

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

The flag salute was followed by the roll call.

## ROLL CALL

	PRESENT	ABSENT
<i>Mayor Patten</i>	✓	
<i>Councilmember Harinxma</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Rosenberg</i>	✓	
<i>Councilmember Schneider</i>	ARRIVED FOLLOWING ROLL CALL	
<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

Deleted from the agenda and postponed to a later date was Resolution 2006-212, accepting utilities from Enchantment at Hightstown. The agenda was moved as amended by Councilmember Sikorski, seconded by Councilmember Rosenberg and approved by all.

## APPROVAL OF MINUTES

Ms. Gallagher noted the correction of a minor typographical error in the minutes of the September 18, 2006 open session meeting. Those minutes, along with the minutes of the closed session meeting held on the same date, were then moved by Councilmember Rosenberg, seconded by Councilmember Sikorski and unanimously approved.

Councilman Sikorski commended Ms. Gallagher for the quality of those minutes.

## PRESENTATION

### SALE OF PAVERS FOR FOUNTAIN AREA - *CATHY SIMMONS, GHEWIP*

Cathy Simmons of the Greater Hightstown East Windsor Improvement Project addressed the governing body regarding the group's plan to sell paver stones in order to raise funds for the fountain project. She brought along samples of the pavers, and said that, with Council's permission, they will begin selling the bricks at the Community Fair on the coming weekend. They would like to sell at least 500 pavers she said, and may have 600 spaces available. They would be installed in the area of the fountain by our Public Works department. Ms. Simmons said that she would coordinate all aspects of this project. The pavers would be sold for \$75 each, generating at least \$25,000 in revenue.

Mayor Patten asked if the final cost of the fountain has been determined. Ms. Simmons replied that it has not, and it will depend on the piece of limestone that we get. She noted that there will be an additional expense to place footings beneath the fountain, which had not previously been anticipated. It was noted that donations to the project are welcome.

***Motion:*** Councilmember Quattrone moved that GHEWIP's paver project be endorsed by Council. His motion was seconded by Councilman Thompson and unanimously approved.

Councilman Quattrone thanked GHEWIP, saying they have "come forward and shined again. Never has a group done so much for us," he said, and his comments were echoed by Councilman Thompson.

## PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

**Nancy Walker Laudenberg**, 632 South Main Street, encouraged Council to adopt Ordinance 2006-19, and also noted that the Community Fair would be held on the coming weekend. This year, she said, the Committee has partnered with the Parks and Recreation Commission and established a relationship with Mt. Olive Township, who will be providing pedal boats for the event. Committee members, she said, include residents of both Hightstown and East Windsor.

**Fire Chief John Archer**, 131 Bennett Place, presented a check to the Borough in the amount of \$5,000.00, representing a donation from Peddie School toward the new fire truck.

**Eugene Sarafin**, 600-628 South Main Street, stood silently at the podium for a minute or two, then said that he had no comment.

**J. P. Gibbons**, 602 North Main Street, stated that "a number of people are very happy with the active nature of Council and the way it is challenging itself."

No one else came forward and the floor was closed.

## ENGINEER'S ITEMS

### RESOLUTION 2006-208, AUTHORIZING PAYMENT NO. 2 AND FINAL – S. BROTHERS, INC. (WILSON AVENUE ROADWAY IMPROVEMENTS)

Following a brief review by Ms. Roberts, Resolution 2006-208 was moved by Councilman Quattrone and seconded by Councilmember Sikorski.

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

**Resolution adopted, 5-0.**

**RESOLUTION 2006-208      AUTHORIZING PAYMENT NO. 2 AND FINAL – S. BROTHERS, INC.  
(WILSON AVENUE ROADWAY IMPROVEMENTS – R&R FILE NO. H1731)**

**WHEREAS**, on June 5, 2006 the Borough Council awarded a contract for Wilson Avenue roadway improvements to S. Brothers General Contractors, Inc. of South River, New Jersey in the total amount of Fifty Thousand Two Hundred (\$50,200.00) Dollars; and

**WHEREAS** the Council subsequently approved Change Order No. 1 and Final to this contract in the net amount of \$9,987.12, bringing the total contract amount to Sixty Thousand One Hundred and Eighty-Seven Dollars and Twelve Cents (\$60,187.12); and

**WHEREAS**, the contractor has submitted Payment Request No. 2 and Final in the amount of \$1,203.74, along with the required maintenance bond and other closeout documents; and

**WHEREAS**, the Borough Engineer has recommended that 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. Payment No. 2 and Final to S. Brothers General Contractors, Inc. in the amount of \$1,203.74 is hereby approved, and the Borough Treasurer is authorized to issue same.
2. The Wilson Avenue Improvements project is hereby accepted.
3. The Borough Clerk is authorized and directed to release the Contractor's performance guarantee in the amount of \$50,200.00.

