

OPEN SESSION

Mayor Robert Patten called the meeting to order at 7:10 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>Arrived following roll call</i>	
<i>Councilmember Sikorski</i>	✓	
<i>Councilmember Thompson</i>	✓	

Also in attendance: Candace Gallagher, Borough Clerk/Administrator; James M. Eufemia, Chief of Police; George Lang, Chief Financial Officer; Larry Blake, Superintendent of Public Works; and Frederick Raffetto, Esq., Borough Attorney.

APPROVAL OF AGENDA

Added to the agenda was a presentation by Washington Township's administrator regarding shared Emergency Medical Services. Deleted from the agenda and postponed to February 20 was a Resolution to approve a temporary capital budget. The agenda was moved as amended by Council President Sikorski, seconded by Councilmember Quattrone and approved by all.

APPROVAL OF MINUTES

A typographical error was corrected in the minutes of the December 27, 2006 Special Meeting. The minutes were then moved by Council President Sikorski, seconded by Councilmember Quattrone, and approved by all but Councilmember Rosenberg, who abstained.

Minutes of the January 1, 2007 Reorganization Meeting were moved by Council President Sikorski, seconded by Councilmember Rosenberg and approved by all but Councilmember Harinxma, who abstained.

Minutes of the January 16, 2007 Open and Closed Meetings were moved by Council President Sikorski, seconded by Councilmember Thompson and approved by all but Councilmember Quattrone, who abstained.

PRESENTATION

SHARED EMS SERVICES WITH WASHINGTON TOWNSHIP – *MARY CAFFREY, ADMINISTRATOR*

Mary Caffrey, Washington Township Administrator, addressed the governing body regarding the possibility of shared emergency medical services with the Borough¹. "We are here," she said, "as good neighbors." Washington, she said, is hoping to reinvigorate its volunteers and use per diem personnel, particularly in the area of emergency medical services. They have discussed hiring a coordinator to schedule EMTs and facilitate regional agreements with their neighbors. "In some cases," Ms. Caffrey said, "Washington was responding to more than its share of mutual aid calls. For a town of its size, Hightstown has shown its willingness to invest in EMS, and you have done your best, but you are looking at spending over a quarter million dollars per year for a little over 300 calls per year. You are not paying per call, but for someone to be there to answer them." Ms. Caffrey stated that Washington has provided several coverage scenarios for Council's consideration, and said that if an agreement is approved, it would work as one EMS delivery system with two facilities, and each town would be the other's first priority in mutual aid response. She noted that Lt. Chuck Petty, a lifelong firefighter, EMS volunteer and Washington Township police officer, sees this as a major benefit to both towns. Washington's personnel are familiar with Hightstown, she said, as they provide some mutual aid at present, and Fire Chief Kevin Brink attended Hightstown High School and lived here his entire life.

Ms. Caffrey went on to say that, in looking at our data, Hightstown has only about 40 calls per year between midnight and 7 a.m., and is incurring "a lot of expense to have an ambulance there that is not responding." Activity in Washington is light during those hours also, she said, and it is "very reasonable that we'd be able to respond" through mutual aid during those hours if Council were to choose such a scenario. "It is easy to come north on Rt. 130," she said. "Going south is the challenge."

Ms. Caffrey noted that entering into an interlocal agreement for these services will open up possibilities for obtaining SHARE grant assistance from the State. "Right now," she added, "you're using a paid service, and I'm sure it is excellent. But there will never be an incentive for a paid vendor to provide service and increase the 'esprit de corps' with volunteers." She said that the EMS coordinator that would be created as part of this arrangement would be available to assist the Squad with training, testing and getting its rig certified, and would be able to provide support in areas of purchasing, certifications, right to know, and more. Hightstown would be asked to contribute half of its billing revenues under this agreement toward the cost of that coordinator.

Erini Papafilipakis, Hightstown First Aid Squad Captain, was in attendance, and Ms. Caffrey acknowledged her, and noted that Washington's goal would not be to supplant but rather to support our volunteers. One idea that has been discussed was that of volunteers covering from 7 p.m. to midnight each night rather than having to commit to a full night shift. "Council," she said, "needs to decide how to target its resources given the constraints of its budget." She noted that interlocal agreements are outside the cap, and this could be crucial.

Ms. Caffrey closed her comments by saying, "We've shared much over the years, including a judge and court personnel. There is lot of familiarity between our towns, and I see this as a first step of doing more together." She noted the importance of maintaining a town's identity, and said that they want to foster that. "I bring our enthusiasm for this process," she said. "Savings are important, but this is also about doing the right thing and helping people out."

