borough's bond counsel. This is the first step in moving forward with redevelopment activities, he said, and establishes the procedures to be followed for tax abatements and exemptions. It does not approve any particular exemption. This ordinance references the five-year exemption and abatement law, he said.

Mr. Raffetto noted that he and Ms. Gallagher spoke with Kevin McManimon regarding the questions posed at the last meeting about the fees included in the Ordinance. He has advised us that these are *fees*, not escrow, and are intended to cover the Borough's cost in processing the application. Mr. McManimon felt that the fees were adequate, but could be doubled, and this Ordinance reflects that change. Increasing them to any greater extent, he said, would be arbitrary. Even though the Mill project is in excess of \$30 million, it would not be appropriate to multiply the fee for a \$5 million project by six, as the extent of the Borough's review would not be six times greater. Regarding the question of a fee waiver, Mr. McManimon suggested that, if this were requested, the developer would have to set forth a rationale before

approval was granted. It was discussed and generally agreed that approval of any waiver should take place prior to payment of the fee, and that Section 5, Paragraph (A) of the Ordinance should be revised to add the words "unless a waiver of said fee was previously approved by the Borough Council" at the end of its first sentence.

As the Ordinance was further studied, a few typographical errors became apparent, and Council generally agreed to delay introduction of the Ordinance until it has been more thoroughly reviewed.

## INTRODUCTION AND FIRST READING<sup>3</sup>: ORDINANCE 2006-11, AMENDING SECTION 19-2.7(A) OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN* REGARDING WATER AND SEWER CONNECTION FEES

Ms. Roberts reviewed the provisions of Ordinance 2006-11, noting that these fees are calculated using a statutory formula that is based on the Borough's bonded water-sewer indebtedness. During 2005, no new debt was incurred and some debt was retired; therefore, the fees will be slightly reduced.

Council President Schneider asked if fees could be recalculated more often than yearly. Ms. Roberts replied that the statute calls for an annual recalculation.

Ordinance 2006-11 was moved for introduction by Council President Schneider and seconded by Councilmember Thompson.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Ordinance introduced, 6-0.**

## RESOLUTIONS

### RESOLUTION 2006-80, INTRODUCING THE 2006 BUDGET

Ms. Gallagher provided handouts with charts and summary information regarding the Borough's 2006 budget. The budget to be introduced includes appropriations totaling \$5,275,503.78, and is \$11,846.24 under the cap imposed by the State. It carries a municipal tax rate of \$1.398, an increase of 27.3 cents over last year's rate of \$1.125. The budget as introduced does not anticipate any revenue Extraordinary Aid, which the Borough will be applying for. Any amount received would reduce the tax increase.

Ms. Gallagher pointed out that:

- Excluding First Aid expenses (which increased by \$139,000 in 2006 due to the need to contract for EMS services), the Borough's departmental operating appropriations, excluding salaries, have decreased in each of the last two years, going from \$644,930 in 2004 to \$618,725 in 2006. In addition, the Borough was able to reduce its cost for interlocal health services in 2006 by offering reciprocal services for public health nursing.

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<sup>3</sup> Clerk's note: This item was discussed earlier in the meeting, under "Engineer's Items," but is included here instead for the sake of continuity.

- Insurance costs, while increasing overall, were reduced in this year's current budget following the Administrator's in-depth analysis of the Borough's property and liability insurance policy. That policy, she said, relates primarily to the Borough's utility operations, sewer and water plants and water storage facilities. Consequently, that portion of insurance costs has been reallocated accordingly.
- Increases in this year's budget include the Borough's new \$139,000 appropriation for EMS services; statutory increases in pension costs; a provision for salary increases; an approximate \$70,000 increase in the amount of Public Works salaries charged to the current budget (the third year of a five-year program to gradually correct the allocation of these salaries); increases in fixed expenses and utilities; new costs for COAH planning and redevelopment planning; increases in debt service; an increase in the appropriation for the capital improvements; and an increase in the appropriation reserve for uncollected taxes.
- Current surplus available for use in 2006 totals \$567,000, an increase of \$261,000 from 2005. Contributing to that surplus are unexpended appropriations from 2004 and unanticipated revenues during 2005, including the sale of Borough-owned lots on Academy Street.