**RESOLUTION 2006-209, AUTHORIZING CHANGE ORDER NO. 3 AND PAYMENT NO. 4 – JONICO, INC.  
(GREENWAYS, PHASE II PROJECT)**

Ms. Roberts reviewed the provisions of Resolution 2006-209, noting that work is nearly complete. This change order, she said, includes additional sidewalk and handicap ramp work that was requested by NJDOT. There will be one final change order, she said, and the project can be closed out following approval by the Mercer County Soil Conservation District.

Resolution 2006-209 was moved by Councilmember Sikorski, seconded by Councilmember Harinxma. Following brief further discussion, the roll was called.

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

**Resolution adopted, 6-0.**

**RESOLUTION 2006-209      AUTHORIZING CHANGE ORDER NO. 3 AND PAYMENT NO. 4 – JONICO, INC.  
(GREENWAYS, PHASE II PROJECT)**

**WHEREAS**, on March 20, 2006 the Borough Council awarded a contract for the 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**, Change Orders No. 1 and No. 2 to this contract in the cumulative amount of \$28,928.22 have been subsequently approved by Council, bringing the total contract price to Two Hundred and Thirty Thousand Four Hundred Sixty-One Dollars and Twenty-Two Cents (\$230,461.22); and

**WHEREAS** the contractor has submitted Change Order No. 3 to this contract in the net amount of \$1,939.69, as detailed on the attached listings; and

**WHEREAS**, the contractor has also submitted Payment Request No. 4 for work done in the total amount of \$29,210.62, together with the required certified payrolls; and

**WHEREAS**, the Borough Engineer has recommended approval of Change Order No. 3 and Payment Request No. 4; and

**WHEREAS** the Chief Financial Officer has certified that funds are available for the additional expenditure represented by Change Order No. 3;

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

1. Change Order No. 3 to the contract with Jonico, Inc. of Lambertville, New Jersey, in the net amount of \$1,939.69 is hereby approved, and the Mayor is authorized to execute same.
2. By virtue of the approval of Change Order No. 3, the revised contract price is Two Hundred and Thirty Two Thousand Four Hundred Dollars and Ninety One Cents (\$232,400.91).
3. Payment Request No. 4 by Jonico, Inc. in the amount of \$29,210.62 is hereby approved, and the Treasurer is authorized to issue same.

## **RESOLUTION 2006-210, AUTHORIZING RECEIPT OF BIDS – SLUDGE REMOVAL/TRANSPORTATION AND VARIOUS CHEMICALS**

Following a brief review by Ms. Roberts, Resolution 2006-210 was moved by Councilman Quattrone and seconded by Councilmember Sikorski.

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

**Resolution adopted, 6-0.**

### **RESOLUTION 2006-210      AUTHORIZING RECEIPT OF BIDS – SLUDGE REMOVAL/TRANSPORTATION AND VARIOUS CHEMICALS**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that advertisement for and receipt of bids by the Borough of Hightstown for the following is hereby authorized, and that the Borough Engineer is authorized and directed to prepare bid specifications for same:

Removal and Transportation of Liquid Sludge, Advanced Wastewater Treatment Plant  
Various Chemicals for Use at the Advanced Wastewater Treatment Plant and Water Treatment Plant

## **RESOLUTION 2006-211, AUTHORIZING SCADA SYSTEM PROGRAMMING AND HMI SCREEN DEVELOPMENT AT ADVANCED WASTEWATER TREATMENT PLANT**

Ms. Roberts reviewed the provisions of Resolution 2006-211, and explained the workings of the computerized SCADA alarm system at the Borough's wastewater treatment plant. The Resolution was moved by Councilmember Sikorski and seconded by Councilmember Thompson.

Councilman Quattrone asked how this would be funded. Ms. Gallagher stated that funding for this expenditure is available in a previously adopted bond ordinance. Council President Schneider asked how NJDEP monitors chemical levels of the type that will be monitored by this system. Ms. Roberts said that the Plant Superintendent is obligated to report any test he takes at that plant if the results do not fall within our NJPDES permit limits. Mayor Patten noted that Mr. Searing completes a Discharge Monitoring Report each month which the Mayor signs. Mr. Schneider asked if the

system, when complete, will allow the Borough to eliminate manual testing. "Yes," Ms. Roberts replied, and added that it will also ensure that we are aware of any problem before the permit limits are exceeded.