There were no questions presented to Ms. Caffrey, and the Mayor and Council thanked her for her presentation.

¹ Slated for discussion in closed session later in the meeting.

TEEN CENTER FOR HIGHTSTOWN - JILL AND GLENN JOHNSTON

"I was hoping never to have to speak on this," Glenn Johnston began. "On August 26, we lost our son, Brian, to a tragic death in East Windsor, from a heroin overdose." Mr. Johnston said that he and his wife learned a lot after that about the presence of drugs in the local area. "It's not just Hightstown and East Windsor," he said. "It's all over. We were never really aware of this." He said that he and his wife are making a point now of letting everyone know about it.

Mr. Johnston said that his son was an athlete, a skater and a member of the Debate Club. Many people have told him that Brian was an inspiration to them. "He was the last one we figured would be using drugs." Mr. Johnston said, and noted that drug use is not limited to any particular religion, race or financial standing. "They're out there and accessible," he said, "and we want to ensure that no other parent has to go through what we are."

The Johnstons are proposing the concept of a teen center in the Hightstown – East Windsor area to foster a sense of pride and self esteem. It is a long-range goal, he said, and he is gaining huge support from the community. He offered a slide presentation about Brian and about a teen center, the entirety of which is included at the end of these 2/5/07 minutes. "It is better to be proactive than reactive," he said.

Mayor Patten thanked the Johnstons for their attendance at this meeting, and expressed his support for their initiative. He opened the floor to questions from Council and the public.

Councilmember Harinxma expressed strong support for a teen center. "I run a mentoring program," she said, "and I can see the benefits."

Councilmember Thompson said, "Perseverance through tragedy to do something positive for the community is inspiring. Thanks for your great work."

Kathy Patten noted that Mrs. Johnston will be making this presentation at the upcoming meeting of the Municipal Alliance for the Prevention of Drug and Alcohol Abuse. Mr. Johnston said that he is "going on tour" to tell this story to as many as will listen. "We'll do anything we can," he said, "to help others avoid this."

Eugene Sarafin asked if alcohol abuse would be included in the Johnston's program. "Yes, it is one of our hopes," Mr. Johnston replied. Mr. Sarafin asked about the role of the police, and zero tolerance. "I see kids smoking and drinking, and no zero tolerance in our society," he said. Mr. Johnston stated, "This is not a problem of the schools but of the community. It is not the school's job to get them off drugs, but to report it. They're doing the best job they can. The #1 rule with kids is that they are not going to tell on another kid. They think they're invincible. We're hoping this will wake some of them up." Mr. Sarafin stated that the guilt for Brian's death should rest on those kids that knew he was using drugs and didn't inform anyone. Mr. Johnston responded, "That is something they'll have to live with. It is not my place to judge. We are hoping they'll change direction."

The Johnstons noted that they have started an official foundation in New Jersey, and they thanked the Mayor and Council for the opportunity to make this presentation. Mrs. Johnston said that, in addition to adult involvement, they are hosting a meeting of a Youth Advisory Council, in response to an "outpouring of kids asking to help." There are already 12 members, she said, and urged Council members to spread the word if others may want to join.

PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

Phyllis Deal, 305 Stockton Street, stated that her own son was involved in drugs and alcohol when he graduated from Hightstown High School 25 years ago. She tried then, she said, to get a teen center started, but was not successful. She wished the Johnstons greater success with their efforts.

Paul Byrne, 320 Stockton Street, noted that, when he was in high school in 1972, his gym teacher was trying to convince his colleagues then that there was a "serious [drug] problem in Hightstown." He encouraged the Johnstons' attempts to tap into resources and capabilities of those in our area.

Eugene Sarafin, 600-628 South Main Street, stated that shared EMS services should include East Windsor Township. Referring to the PBA contract slated for approval on this agenda, Mr. Sarafin stated that our teachers should be paid as well as our police officers, yet "citizens vote against the budget due to teacher's salaries." With respect to the purchase of an automated garbage truck, also slated for approval on this agenda, Mr. Sarafin stated that he did not attend the special meeting held to review this, and it is a "complex issue." He said that he is neither for nor against it, but it requires "Council's good judgement."

Curtis Crowell, 152 Broad Street, and member of the Hightstown First Aid Squad, stated that the Borough's arrangement with St. Francis Medical Center did not work out well, and the same pattern has been replicated throughout the State. "Our contract with MONOC," he said, "is fairly unique. We're privy to what MONOC recovers in patient revenues and have even helped them to correct some deficiencies. I would like to see a contract that boils down the cost of providing trained EMS providers, not package costs. We know what MONOC is paying, and what they recover." He added that, "our biggest hope is a large patient load. I don't know if, when Washington comes in, they'll still have access to East Windsor [mutual aid calls]." He urged Council to "look carefully before changing ships."