Ms. Gallagher also provided a handout showing the Borough's operating expenses (excluding salaries) broken down by the level of control that the Borough is able to exercise over those expenses.

- Controllable expenses have decreased in each of the past two years, from \$733,880 in 2004 to \$690,160 in 2006, an indicator of the Borough's strong commitment to reducing costs wherever possible without sacrificing services to the community.
- Costs over which the Borough has some impact but which are largely outside its control increased over the past two years by a total of \$167,700; however, included in that category is the new \$139,000 appropriation for EMS services. That expenses aside, these expenses grew by \$28,700 over two years. This category also includes capital improvements, utility costs and garbage collection contracts.
- Uncontrollable costs increased over the past two years by \$308,790<sup>4</sup>. Included in this category are insurance costs, pensions, social security, certain interlocal agreements, deferred charges, reserve for uncollected taxes, debt service and the appropriation entitled "Community Services Act," which represents amounts paid to apartment and condominium complexes in lieu of services not provided by the Borough.
- The percentage of operating costs that are under the Borough's control has steadily declined, as we continue to keep controllable costs in check while those beyond our control spiral upward. In 2004, the Borough exercised control over 35% of its operating expenses (excluding salaries). In 2006 that figure is 27%.

Councilmember Rosenberg stated that he joined Council feeling optimistic about being able to keep this year's taxes in check, "but I was wrong....Over the past few weeks, we've had many discussions about cost savings. If there were any more cuts to this budget, we would be cutting valuable services that our residents count on." He concluded that our town "may be unsustainable," and challenged Council to "formulate creative strategies to cut costs and help the town run

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<sup>4</sup> Figure updated post-meeting to include debt service.

efficiently." He added that the Borough must have discussions about regionalizing municipal services in the same way that we have a regionalized school district.

Councilman Quattrone commended the Borough's newest Council members for their participation in the budget process, which he called "walking into a hot seat." He said that he has attended seven "difficult" budget meetings and "it's hard to find anything inside this budget that we can work on." However, he added, "one doesn't have to look too far to find a way to lower taxes. In a town of 5,000 people," he said, "I can't believe we can't find 20 people to serve on our First Aid Squad. That would reduce this budget by \$140,000." Mr. Quattrone said that he has been working with the Squad for two years, and "we can save more money with volunteers than I can by beating this budget up." He challenged one percent of our community to volunteer their services with the Squad. "The more volunteers we have," he said, "the less time is required of each." Councilman Quattrone went on to note that if residents were to recycle more and "use common sense with leaves and compost," it would make a significant difference in the budget as well.

Councilmember Sikorski said that he shares the frustration of his fellow Council members regarding the budget and projected tax increase. He read aloud an editorial from that Sunday's *Trenton Times* entitled "High Taxes vs. Home Rule," which, he said, explains the plight we are in. Mr. Sikorski stated that he will vote to approve introduction of this budget, but added that "we can't wait for help at the State level. We need to take action right away. It is time to explore regionalization of police services." He said that this is not meant as a criticism of our police department, which he feels is "doing a commendable job," but "a way must be found to balance the services our citizens require with the legitimate concerns of taxpayers." He suggested that the Mayor and another member of Council meet with other communities to explore the topic of regionalization of police services, and would like for Council to pass "some kind of Resolution authorizing the Mayor to do this. I know he has done some of that, but it is time to be proactive."

"You don't need a Resolution to have me go out and fight for Hightstown," the Mayor said. "Nothing stops you from doing what I did when I sat on Council. You can go out and create your own initiatives and bring them back to us. The town will be better for it."