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

**Resolution adopted, 6-0.**

**RESOLUTION 2006-211      AUTHORIZING SCADA SYSTEM PROGRAMMING AND HMI SCREEN DEVELOPMENT AT  
ADVANCED WASTEWATER TREATMENT PLANT**

**WHEREAS**, there exists the need for specialized engineering services with regard to the automated SCADA alarm system recently installed at the Borough's Advanced Wastewater Treatment Plant; and

**WHEREAS** such services include SCADA system programming and HMI screen development; and

**WHEREAS** the Plant Superintendent has solicited competitive quotations for this equipment, and has recommended its purchase from the firm submitting the lowest price, Morehouse Engineering, Inc. of Hopewell, New Jersey, for a total cost not to exceed \$16,456.00, as detailed on their quotation dated September 13, 2006, which quotation is attached hereto and made a part hereof; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the purchase of specialized engineering services relative to the Borough's automated SCADA alarm system as outlined herein, for a total price not to exceed \$16,456.00 is hereby approved.

## **ORDINANCES**

**PUBLIC HEARING AND FINAL READING: ORDINANCE 2006-19, AN ORDINANCE AMENDING THE  
BOROUGH'S REDEVELOPMENT PLAN, AS ADOPTED BY ORDINANCE 2004-20 ON  
SEPTEMBER 7, 2004, RELATING TO SUB-AREA I (BANK STREET) WITHIN THE BOROUGH OF  
HIGHTSTOWN**

Following a brief review by the Borough Attorney, Mayor Patten opened the public hearing on Ordinance 2006-19.

**Eugene Sarafin**, 600-628 South Main Street, said that he was pleased that the revised Plan includes the provision that parking garages and decks would be permitted. "Well done," he said. "It's hard to understand why it took three years and \$200,000."

**Steve Misiura** (Planning Board Chair), 352 South Main Street, expressed support for Ordinance 2006-19, including the change made by Council to lower the minimum number of units to 80, and said that he would "like to see it cross the finish line" at this meeting.

**J. P. Gibbons**, 602 North Main Street, said that he was not at the last Council meeting, and had several questions:

- He asked how the Borough could proceed with redevelopment in Block 33 when some of the properties affected are listed as properties of unknown ownership. Mr. Raffetto stated that this would have to be addressed during the redevelopment process.
- He asked how much of the 35,000 square feet of non-residential space would be for the municipal building, and said that this 35,000 square feet should be better defined.

- He was pleased that the plan excludes the Historical Society and the firehouse, and noted that the Borough had previously discussed a cost of \$1.5 million to renovate the police department, but there was no discussion about where the police department would fit into this Plan.

Mr. Raffetto stated that there was a lengthy discussion at the previous meeting regarding the makeup of the 35,000 square feet of non-residential space, and Council determined to follow the Planning Board's recommendation in this regard. The specifics of this, he said, would be worked out during the site plan application and negotiations for the redeveloper's agreement. Final review and approval will be before the Planning Board, he said, as these are site plan issues.

Regarding Borough Hall, Mr. Raffetto stated that this was also discussed at length at the prior meeting, and Council opted not to remove it from the Plan altogether. The Planning Board, he said, had recommended that it be affirmatively made a part of the Plan, and that the language in the original plan be maintained. That language includes three options, and any or all would have to be approved by the governing body before the project is finalized. The location of the police department would be discussed during negotiations for the redevelopers' agreement, after further review of what the Borough's needs will be. Mayor Patten noted that there are still "a lot of unknowns," and noted that any conceptual plans presented are separate from the Redevelopment Plan and not a part of this.

Mr. Gibbons stated that he is concerned that the Borough went from being *too* specific to not being specific *enough*. "Taxes are pretty high," he said, "and we don't want to end up saddled with the cost of a new Borough Hall down the road." It should be understood by Council, he said, that they are "putting the parameters together and reserving for future Councils what the makeup, design and implementation of the schematic will actually be. If you're comfortable with that ... fine. I don't think requesting specifics is in any way counterproductive."

Mr. Gibbons asked for clarification of the changes made to the Plan, and Mr. Raffetto reviewed those changes. Mr. Gibbons asked if the traffic and environmental impact studies will form the project, and Mr. Raffetto stated that they would. "Fantastic," Mr. Gibbons said.