Mike Vanderbeck, 344 Stockton Street, commended the Johnstons for the "great job" that they are doing, and said that the Slowdown Café hosted a memorial service for Brian, where over 200 kids showed up. "The most moving thing," he said, "was the depth and level of their sorrow. I was handing out rolls of paper towels." Mr. Vanderbeck went on to address the purchase of an automated garbage truck. While past Council members have expressed their views about this, he said, "this is your Council." He noted the cost savings this would offer, and said that "the presentation at the special meeting was fantastic." He said that he drove through Lawrenceville, where automated trucks are used, and "couldn't believe how clean the streets looked." He said that he did not see one container with garbage on top of it or next to it. "It made the town look clean and crisp," he said, and noted the importance of keeping garbage dry when considering the cost of tipping fees. "I support this," he said. "I didn't think I would – it comes with a lot of history, but the numbers look like it is a smart thing to do. I encourage going ahead with this."

No one else came forward and the floor was closed.

RESOLUTIONS

RESOLUTION 2007-46, AWARDING CONTRACT FOR THE ACQUISITION OF A GARBAGE TRUCK AND CONTAINERS

Ms. Gallagher reviewed information which had been presented at the January 23 special meeting regarding cost savings, both immediate and potential, to be offered by the purchase of an automated truck and containers. This purchase would be a prudent investment for the Borough, she said. Savings will begin as soon as the truck is placed into service, and there is the potential for added savings through reduced tipping fees, as well as for the generation of revenue through our provision of garbage collection service to Roosevelt beginning also in 2008. She said that she spoke with officials in Mantua, Berlin and Little Egg Harbor, and they were enthusiastic about having made the switch to automated collection. Mantua's administrator said, "We're quite thrilled with it," and confirmed that they saw an immediate and significant savings in tipping fees. Little Egg Harbor's Administrator said that making the switch was "one of the best things we ever

did." They've seen a reduction in insurance costs and their town looks much better. Berlin's public works department (their Administrator was unavailable) said that they made the move five years ago and it has worked very well for them. They are saving money also. In all three towns, she was told, residents have readily accepted the change.

"I can see no downside to this," Ms. Gallagher concluded, "and in fact, if approved, I will be noting this in our 2007 Extraordinary Aid application as one more measure the Borough has taken toward cost savings and enhanced revenues. This is a rare opportunity to have a positive impact on our tax rate, and I believe we should not let it pass." She recommended that Council proceed with the purchase of the automated truck and containers and bring garbage collection back in house.

Resolution 2006-46 was moved by Councilmember Quattrone and seconded by Councilmember Schneider. Discussion ensued.

Councilmember Quattrone expressed support for this purchase. "We asked this committee to look at trash and come up with a better way," he said. "They have done that. This is a great idea. Council should look forward to moving this. If we do get the work in Roosevelt, it is icing on cake."

Councilmember Harinxma expressed support as well, particularly in light of the possibility of an interlocal agreement with Roosevelt.

Council President Sikorski stated that he did his own calculations regarding the savings this purchase could offer, and agrees that this would be beneficial to the Borough. In addition, the possibility of entering into an interlocal agreement with Roosevelt for collection of their garbage would be "a positive step in the right direction." He commended Mayor Patten for his work on that, and on the possible interlocal with Washington Township for emergency medical services. Mr. Sikorski added that he has reservations about adding a new employee to Public Works, and would like to see if it may be possible to avoid that.

Councilmember Schneider stated, "That would be a pretty significant additional savings." He pointed out that, if we do add a new employee, it is likely that we would be hiring an entry level person, and he added that he feels that we "would have to see a savings in tipping fees, no matter what, because of the rainwater issue." Driving up just his own street, he said, he saw open cans and "40 or 50 pounds" of water weight in just five homes close to his. "Attached lids are a big plus," he said. Mr. Schneider said that he also did his own calculations using various scenarios and "under none of those did I come up with a loss. ... The chance for a loss is pretty slim, employee or not. I am willing to explore not hiring an additional employee, and I am in favor of this."