Councilmember Rosenberg stated that this should be a "concerted effort with the Mayor and Council" as that would show more solidarity. Mr. Sikorski responded, saying that the Mayor "is the logical person to go. Although you might have informal discussions, the role of the Mayor is to be the leader."

Mayor Patten said, "I have done that, and I have represented the town quite well." "We're all in agreement," he added. "Very few towns can say that they are sovereign and able to live on their own." He urged Council members not to give up, not to "start throwing stones," and to work together without thoughts of politics. "We're all here working together for the good of the town," he said.

Councilman Thompson said, "we have discussed a lot of different ideas, and I've been disappointed when we've gotten into arguing over ideas....There have been good ideas, but they haven't been executed." He added that the Borough can find "real economies of scale," which would not mean "just getting absorbed into a donut community." We could have other towns under the Police Chief's leadership, he said, and added that he hopes that when we talk of consolidation we will not be seeking only to be absorbed into another community. Councilman Thompson went on to say that "this Borough is not sustainable without steep year after year tax increases. We won't survive and maintain services without that. Maybe that's okay," he said. "Maybe we need a ballot referendum to ask the people if they would prefer to retain services and see yearly tax increases or to look at other options."

Councilmember Harinxma agreed with Councilman Thompson's point that the Borough would not need to be absorbed into another community. "Hightstown is unique," she said. "If we are creative and try to explore some other options, maybe we'll come up with some ideas....I'd hate to see us lose our individuality and character. Creativity will be the key."

She agreed that regionalization should be explored, and said "there won't be many other options unless people want to keep seeing tax increases on a large scale."

Mayor Patten stated, "we're being overshadowed by school taxes," noting that municipal taxes make up just 21 percent of the total tax rate. "We are just one piece of that pie," he said.

Councilman Quattrone said, "I believe there is a light at the end of the tunnel," noting that the Minute Maid property, Enchantment, and the Mill are yet to be developed. "We are a beautiful community," he said, "and I like it here. I don't want to be negative. By the time the Mill is ironed out and done properly, it will be a huge benefit. Enchantment is nice to look at – I'm proud it's there. The same can happen at Coke. It will change our tax base....we are very close. The people I've talked to like having our own police and having their garbage picked up. I want to keep plugging and do what we have to do."

Resolution 2006-80 was then moved by Councilmember Thompson and seconded by Councilmember Harinxma.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

It was noted that the public hearing on the introduced budget would be held on May 1, 2006.

**RESOLUTION 2006-80                    INTRODUCING THE 2006 BUDGET**  
*(included at end of these 3/20/06 minutes)*

#### **RESOLUTION 2006-81, AUTHORIZING PROCUREMENT OF PROPOSALS FOR COMPETITIVE PRICING FOR ALTERNATIVE ENERGY**

Following a brief review by Ms. Gallagher and Councilmember Rosenberg, Resolution 2006-81 was moved by Councilmember Sikorski and seconded by Councilmember Quattrone.

Councilman Quattrone noted that January's electric bill for the pump station was nearly \$5,000, and this program would guarantee a 10% savings. "It's a great opportunity to see how this works, at no cost to the Borough," he said. If we were doing this at the Wastewater Treatment Plant as well, he said, we could be saving \$1,000 per month.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

**Resolution adopted, 6-0.**

#### **RESOLUTION 2006-81                    AUTHORIZING PROCUREMENT OF PROPOSALS FOR COMPETITIVE PRICING FOR ALTERNATIVE ENERGY**

**WHEREAS**, the Borough of Hightstown seeks to mitigate the rising cost of energy for the operation of Borough owned facilities;  
and

**WHEREAS**, State and Federal programs allow for cost-effective purchase of alternative power sources such as solar, wind and bio-based fuels; and

**WHEREAS**, these alternative energy sources can provide cost-savings, improved public health and insulation from energy price increases; and

**WHEREAS**, the use of these alternative energy sources contributes positively to the local economy and to energy independence from imported fuels; and



**WHEREAS**, as part of its endorsement on March 6, 2006, of the U.S. Mayors Climate Protection Agreement, the Borough Council pledged to "increase the use of clean, alternative energy";

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Administrator and Borough Attorney are hereby authorized and directed to develop and issue a Request for Proposals to obtain competitive pricing for alternative energy sources to power Borough-owned facilities and operations.