**Mr. Sarafin** spoke again to ask what the next step in this process will be. Mr. Raffetto stated that the Borough would now proceed to approve a Redeveloper's Agreement, and the Planning Board would need to approve the site plan. The Redevelopment Agency (Borough Council) has the say in crafting the plan and the Redeveloper's Agreement, and the Planning Board will approve the site plan if it is consistent with the Plan. Council also controls the issue of tax exemption or abatement, he said, and oversees the project to ensure that the Redeveloper's Agreement is complied with. A draft of that document, he said, was previously compiled by the Borough's professionals, and now that we are moving forward it will be revisited once a redeveloper is selected.

No one else came forward and the floor was closed. Discussion ensued.

Councilman Thompson stated that comments from the public were "very good," and asked what is next. Mr. Raffetto stated that the next order of business will be to identify a redeveloper. "This is a decision to be made by Council," he said. "You have had certain interested developers who have come forward in the past. One issue that weighs heavily in favor of one of them is that Greystone is now the record owner of the property." Once the Redevelopment Plan is adopted, he said, the rules of the game will be established, and Council can then move forward with the process of identifying who the players will be. He noted that Council has the option of issuing another RFP. That, he said, would take longer and incur additional costs and expenses, "but it is a policy call."

At this time, Councilmember Sikorski moved the adoption of Ordinance 2006-19, and his motion was seconded by Councilmember Quattrone. Discussion continued.

Councilmember Sikorski stated that he has served on the Redevelopment Committee for many years and has seen firsthand the complexity of this project. "I feel we have been expeditious," he said, "when considering the many dimensions to it. ... The people are now ready for this project to proceed." He recommended that this Ordinance be adopted.

Councilman Quattrone said that he would vote to approve this ordinance. "The time has come," he said. "This has not been done hastily, and it is what Hightstown needs."

Councilmember Harinxma stated that she will also vote yes in order to help the process move forward, and added that she still feels that a minimum square footage of retail space should have been specified in order to decrease the possibility that retail space will be significantly reduced or eliminated. "I hope that will be considered during the final planning stage," she said.

Councilman Thompson stated that this is the "beginning and not the end of this process," and that it "has become more open and collaborative." He noted that there has been "a perception of divisiveness" during the past two weeks, and that he hopes "that the process will continue to be open and collaborative as we move forward."

Mayor Patten stated, "The process does work, and it does take time. We need patience and openness. We've had that, and *will* have it."

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

**Ordinance adopted, 6-0.**

The adoption of this Ordinance was met by applause from those in attendance.

**ORDINANCE 2006-19                    AN ORDINANCE AMENDING THE BOROUGH'S REDEVELOPMENT PLAN, AS ADOPTED BY  
ORDINANCE NO. 2004-20 ON SEPTEMBER 7, 2004, RELATING TO SUB-AREA I (BANK  
STREET) WITHIN THE BOROUGH OF HIGHTSTOWN**

**WHEREAS**, on September 7, 2004, the Hightstown Borough Council adopted Ordinance No. 2004-20, which approved and adopted a Redevelopment Plan (also referenced as the "Plan") for the Borough of Hightstown, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"); and

**WHEREAS**, the Plan divided the Redevelopment Area of the Borough into three (3) distinct Sub-Areas; and

**WHEREAS**, the Sub-Areas include the following: Sub-Area I (Bank Street); Sub-Area II (South Academy Street); and Sub-Area III (Route 33); and

**WHEREAS**, though the Plan identified these three (3) Sub-Areas as Redevelopment Areas within the Borough, the Plan only created design criteria relating to Sub-Area I (Bank Street), with the understanding that the Borough Council would adopt additional measures in the future to establish design criteria relative to Sub-Areas II and III; and

**WHEREAS**, subsequent to the adoption of Ordinance No. 2004-20, the Borough has been diligently reviewing design criteria relating to Sub-Area I (Bank Street), in an effort to ensure that the proposed redevelopment of this area is most beneficial to the Borough as well as feasible for proposed redevelopers; and

**WHEREAS**, on April 17, 2006, and pursuant to N.J.S.A. 40A:12A-7(f), the Borough Council directed the Planning Board to review the existing Redevelopment Plan in order to determine whether said Plan should be revised in any respects; and

**WHEREAS**, since receipt of this referral, the Planning Board has been engaged in a detailed review of the existing Redevelopment Plan; and

**WHEREAS**, following this review, the Planning Board has transmitted its proposed revised Plan (which includes certain amendments that the Planning Board has deemed appropriate) to the Borough Council for appropriate action under the Act; and

**WHEREAS**, the Borough Council has reviewed the proposed amendments submitted by the Planning Board, and wishes to approve and adopt the attached revised Redevelopment Plan which incorporates said amendments and further revisions by Council; and

**WHEREAS**, a copy of the revised Redevelopment Plan, as revised and approved by the Planning Board on July 31, 2006, and as further revised by Council, is attached hereto and made a part hereof.