Councilmember Thompson stated that it is "difficult to make an assumption about tipping fees," as we "can't know" that they will decrease. He also stated that he has a concern about "investing in incremental infrastructure for Hightstown, and more specifically, incremental employees." He said that, in his review of the numbers, it is clear that the Borough has the opportunity to save tax dollars immediately by purchasing this truck, and that he is "in favor of looking at ways like this to save money" but would not be in favor of adding another employee at this time. "We need to look very hard at this," he said, and questioned what it would mean in terms of services if the Borough did not bring in an additional employee.

At this time, the roll was called for Resolution 2007-46.

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

Resolution adopted, 6-0.

RESOLUTION 2007-46**AWARDING CONTRACT FOR THE ACQUISITION OF A GARBAGE TRUCK AND CONTAINERS**

WHEREAS, two (2) bids were received by the Borough of Hightstown on October 12, 2006, for the purchase of garbage trucks and containers; and

WHEREAS, the bid specifications included four separate items, as follows:

1. One (1) 2006 Labrie Expert Helping Hand or equal side loading refuse truck with a 33-cubic yard capacity body
2. 1,700 Universal bar Containers (95 Gallon)
3. 150 Universal bar Containers (65 Gallon)
4. One (1) NEW WAY or equal rear loading refuse collection truck with a 32-cubic yard capacity body; and

WHEREAS, on November 20, 2006, the Borough Council awarded a contract for Item #4 to Cambria Automotive Companies of Edison, New Jersey; and

WHEREAS the Superintendent of Public Works and the Borough Administrator have recommended that a contract for ITEMS #1, 2 and 3 be awarded at this time to Merkin Equipment of Easton, PA for their bid price of \$218,487.60 for the truck and a maximum of \$96,238.50 for the containers (at unit prices of \$52.56 for the 95-gallon containers and \$45.91 for the 65-gallon containers); and

WHEREAS, Merkin Equipment has agreed to maintain such bid prices through February 5, 2007; and

WHEREAS the Borough Attorney has reviewed the bids and has determined that the bid submitted by Merkin Equipment is in order with respect to legal compliance; and

WHEREAS, funding for this expenditure will be provided through Bond Ordinance 2007-04, introduced on this date and scheduled for a public hearing and final reading on February 20, 2007;

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

1. The contract for the purchase of an automated garbage truck and containers is hereby awarded to Merkin Equipment of Easton, PA in a total amount not to exceed Three Hundred and Fourteen Thousand Seven Hundred and Twenty-Six (**\$314,726.10**) Dollars and Ten Cents, as outlined herein.
2. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Merkin Equipment, subject to approval of the Borough Attorney.
3. This Resolution shall take effect 20 days after the publication following adoption of Bond Ordinance 2007-04, provided that no protest against the incurring of indebtedness authorized therein has been filed with the Borough Clerk in accordance with the provisions of *N.J.S.A. 40:49-27*.

RESOLUTION 2007-47, RATIFYING AGREEMENT WITH THE NEW JERSEY STATE POLICEMEN'S BENEVOLENT ASSOCIATION, INC., LOCAL NO. 283, FOR THE YEARS 2006, 2007, 2008 AND 2009

Ms. Gallagher reviewed the changes that would be made with the ratification of this agreement with the P.B.A. The negotiating committee, she said, included herself, Mayor Patten and Council President Schneider.

Salary increases would be as follows: 2006 – 2.5%; 2007 – 3%; 2008 – 3.5%; 2009 – 3.5%. Other changes include a switch to the "Pitman" scheduling system, an increase in prescription drug co-pays, elimination of the Borough's payment for dental insurance, and an increase each year in employee contributions toward medical benefits. "This is a good contract," Ms. Gallagher said, and added that she reviewed East Windsor's police salary ordinance and found that a brand new officer in East Windsor was earning nearly \$6,000 more in base pay in 2005 than a Hightstown officer with

two years experience will be earning in 2007. In addition, longevity pay in East Windsor represents a higher percentage of salary at each step.

Resolution 2007-47 was moved by Councilmember Schneider and seconded by Councilmember Quattrone.

Council President Schneider stated, "Our officers have given back to the community with this, compared to raises you are seeing across the State. Arbitration typically results in raises in the range of 4%. By accepting this, we made some changes to make things more efficient and save us money, such as removing dental insurance, and we are keeping these costs reasonably under control, especially compared to the norm around us. The fact that East Windsor officers are paid more than ours speaks to the fact that our officers are doing right by the community. Thanks need to go to our policemen for taking into consideration that our community is hard pressed, and we don't have lots of money for salary increases."

"Our police stepped up to plate," Councilmember Quattrone stated. "Times are hard right now, and they are the first line of defense for things like the [Johnston] presentation tonight. These guys are really coming through, and showing good faith to our community. I'll support this."