## CONSENT AGENDA

**Resolutions 2006-82 and 2006-83** were moved by Councilmember Sikorski and seconded by Council President Schneider.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Schneider, Sikorski and Thompson voted yes.

### **RESOLUTION 2006-82                    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	174,601.00	242,607.00	417,208.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	127,207.00	127,207.00
Water/Sewer	50,562.80	95,283.26	145,846.06
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	591,550.00	591,550.00
<b>TOTAL</b>	225,163.80	1,056,647.26	<b>1,281,811.06</b>

**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<sup>5</sup>.
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.

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<sup>5</sup> See end of these 3/20/06 minutes.

**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 **\$984,413.01** from the following accounts:

Current	\$ 874,989.48
W/S Operating	102,783.64
W/S Capital	206.47
Animal Control Account	557.09
Trust	1,703.95
Grant	1,532.50
Escrow-Subdivision & Site Plan (First Washington Bank)	2,639.88
<b>Total</b>	<b><u>\$984,413.01</u></b>

## UNFINISHED BUSINESS

### RECEIPT OF PROPOSALS FOR MILL REDEVELOPMENT

Ms. Gallagher reported that the Borough received just one proposal in response to the Request for Proposals which was issued. That response was from Dranoff Properties of Philadelphia, which proposes a mix of residential, retail and office space to include 135 condominiums (with an average size of 1,033 square feet and a parking ratio of 1.7:1) and 8 townhouses facing Bank Street (with an average size of 2,250 square feet) – a total of 143 residential units. The proposal also includes new construction of a 15,000 square foot municipal building, demolition of the existing building, and replacement of that building with new construction consisting of a 24,000 square foot restaurant on the first floor and condominiums on the second and third floors. Regarding affordable housing, their proposal states, "Dranoff Properties respects the need for affordable housing in Hightstown and will work with the Borough to deliver such a product pending further market analysis and due diligence of the subject property." It does not appear, she said, that the proposal as submitted includes COAH units at this time.

Councilmember Harinxma asked if any proposals would be received after this date (which was the stated deadline). Mr. Raffetto stated that, unless the Borough were to take formal action, anyone submitting a proposal now would be too late for consideration.

## NEW BUSINESS

### REGIONALIZATION OF POLICE SERVICES

Councilmember Sikorski reiterated his request to adopt a Resolution authorizing the Mayor and one member of Council to approach neighboring communities to discuss regionalization of police services. In so doing, he moved a verbal Resolution to that effect, which would be numbered as Resolution 2006-86. Councilmember Rosenberg seconded his motion, but said that he would prefer the entire Council to act in this regard, rather than just the Mayor and one member.

Mayor Patten asked how that would be possible under the Open Public Meetings Act. Mr. Raffetto confirmed that it is not possible for Council to have group discussions outside of that realm. After some discussion, it was clarified that what is

sought here is full sharing of information with the rest of Council. Councilmember Sikorski noted that "this process may take more years than I have devoted to the Mill project."

Mayor Patten stated that doing something with another municipality becomes a negotiation, and discussions would need to be held in executive session. In addition, he said, the other party may not *want* it discussed publicly. Mr. Raffetto noted that the appointed subcommittee can make a report to council in executive session regarding any contract negotiations.

Mayor Patten stated that the two Princetons spent over \$100,000 and in the end did not consolidate. He noted that negotiations such as these will be sensitive, and confidentiality is important. He said that he would choose the Council member that would accompany him, and there were no objections to this. The motion was restated, and a roll call vote was taken.