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

1. That the Borough Council hereby approves and adopts the attached amended Redevelopment Plan, as revised and approved by the Planning Board on July 31, 2006, and as further revised by Council, as the official Redevelopment Plan of the Borough.
2. That the attached Redevelopment Plan shall supersede any and all prior Redevelopment Plans within the Borough of Hightstown relating to Sub-Area I (Bank Street), Sub-Area II (Academy Street) and Sub-Area III (Route 33), as well as the land use development regulations governing the properties located in the Sub-Area I (Bank Street). The Borough Council shall take further action in the future in order to create new land use development regulations governing the properties located in Sub-Areas II and III. Until such time, the existing land use development regulations that govern the properties located within Sub-Areas II and III shall control development of those Sub-Areas. To the extent that any inconsistencies exist between the Official Zoning Map and the attached Redevelopment Plan, then the Official Zoning Map shall be amended accordingly.
3. That, inasmuch as the provisions contained within the attached Redevelopment Plan were submitted by the Planning Board in response to a referral from the Borough Council, the Council shall not be required to refer the attached Redevelopment Plan for any further review or action by the Planning Board, pursuant to N.J.S.A. 40A:12A-8(f).
4. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
5. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
6. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

**RESOLUTION 2006-203, A RESOLUTION OF THE HIGHTSTOWN BOROUGH COUNCIL SETTING FORTH THE COUNCIL'S REASONS FOR AMENDING THE REDEVELOPMENT PLAN PROPOSED BY THE PLANNING BOARD, WITH SAID REASONS BEING STATED CONTEMPORANEOUSLY WITH THE ADOPTION OF A NEW REDEVELOPMENT PLAN FOR THE BOROUGH THROUGH ORDINANCE No. 2006-19**

Following a brief review by Mr. Raffetto, Resolution 2006-203 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.**



**A RESOLUTION OF THE HIGHTSTOWN BOROUGH COUNCIL SETTING FORTH THE COUNCIL'S REASONS FOR AMENDING THE REDEVELOPMENT PLAN PROPOSED BY THE PLANNING BOARD, WITH SAID REASONS BEING STATED CONTEMPORANEOUSLY WITH THE ADOPTION OF A NEW REDEVELOPMENT PLAN FOR THE BOROUGH THROUGH ORDINANCE NO. 2006-19**

**WHEREAS**, on September 7, 2004, the Hightstown Borough Council adopted Ordinance No. 2004-20, which approved and adopted a Redevelopment Plan (also referenced as the "Plan") for the Borough of Hightstown, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Act"); and

**WHEREAS**, the Plan divided the Redevelopment Area of the Borough into three (3) distinct Sub-Areas; and

**WHEREAS**, the Sub-Areas include the following: Sub-Area I (Bank Street); Sub-Area II (South Academy Street); and Sub-Area III (Route 33); and

**WHEREAS**, though the Plan identified these three (3) Sub-Areas as Redevelopment Areas within the Borough, the Plan only created design criteria relating to Sub-Area I (Bank Street), with the understanding that the Borough Council would adopt additional measures in the future to establish design criteria relative to Sub-Areas II and III; and

**WHEREAS**, subsequent to the adoption of Ordinance No. 2004-20, the Borough Council spent many months diligently reviewing the design criteria relating to Sub-Area I (Bank Street), in an attempt to ensure that the proposed redevelopment of this area (the "Redevelopment project") is most beneficial to the Borough as well as feasible for proposed redevelopers; and

**WHEREAS**, on April 17, 2006, and pursuant to N.J.S.A. 40A:12A-7(f), the Borough Council directed the Planning Board to review the existing Plan in order to determine whether said Plan should be revised in any respects; and

**WHEREAS**, upon receipt of this referral, the Planning Board engaged in a detailed review of the existing Plan; and

**WHEREAS**, following this review, the Planning Board transmitted a proposed revised Redevelopment Plan (which included certain amendments that the Planning Board deemed appropriate), to the Borough Council for appropriate action under the Act; and