Council President Sikorski expressed appreciation to the members of the negotiating committee and said that he feels confident that "we've done the best for the community, and kept the range of increases under the cost of living increase." He asked if written evaluations are performed annually for our officers. Chief Eufemia stated that this is done twice each year. Council President Sikorski expressed support for the contract.

Councilmember Thompson also expressed his support, and said that, "hopefully, long before the end of this contract, we can find a way to leverage economies of scale" with respect to police services.

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

Resolution adopted, 6-0.

RESOLUTION 2007-47 RATIFYING AGREEMENT WITH THE NEW JERSEY STATE POLICEMEN'S BENEVOLENT ASSOCIATION, INC., LOCAL NO. 283, FOR THE YEARS 2006, 2007, 2008 AND 2009

WHEREAS, the Borough of Hightstown and the New Jersey State Policemen's Benevolent Association, Inc., Local No. 283, (P.B.A.) have negotiated an agreement for the years 2006, 2007, 2008 and 2009; and

WHEREAS, the agreement has been reviewed by all parties and by the Borough's legal counsel, and it is the desire of the Mayor and Council that it be approved and ratified;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the agreement with the P.B.A. for the years 2006, 2007, 2008 and 2009, which agreement is on file in the Borough Clerk's office and incorporated herein by reference, is approved and ratified, and the Mayor and Clerk are authorized to execute same; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to file one copy of the fully-executed agreement with the Public Employment Relations Commission (P.E.R.C.) forthwith.

ORDINANCES

INTRODUCTION AND FIRST READING: ORDINANCE 2007-01,

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$555,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$105,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

Following a brief review by Ms. Gallagher, Ordinance 2007-01 was moved for introduction by Council President Sikorski and seconded by Councilmember Quattrone.

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

Ordinance introduced, 6-0.

INTRODUCTION AND FIRST READING: ORDINANCE 2007-02,

BOND ORDINANCE PROVIDING FOR VARIOUS WATER AND SEWER IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$145,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$85,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Following a brief review by Ms. Gallagher, Ordinance 2007-02 was moved for introduction by Council President Sikorski and seconded by Councilmember Thompson.

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

Ordinance introduced, 6-0.

INTRODUCTION AND FIRST READING: ORDINANCE 2007-03,

AMENDING SECTION 19-2.7(A) OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN* REGARDING WATER AND SEWER CONNECTION FEES

Following a brief review by Ms. Gallagher, Ordinance 2007-03 was moved for introduction by Councilmember Quattrone and seconded by Councilmember Thompson.

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

Ordinance introduced, 6-0.

INTRODUCTION AND FIRST READING: ORDINANCE 2007-04,

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF AN AUTOMATED GARBAGE TRUCK AND CONTAINERS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$318,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$302,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Following a brief review by Ms. Gallagher, Ordinance 2007-04 was moved for introduction by Councilmember Quattrone and seconded by Councilmember Schneider.

Council President Schneider asked if the bonding for this truck will impact the Borough's 2007 budget. Mr. Lang stated that it would not.

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

Ordinance introduced, 6-0.

INTRODUCTION AND FIRST READING: ORDINANCE 2007-05,

AN ORDINANCE TO ESTABLISH POLICE SALARIES FOR THE YEARS 2006, 2007, 2008, 2009

Following a brief review by Ms. Gallagher, Ordinance 2007-05 was moved by Councilmember Schneider and seconded by Councilmember Quattrone.

Councilmember Quattrone asked about the possibility of instituting a car charge for special duty work. Chief Eufemia will look into that.

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

Ordinance introduced, 6-0.

CONSENT AGENDA

Resolutions 2007-48 through 2007-57 were moved by Councilmember Schneider and seconded by Council President Sikorski.

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

Resolutions adopted, 6-0.

RESOLUTION 2007-48 APPOINTING WILLIAM SCHMELING AS ZONING OFFICER

WHEREAS on January 15, 2007, the Hightstown Borough Council approved an Interlocal Agreement with the Borough of Roosevelt permitting Hightstown to utilize Roosevelt's Zoning Officer, William Schmeling, to provide all the services required by law of a Zoning Officer within Hightstown, on an as-needed basis, during the term of said Agreement, and pursuant to the terms and conditions referenced therein; and

WHEREAS, the term of the Interlocal Agreement runs from its approval on January 16, 2007 through July 16, 2007, and may be extended by consent of both municipalities; and