**Roll Call:** Councilmembers Harinxma, Quattrone, Rosenberg, Sikorski and Thompson voted yes. Council President Schneider was absent, having left the meeting prior to this vote.

**Resolution adopted, 5-0-1.**

**RESOLUTION 2006-86                      AUTHORIZING MAYOR AND COUNCILMEMBER TO INVESTIGATE REGIONALIZATION OF POLICE SERVICES**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Mayor Robert Patten and a Council member of his choosing are hereby authorized to investigate the possibility of regionalization of police services with Hightstown's neighboring communities.

## **PUBLIC COMMENT II**

Mayor Patten opened the floor for public comment.

**Susan Bottino**, 124 Center Street, said that she would like to obtain a copy of the final report presented by Mr. Sockler that evening. "Whenever he talks of COAH," she said, "he talks of the worst case scenario." She said that she would like to know what the range of COAH prices would be, and added that pricing is based on income and not demographics. "Several experts have told me that \$79,000 is not reasonable," she said, and added that she would like to see this report used "as a tool only," suggesting that the Borough have a COAH expert come in and speak to that part of plan. Ms. Bottino added that interest rates are going up for housing as well as for construction, yet there was a third quarter "double digit increase" in home sale prices. Lastly, Ms. Bottino said that it is "ironic" that on the same night that Council introduces a budget with a 27 cent tax increase, it also discusses tax abatements and exemptions and fee waivers. "It seems overly generous," she said.

**Annie High**, 112 Clinton Street, requested the Borough's assistance with a problem she is having with her landlord, who has not been available to receive her rent payment. Ms. High was directed to speak with the Borough Administrator following the meeting, and Mr. Raffetto can provide information regarding tenant advocacy.

**Torry Watkins**, 68 Meadow Drive, commended the Mayor and Council for their discussion of "very politically sensitive matters pertaining to the budget and consolidation of services." He said that he had never heard so much time devoted publicly to that topic, and that the Borough is "on the right track." He said that he approves of the Resolution just adopted, and added, "While I appreciate Larry's optimism, you should make sure that the light at the end of the tunnel is not a train." While new development will provide revenues, he said, they will also bring costs in terms of services to be provided. Mr. Watkins also commented that, although the School District does "sop up the lion's share of taxes," on a per student basis, East Windsor Regional School District is in the middle of the frequency distribution in terms of

expenditures per student. In that sense, he said, they are sustainable. However, he added, Hightstown residents are paying a premium per capita for its services as compared to other towns, making it "unsustainable."

**Eugene Sarafin**, 600-628 South Main Street, said that he is "tired of lies," and that the *Windsor-Hights Herald* survey about police services will "divide the community." "There is no light at the end of the tunnel," he said, and added that the Resolution to authorize the Mayor to investigate regionalization of police services was "brilliant" and "gives citizens some hope." He said that he "doesn't see us losing our identity," and that he would like to maintain our Public Works department.

**Kathy Patten**, 135 South Street, asked why no one is "enraged at the State and the condition we're in." "Why is it fair," she asked, "for Princeton to have a tax rate half ours and allow their children to have luxuries we can't afford for ours? Something is terribly wrong with the way we're funding education and forcing towns like ours to cut to the bone and then some. Why not turn to the State leaders and hold them accountable?"

No one else came forward and the floor was closed.

## EXECUTIVE SESSION

The Borough Clerk read aloud Resolution 2006-84, authorizing a closed session for the purpose of discussing contract negotiations. The Resolution was moved by Councilmember Sikorski and seconded by Councilmember Thompson.

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

**Resolution adopted, 5-0-1.**

### RESOLUTION 2006-84      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 March 20, 2006 at approximately 10:05 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 – Professional Planning 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: June 20, 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 into open session, adjournment was moved by Councilman Thompson, seconded by Councilmember Sikorski and unanimously approved. The meeting was adjourned at 10:13 p.m..

Respectfully submitted,

Candace B. Gallagher, RMC  
Borough Clerk