**WHEREAS**, the Planning Board's document was revised and approved by the Board as of July 31, 2006, and will hereafter be referred to as the "July 31, 2006 Plan"; and

**WHEREAS**, the Borough Council wishes to approve and adopt substantially all of the July 31, 2006 Plan as the new official Redevelopment Plan of the Borough; however, after thoughtful consideration and deliberation, the Borough Council has determined to amend one section of the July 31, 2006 Plan, as permitted pursuant to N.J.S.A. 40A:12A-7(f), as part of its approval through Ordinance No. 2006-19; and

**WHEREAS**, the Borough Council's amendment relates to the number of residential units to be constructed as part of the Redevelopment project, as set forth in Section 1(d) of the "Land Use" provisions relating to "Design Criteria" for the Redevelopment Project (See Appendix 5 of the July 31, 2006 Plan); and

**WHEREAS**, the July 31, 2006 Plan permits the construction of up to 130 residential units, which shall be inclusive of eight (8) townhomes/duplex units and up to 122 multi-family condominium-type units. The July 31, 2006 Plan also requires the construction of a minimum of 115 residential units (townhomes/duplexes and multi-family dwellings), with the understanding that the final number of approved residential units shall be based upon the traffic and parking studies to be submitted to and approved by the Planning Board during site plan review. Therefore, the July 31, 2006 Plan recommended a range of between a minimum of one hundred fifteen (115) units and a maximum of one hundred thirty (130) units; and

**WHEREAS**, the Borough Council wishes to provide the Redevelopment Agency with more discretion and flexibility to negotiate with the selected Redeveloper concerning the total number of residential units to be constructed as part of the Redevelopment project; and

**WHEREAS**, the Borough Council wishes to broaden the permissible range of residential units to between a minimum of eighty (80) units and a maximum of one hundred and thirty (130) units; and

**WHEREAS**, the Borough Council believes that this broader range shall provide the Redevelopment Agency with added flexibility so that the total number of residential units to be constructed as part of the Redevelopment project may be the subject of negotiations between the selected Redeveloper and the Redevelopment Agency, and incorporated into the Redeveloper Agreement, with the understanding that the final number shall be dependent upon the results of the traffic and parking studies which shall be submitted to and approved by the Planning Board during the site plan review process; and

**WHEREAS**, the Borough Council believes that this added flexibility shall be beneficial to the municipality, in that it may result in a less dense development of the Redevelopment project, which the Borough Council believes to be in the best interests of the Borough and its residents; and

**WHEREAS**, the Borough Council therefore has determined to amend the July 31, 2006 Plan in order to establish the total number of residential units to be constructed as part of the Redevelopment project, as set forth in Section 1(d) of the "Land Use" provisions relating to "Design Criteria" for the Bank Street Redevelopment Project (See Appendix 5 of Redevelopment Plan), as between 80 and 130 units, which number shall be inclusive of eight (8) townhomes/duplex units and an acceptable number of multi-family condominium-type units as determined by the parties through negotiations, and incorporated into the Redeveloper Agreement, as well as subject to the results of the traffic and parking studies to be submitted to and approved by the Planning Board during the site plan review process; and

**WHEREAS**, the Borough Council believes that this amendment will provide for a more beneficial Redevelopment project and Redevelopment Plan for the Borough for the reason(s) set forth above.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, (not less than an affirmative majority of the full authorized membership thereof voting in the affirmative) that, pursuant to N.J.S.A. 40A:12A-7(f), the reason(s) for the Borough Council's amendment to the July 31, 2006 Plan submitted by the Planning Board are as set forth above, with said reason(s) being stated on the record contemporaneously with the adoption of a new Redevelopment Plan for the Borough through Ordinance No. 2006-19.

## **INTRODUCTION AND FIRST READING: ORDINANCE 2006-22, AN ORDINANCE APPROPRIATING \$24,000 FROM THE GENERAL CAPITAL FUND BALANCE FOR THE PURCHASE OF VARIOUS EQUIPMENT IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY**

Ms. Gallagher reviewed the provisions of Ordinance 2006-22, which would appropriate \$24,000 from the general capital fund to purchase certain equipment for use by the police department. Chief Eufemia provided specifics regarding the equipment to be purchased, which would include 48 pistol magazines, six shotgun sights, 30 eight-foot A-frame reflective barricades, nine pedestrian crossing signs and various radio equipment including two portable radios, one mobile radio, one base station radio and a repeater station.