WHEREAS, the services to be provided under the Interlocal Agreement are intended to supplement the services already being provided by Hightstown's regular Zoning Officer, as determined to be necessary by Hightstown; and

WHEREAS, the Interlocal Agreement has been duly approved by Resolution of the Roosevelt Borough Council and fully-executed; and

WHEREAS, it is the desire of the Mayor and Council to provide formal authorization to Mr. Schmeling to enforce the Borough's zoning ordinances and to serve as Zoning Officer on an as-needed basis, in accordance with the terms of the approved interlocal agreement; and

WHEREAS, Section 2-21.3 of the *Revised General Ordinances of the Borough of Hightstown* provides that a Zoning Officer shall be appointed by the Mayor, with the advice and consent of Council, for a period of one year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that William Schmeling is hereby appointed as a fully-authorized Zoning Officer for the Borough of Hightstown; and

BE IT FURTHER RESOLVED that this appointment shall expire at the end of one year or concurrent with the expiration of the Interlocal Agreement with Roosevelt Borough for these services, whichever shall occur first.

RESOLUTION 2007-49 AUTHORIZING ISSUANCE OF LICENSE FOR AUCTION - EMPIRE AUCTIONS

WHEREAS, an application for a license to hold an auction on Saturday, February 24, 2007 (raindate Saturday, March 3, 2007) at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Auctions, together with the required fee; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a license to Empire Auctions for their auction to be held on Saturday, February 24, 2007 at 278 Monmouth Street, with a raindate of Saturday, March 3, 2007.

**RESOLUTION 2007-50 AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-171 TO
HIGHTSTOWN-EAST WINDSOR LIONS CLUB**

WHEREAS, the Hightstown-East Windsor Lions Club wishes to hold an off-premise 50/50 raffle at the Hightstown Fire House on June 3, 2007; and

WHEREAS, the group has submitted application number RA-171 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 209-8-12827, 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-171 to the Hightstown-East Windsor Lions Club for their raffle to be held on June 3, 2007.

**RESOLUTION 2007-51 A RESOLUTION AUTHORIZING A PARTIAL WAIVER OF CERTAIN PERMIT FEES –
RECONSTRUCTION OF COLE AVENUE AND CLINTON STREET**

WHEREAS, the Borough is currently undertaking a public improvement project known as the "Reconstruction of Cole Avenue and Clinton Street;" and

WHEREAS, in connection with said public project, the Borough has replaced a Borough-owned water main located beneath Cole Avenue and Clinton Street which was not adequately sized to properly service the adjacent residences; and

WHEREAS, the work performed by the Borough has also involved replacement of all of the piping which leads from the water main to the property line of each of the affected residences; and

WHEREAS, all of the replacement work performed thus far has been within the Borough's right-of-way areas; and

WHEREAS, it has been determined that the piping which leads from the property line to each of the affected residences, and which is under the jurisdiction and responsibility of the individual homeowners, is generally old and leaky and in need of replacement; and

WHEREAS, the Borough has strongly recommended that each of the affected property owners take the necessary steps to replace such piping, so that there is a diminished probability of failure in the future; and

WHEREAS, a failure of the piping in the future could jeopardize the improvements that are currently being installed; and

WHEREAS, if the affected property owners take the recommended course of action at the current time, then such action shall serve to protect the integrity of the new improvements and protect the Borough from incurring future repair costs; and

WHEREAS, as an incentive for the affected property owners to repair their individual piping at the current time, the Borough wishes to waive 50% of all Borough permit fees associated with such reparative work.

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 the State of New Jersey, as follows:

1. That the Borough hereby waives 50% of all Borough permit fees associated with reparative work performed by property owners who reside along Cole Avenue and/or Clinton Street who wish to repair the piping which leads from the property line to their specific residences, so long as the reparative work is performed during the pendency of the Reconstruction of Cole Avenue and Clinton Street improvement project.
2. That this partial waiver is strictly related to all Borough fees over which the Borough has jurisdiction, and shall not relieve the property owners of any fees that are necessary and which are outside the jurisdiction of the Borough.
3. That the Treasurer is hereby authorized and directed to refund, subject to review and approval by the Borough Administrator, 50% of any and all Borough fees paid to date in accordance with this Resolution.
4. That a Certified copy of this Resolution shall be provided to each of the following:
 - a. Candace Gallagher, Business Administrator/Clerk
 - b. Arlene O'Rourke, Treasurer
 - c. George Lang, Chief Financial Officer
 - d. Carmela Roberts, P.E., Borough Engineer
 - e. Harry Wetterskog, Borough Zoning/Code/Housing Inspector
 - f. Frederick C. Raffetto, Esq., Borough Attorney

RESOLUTION 2007-52 AUTHORIZING SOFTWARE SUPPORT AGREEMENT - EDMUNDS & ASSOCIATES

WHEREAS, the need exists for software support services for 2007 for MCS Tax Collection, Utility Billing, Financial Accounting, Payroll and Electronic Requisition software; and

WHEREAS, it is the desire of the Mayor and Council to engage Edmunds & Associates, Inc. of Northfield, NJ, to provide those services at a cost of \$10,560.00; and

WHEREAS, this cost represents no increase over the 2006 fee for these services;

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

1. The Borough is hereby authorized to engage Edmunds & Associates, Inc. to provide support services as outlined above for the period January 1, 2007 through December 31, 2007, at a total cost not to exceed \$10,560.00.
2. It is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2007 budget.

**RESOLUTION 2007-53 AUTHORIZING RELEASE OF AMOUNTS REMAINING IN ESCROW –
MARTIN CRABTREE AND BEVERLY ASSELSTINE**

WHEREAS Martin Crabtree and Beverly Asselstine 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 their 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 Martin Crabtree and Beverly Asselstine any and all funds remaining in their escrow account as detailed herein.

RESOLUTION 2007-54 AUTHORIZING REFUND OF FEE OVERPAYMENT

WHEREAS Theresa Hill, 120 Springcrest Drive, was erroneously charged for a rehabilitation fee in the amount of \$341.00 when applying for permit number 20070022 for an in-ground pool; and

WHEREAS, the Construction Official has requested that a refund be issued to Ms. Hill in the amount of the overpayment;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized to issue a refund to Theresa Hill, 120 Springcrest Drive, in the amount of \$341.00, representing her overpayment for a permit fee as detailed herein.

RESOLUTION 2007-55 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 **\$1,744,208.57** from the following accounts:

Current	\$ 1,388,485.85
W/S Operating	65,089.70
General Capital	12,477.14
W/S Capital	4,523.93
Animal Control	132.00
Trust	3,913.00
Public Defender	350.00
Grant	650.00
Escrow – Subdivision & Site Plan (First Washington Bank)	<u>268,586.95</u>
Total	<u>\$1,744,208.57</u>

RESOLUTION 2007-56 AUTHORIZING A TRANSFER OF FUNDS IN THE 2006 BUDGET

WHEREAS, N.J.S.A 40A:4-59 provides that the governing body may authorize a transfer of funds in the budget during the first three months of the succeeding fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2006 CURRENT budget are hereby authorized:

		FROM:	TO:
Streets & Roads Maintenance	Other Expense	2,245.00	
Recycling	Other Expense	1,150.00	
Electric	Other Expense	1,940.00	
Uniform Construction Code	Other Expense	317.00	
Planning & Zoning	Other Expense		317.00
Emergency Medical Services	Other Expense		1,940.00
Sanitation	Other Expense		3,395.00
TOTAL		5,652.00	5,652.00

**RESOLUTION 2007-57 AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2007 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2007 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	92,914.00	0.00	92,914.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	152,603.00	0.00	152,603.00
Water/Sewer	183,830.00	0.00	183,830.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	146,580.00	0.00	146,580.00
TOTAL	575,927.00	0.00	575,927.00

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 hereof².
2. Each emergency appropriation listed will be provided for in the 2007 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.

² Included at the end of these 2/5/07 minutes.

NEW BUSINESS

REQUEST BY RESIDENT FOR DEDICATED PERMIT PARKING SPACE

Ms. Gallagher and Chief Eufemia reported that a resident of the Hightstown Housing Authority who is handicapped has requested that a space in the permit parking area of our Stockton Street parking lot be set aside for her use. She feels that the parking space she currently uses at the Housing Authority is too far away. Chief Eufemia stated that a permit parking spot could be designated as a handicapped space, but it would be only fair that anyone with a handicapped parking permit would be able to park there. He noted that this is an area where the spaces are purchased, and Ms. Gallagher stated that, in order for this person to be eligible to purchase a permit, the Borough's ordinance would need to be amended to allow that. Currently, residents of that block and lot are not included in the list of those eligible to purchase parking permits. She further noted that this would also require the approval of NJDOT.