Ordinance 2006-22 was moved for introduction by Councilmember Quattrone and seconded by Council President Schneider.

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

**Ordinance introduced, 6-0.**

## **CONSENT AGENDA**

**Resolutions 2006-213, 214, 215, 216, 217 and 218** were moved by Councilmember Sikorski and seconded by Councilmember Rosenberg.

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

**Resolutions adopted, 6-0.**

**RESOLUTION 2006-213      AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-165 TO  
LADIES AUXILIARY, HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, the Ladies Auxiliary of Hightstown Engine Co. No. 1 wishes to hold an on-premise 50/50 raffle at the Hightstown Firehouse on October 27, 2006; and

**WHEREAS**, the group has submitted application number RA-165 for this raffle; and

**WHEREAS** no fee is due because the anticipated proceeds from the raffle are less than \$400.00; and

**WHEREAS** the group is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-27140, which registration expires on December 31, 2007; and

**WHEREAS**, the Borough Clerk and the Chief of Police have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-165 to the Hightstown Engine Co. No. 1 Ladies Auxiliary for their raffle to be held on October 27, 2006 as outlined herein.

**RESOLUTION 2006-214      AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-166 TO  
LADIES AUXILIARY, HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, the Ladies Auxiliary of Hightstown Engine Co. No. 1 wishes to hold an on-premise merchandise raffle at the Hightstown Firehouse on October 27, 2006; and

**WHEREAS**, the group has submitted application number RA-166 for this raffle, together with the required fees; and

**WHEREAS** the group is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-27140, which registration expires on December 31, 2007; and

**WHEREAS**, the Borough Clerk and the Chief of Police have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-166 to the Hightstown Engine Co. No. 1 Ladies Auxiliary for their raffle to be held on October 27, 2006 as outlined herein.

**RESOLUTION 2006-215      AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-167 TO  
ST. ANTHONY OF PADUA ROMAN CATHOLIC CHURCH**

**WHEREAS**, St. Anthony of Padua Roman Catholic Church wishes to hold an off-premise merchandise raffle at 251 Franklin Street on January 28, 2007; and

**WHEREAS**, the group has submitted application number RA-167 for this raffle, together with the required fees; and

**WHEREAS** the group is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-1-9434, which registration expires on September 8, 2008; and

**WHEREAS**, the Borough Clerk and the Chief of Police have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-167 to St. Anthony of Padua Roman Catholic Church for their raffle to be held on January 28, 2007 as outlined herein.

**RESOLUTION 2006-216            AUTHORIZING RELEASE OF AMOUNTS REMAINING IN ESCROW – SAMUEL BONSU**

**WHEREAS** Samuel Bonsu posted funds in escrow with the Borough relative to his Planning Board application; and

**WHEREAS** the work is now complete, and the Borough Engineer has recommended release of all remaining escrow held by the Borough on Mr. Bonsu's behalf, subject to payment of any outstanding fees;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized and directed to return to Samuel Bonsu any and all funds remaining in his escrow account as detailed herein.

**RESOLUTION 2006-217            AUTHORIZING RELEASE OF AMOUNTS REMAINING IN ESCROW – BACK PORCH ASSOCIATES**

**WHEREAS** Back Porch Associates posted funds in escrow with the Borough relative to their Planning Board application; and

**WHEREAS** the work is now complete, and the Borough Engineer has recommended release of all remaining escrow held by the Borough on Back Porch Associates' behalf, subject to payment of any outstanding fees;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized and directed to return to Back Porch Associates any and all funds remaining in their escrow account as detailed herein.

**RESOLUTION 2006-218            AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator and the Treasurer in the amount of **\$1,074,996.24** from the following accounts:

Current	\$ 918,303.90
W/S Operating	79,776.90
General Capital	37,126.86
W/S Capital	3,983.20
Trust	11,372.03
Grant	3,615.47
COAH Trust	14,290.00
Public Defender	110.00
Escrow-Subdivision & Site Plan (First Washington Bank)	6,417.88
<b>Total</b>	<b><u>\$1,074,996.24</u></b>

## **COUNCIL COMMENTS AND COMMITTEE REPORTS**

Councilmember Rosenberg reported that the Environmental Commission, at their last meeting, discussed and reviewed the next phase of the Mercer Street revitalization project, the solar energy project, the street tree plan for 2007 and the Greenways project. He further reported that a "Ten Tree Campaign" has been initiated, which GHEWIP will be

conducting, to help students at Hightstown High School raise funds over the winter for 10 trees to be planted on Earth Day. This initiative began after a teacher at the high school requested a donation toward the purchase of trees, and "will give them pride of ownership, as opposed to if we just handed it to them." Mr. Rosenberg will serve as the contact person for the program.

Councilmember Harinxma reported that the Parks Commission's summer concert series went very well. They were unable to sponsor an outdoor movie night due to budget constraints, but she hopes that this can be done next year. Ms. Harinxma also referred to the donation by Peddie School towards our new fire truck, and said that it was "great news."

Councilman Thompson expressed appreciation to Councilmember Rosenberg for the ingenuity of his "Ten Tree Campaign." "As much as taxes are going to support our schools," he said, "they are not being overspent on." Mr. Thompson also referred to a presentation by the First Aid Squad Captain recently, and recognized the Squad for the work they are doing and Councilman Quattrone for his work with them.

Councilman Quattrone commented on several issues:

- He suggested to Councilmember Rosenberg that prior classes at the high school may wish to contribute to the Ten Tree Campaign. When he served as liaison to the Environmental Commission, he said, this initiative was just getting started.
- He reported that our Public Works department is busy "in clean up mode" for the upcoming Community Fair this weekend. Also, they have finished the conversion of all the lighting in Borough workplaces to high efficiency lighting and automatic power switches. "We've tried our best to save energy," he said. Currently, he added, the department is looking into how many street lights have been knocked down and never replaced. We pay for those lights, he said, and if they aren't needed for safety reasons, there is no reason to continue. "I think we could shut off every other street light in the Borough and save money," he said, "but it needs more research."
- He thanked Cathy Simmons and GHEWIP for their work on the paver project.
- He reported that he and Ms. Gallagher met with representatives of MONOC and the First Aid Squad to have a "roundtable discussion to find out what we can all do to make things better." The meeting went well, he said, and he is pleased with the way things are going. We have had some maintenance issues with our ambulance, he added, but he believes that "we can get it under control."

Councilmember Sikorski reported that the Board of Health is sponsoring a walking project based on a grant received from the State, and will be participating in the Community Fair. He further reported that the Historical Advisory Commission is currently reviewing ordinances related to historic districts, and that there will be a ribbon cutting for the Stockton Street Historic District at 12:30 p.m. on October 15 at the Civil War Monument.

Chief Eufemia thanked Council for their support in introducing Ordinance 2006-22, which will fund "sorely needed radios and other equipment." He stated that he met with representatives of the Community Fair Committee, and "we're all set for traffic, pedestrian crossings, etc."

Mayor Patten commented on several issues:

- He provided additional information about the Borough's walking program. Community Nurse Sharon Lane, he said, applied for and received a grant to provide free pedometers, t-shirts, and more to program participants. She will be giving out program materials and information at the Community Fair.
- Flu and pneumonia shots will be available again this year to seniors at the East Windsor Senior Center.

- Comcast is helping to fund this year's Community Fair, and will be assisting residents, in conjunction with the Community Action Service Center, to clean out their attics and basements, and will also help organize the Center's food pantry.
- He serves on the Advisory Committee for the Greater Mercer ITN, which provides transportation for senior citizens at a nominal rate. He will participating in the "kickoff" for the event, along with most other mayors in Mercer County.
- The Hightstown-East Windsor Historical Society will hold their biannual house tour on October 15 from 1 to 5 p.m., with a ribbon cutting for the Stockton Street Historic District to take place at the Civil War Monument at 12:30 p.m.

Ms. Gallagher noted that the Borough will be sponsoring a free rabies clinic for dogs and cats on Wednesday, October 18 from 4:30 to 6:30 p.m. at the Borough garage (behind the municipal building).

## PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

**Eugene Sarafin**, 600-628 South Main Street, stated that he was recently traveling in Canada and was "impressed by the cooperation there." He said that he is concerned about our community because "we don't support our CAPPS program" and have no sidewalks on North or South Main Street. He stated that the Borough should begin to address cooperation within our town and community or "we'll become a town of strangers."

**J. P. Gibbons**, 602 N. Main Street, referred to recent discussions regarding signage for the bridge abutment and said that something could be placed on top of the abutment, but the façade should remain as it is. He feels that putting letters on the wall "will be destructive to it overall." He also stated, "I don't know what makes Hightstown historic except that it has been here."

No one else came forward and the floor was closed.

Upon motion by Councilmember Sikorski, seconded by Councilmember Harinxma and unanimously approved, the meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC  
Borough Clerk