Mayor Patten stated that he was approached and asked to bring this before Council. Chief Eufemia met with Ms. McCagnan and Ms. Aughenbaugh at the Housing Authority, he said, and reviewed the parking situation. The Mayor asked if our current permit parking spaces are filled. Chief Eufemia replied that they are, and we would need to add more spaces. Mayor Patten asked if a space in the permit parking area would be more convenient than the existing spaces at the Housing Authority. Chief Eufemia responded that it would, but added that the Housing Authority is willing to paint out a handicapped spot as close to 120 Railroad Avenue as possible in their existing parking lots. "There is really no other alternative," he said, "because the roadway was abandoned and made part of the parking lot."

Council President Schneider asked how many handicapped spaces exist currently within our permit parking area. "None," Chief Eufemia replied. "Do we have room to expand one of the spaces to make it a handicapped space?" Mr. Schneider asked. "Yes," the Chief replied. Council President Schneider stated that he would like to take a look at the area himself, and that, although he is sympathetic to the resident's concerns, he would be "a little uncomfortable granting a private parking spot to one resident." He added that "paying for permits in that lot would probably not be the most popular thing among Housing Authority residents."

Mayor Patten recommended that Council members visit the site, walk the area and discuss this again at a future meeting. Council President Schneider asked Chief Eufemia where handicapped parking spaces currently exist within the Stockton Street lot. The Chief stated that there are two by the liquor store, two near the alleyway and three at the Rogers Avenue end of the lot, and they are all used.

COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilmember Quattrone addressed several issues:

- He congratulated Chief Eufemia on the approved PBA contract, and said that he has been observing our officers on foot patrol. He added that he received something in the mail from the PBA regarding vital information about families, which he feels is a move in the right direction.
- He reported that our Public Works department has been busy repairing broken water mains and they have done an excellent job. "Thank God," he said, "that we haven't had to pay an outside contractor to do this work."
- He reported that First Aid Squad Captain Erini Papafilipakis has asked her Squad to cover a third night each week, and they want to do it. "I commend them," he said. "They've been outstanding." He added that rebuilding the Squad "takes time."

- He stated that he has a problem with the State crews that plow snow. They travel too fast on Mercer Street, he said, push snow four feet onto his lawn and throw salt onto his porch. He asked what could be done about this, and suggested that a letter be sent to the NJDOT.
- He commended Mr. and Mrs. Johnston for their presentation on drug awareness, and said that he, personally, would like to help pay for pizzas for their gathering.
- He asked that the Borough ensure that our senior citizens are checked on daily in this extremely cold weather. Chief Eufemia stated that we can assist them in finding shelter and offer them a heated area at Borough Hall if necessary. Councilmember Harinxma suggested that a notice be placed at the Senior Center, and it was noted that our Community Nurse checks regularly on our seniors and those at risk.

Councilmember Thompson reported that he recently had the need to call 9-1-1 on a Friday night, and a van arrived "in a minute and a half." "Seeing Erini made me feel so much better," he said, and added that all is fine now. He commended Councilmember Quattrone and the Hightstown First Aid Squad for their work.

Councilmember Harinxma reported that the Pop Warner youth league is looking for a place to start a program, and approached Hightstown. With limited space, we are trying to determine where we could accommodate them, she said, adding that "it would be an asset to the community, like Gene Lambert's Next Level basketball program." That program, she said, is becoming more and more popular, and Mr. Lambert deserves a lot of credit.

Councilmember Rosenberg thanked Mr. and Mrs. Johnston for their presentation, and expressed support for a youth center in this area. He said that he lost two friends in their 20s to heroin, and it "doesn't just affect young kids." "I applaud your efforts," he said.

Mayor Patten commended Council members for a "good session tonight," and said that "we continue to work diligently and cooperatively."

Ms. Gallagher noted that the U.S. Post Office is collecting Valentines for soldiers serving overseas. No stamp or address is necessary, she said, and cards may be dropped off at the Clerk's office during the coming week.

PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

Larry Blake, Public Works Superintendent, reported that the ice rink is now open until 9 p.m. nightly at Rocky Brook Park.

No one else came forward and the floor was closed.

EXECUTIVE SESSION

Ms. Gallagher read aloud Resolution 2007-45, authorizing a closed session for the purpose of discussing contract negotiations. The Resolution was moved by Council President Sikorski and seconded by Councilmember Schneider

Roll Call: Councilmembers Harinxma, Rosenberg, Schneider, Sikorski and Thompson voted yes.
Councilmember Quattrone was out of the room when the vote was taken.

Resolution adopted, 5-0.

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on February 5, 2007 at approximately 9:00 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 – Emergency Medical Services

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: May 5, 2007 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 Council President Sikorski, seconded by Councilmember Thompson and unanimously approved. The meeting was adjourned at 9:47 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk