

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; and George Lang, Chief Financial Officer.

APPROVAL OF AGENDA

The agenda was amended to provide that Resolution 2007-95 would be addressed immediately following the Executive Session, and that Resolution 2007-98 would be addressed following the adoption of Ordinance 2007-07. The agenda was moved as amended by Council President Sikorski, seconded by Councilmember Quattrone and approved by all.

APPROVAL OF MINUTES

Minutes of the March 5, 2007 open and closed sessions were moved by Council President Sikorski, seconded by Councilmember Thompson and unanimously approved as submitted.

EXECUTIVE SESSION

Ms. Gallagher read aloud Resolution 2007-97, authorizing a closed session for the purpose of discussing tax appeal litigation. The Resolution was moved by Council President Sikorski and seconded by Councilmember Harinxma.

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

Resolution adopted, 6-0.

RESOLUTION 2007-97**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 19, 2007 at approximately 7:05 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:

Tax Appeal Litigation – Hightstown Development Associates

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 19, 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.

RESOLUTION 2007-98, A RESOLUTION AUTHORIZING THE BOROUGH TO FILE A TAX APPEAL IN ORDER TO SEEK AN INCREASE IN THE ASSESSED VALUES OF CERTAIN PROPERTIES OWNED BY HIGHTSTOWN DEVELOPMENT ASSOCIATION, LLC (BLOCK 55, LOT 74 AND BLOCK 61.01, LOT 26)

Upon reconvening into open session, Resolution 2007-98 was moved by Council President Sikorski and seconded by Councilmember Quattrone.

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

Resolution adopted, 6-0.

RESOLUTION 2007-98

A RESOLUTION AUTHORIZING THE BOROUGH TO FILE A TAX APPEAL IN ORDER TO SEEK AN INCREASE IN THE ASSESSED VALUES OF CERTAIN PROPERTIES OWNED BY HIGHTSTOWN DEVELOPMENT ASSOCIATION, LLC (BLOCK 55, LOT 74 AND BLOCK 61.01, LOT 26).

WHEREAS, Hightstown Development Association, LLC (the "property owner"), is the owner of two (2) separately assessed real properties located along Westerlea Avenue, known and designated as Block 55, Lot 74 and Block 61.01, Lot 26 on the Borough's Tax Map (collectively, the "properties"), which comprise a total of approximately fourteen (14) acres; and

WHEREAS, the properties are the site of a 199 unit garden apartment complex consisting of twenty-six (26) two-story apartment buildings; and

WHEREAS, the combined assessment of the properties is equivalent to \$5,450,000.00, which implies a true value of approximately \$12,255,453.00 when considering the Borough's 2007 assessment ratio of 44.47%; and

WHEREAS, the Borough's Tax Assessor and Appraiser are of the opinion that the true market value of the properties, as of October 1, 2006, is in excess of \$12,255,453.00; and

WHEREAS, the property owner has filed tax appeals with the Tax Court of New Jersey challenging the assessed values of the properties for tax years 2005 and 2006, and the Borough has filed counter-claims seeking an increase in the assessed values of the properties for those years; and

WHEREAS, these appeals remain pending before the Tax Court; and

WHEREAS, while these matters remain pending, the Borough's Tax Assessor has recommended that the Borough file a 2007 tax appeal in order to seek an increase in the assessed value of the properties for tax year 2007; and

WHEREAS, the Borough will be putting a municipal-wide revaluation into effect for tax year 2008, which should resolve the issue of the true value of the properties for tax year 2008; and

WHEREAS, the Borough Council wishes to provide its authorization for the filing of a 2007 tax appeal on behalf of the Borough, which will seek an increase in the tax assessed values of the properties for 2007, as recommended by the Tax Assessor.

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

1. That the Borough Council hereby authorizes the filing of a tax appeal before the Tax Court of New Jersey seeking to increase the assessed valuation of the properties known and designated as Block 55, Lot 74 and Block 61.01, Lot 26 on the Hightstown Borough Tax Map, for the tax year 2007, as recommended by the Tax Assessor.
2. That the Borough Attorney is hereby authorized and directed to file the said tax appeal in a timely manner, and to perform all other necessary actions associated with this matter.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Ken Pacera, Tax Assessor
 - b. Peter Sockler, MAI, Appraiser
 - c. Candace Gallagher, Business Administrator/Clerk
 - d. Frederick C. Raffetto, Esq., Borough Attorney
 - e. Nancy Martin, Tax Collector
 - f. Arlene O'Rourke, Treasurer

PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

Eugene Sarafin, 600-628 South Main Street, referred to a demonstration against the war in Iraq which took place earlier that evening in Hightstown, and said that he was reminded of anti-war protests during 1967. We had no business being in Vietnam then, he said, and have no business being in Iraq now. He stated that President Bush should be impeached and asked Council to work on a grassroots level to stop this war.

Torry Watkins, 68 Meadow Drive, stated that he has not received a response from anyone on the governing body to his requests that the Borough "dust off" a Federal study done years ago which, he said, recommended that the Borough's sewage treatment plant be shut down and combined with East Windsor's to save taxpayers "a bunch of dollars." He asked Council to bring in a consultant or ask the Borough Engineer to take a look at that, and refer it to the water-sewer committee.

No one else came forward and the floor was closed.

ENGINEER'S ITEMS

RESOLUTION 2007-99, AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND PARTIAL RELEASE OF AMOUNTS REMAINING IN ESCROW – PRINCETON POOL & PATIO, INC. (BETTY WILSON ENTERPRISES, LLC)

Following a brief review by Ms. Roberts, Resolution 2007-99 was moved by Councilmember Quattrone and seconded by Council President Sikorski.

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

Resolution adopted, 6-0.

RESOLUTION 2007-99

AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND PARTIAL RELEASE OF AMOUNTS REMAINING IN ESCROW – PRINCETON POOL & PATIO, INC. (BETTY WILSON ENTERPRISES, LLC)

WHEREAS the Borough of Hightstown currently holds a cash performance guarantee in the amount of \$43,015.86 and escrow funds which were posted by Betty Wilson Enterprises, LLC on behalf of Princeton Pool & Patio, Inc. relative to site plan improvements at 2 Cranbury Station Road; and

WHEREAS, Betty Wilson Enterprises, Inc. has requested the release of said performance bond and escrow; and

WHEREAS the Borough Engineer has inspected the project and has recommended the release of the performance bond, subject to the following:

1. Posting of a two-year Maintenance Guarantee in the amount of \$14,338.62;
2. Payment of all outstanding fees and accounts; and
3. Retaining \$400.00 in the escrow account for re-inspection prior to the expiration of the Maintenance Guarantee.

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

1. The Treasurer is authorized and directed to release to Betty Wilson Enterprises, LLC the cash performance bond held relative to site plan improvements at 2 Cranbury Station Road, in the amount of \$43,015.86.
2. The Treasurer is authorized and directed to release to Betty Wilson Enterprises, LLC 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.
3. Authorizations provided herein are subject to the posting by Betty Wilson Enterprises, LLC of a two-year maintenance guarantee in the amount of \$14,338.62 in a form acceptable to the Borough Attorney.
4. A certified copy of this Resolution shall be provided to the following:
 - a. Betty Wilson Enterprises, LLC
 - b. Arlene O'Rourke, Treasurer
 - c. Leona Baylor, Planning Board Secretary
 - d. Carmela Roberts, Borough Engineer
 - f. Gary Rosensweig, Planning Board Attorney

RESOLUTION 2007-100, REQUESTING EXTENSION OF TIME IN WHICH TO AWARD CONTRACT FOR THE BANK STREET STREETSCAPE PROJECT (SMALL CITIES CDBG - PUBLIC FACILITIES)

Following a brief review by Ms. Roberts, Resolution 2007-100 was moved y Council President Sikorski and seconded by Councilmember Thompson.

Councilmember Rosenberg asked if the Borough is guaranteed to receive the requested extension. "No," Ms. Roberts replied, "but it has been common practice to grant them."

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

Resolution adopted, 6-0.

RESOLUTION 2007-100

REQUESTING EXTENSION OF TIME IN WHICH TO AWARD CONTRACT FOR THE BANK STREET STREETSCAPE PROJECT (SMALL CITIES CDBG - PUBLIC FACILITIES)

WHEREAS, the Borough of Hightstown has been awarded funding through the New Jersey Department of Community Affairs Small Cities Community Development Block Grant for the Bank Street Streetscape Project; and

WHEREAS, the deadline for award of a contract for the project is May 31, 2007; and

WHEREAS, the Bank Street Streetscape project has been delayed because of ongoing delays associated with the redevelopment of the rug mill on Bank Street; and

WHEREAS, although the Borough has met numerous times with the property owner/redeveloper and has made important and substantial progress in moving forward with the project, adequate progress to begin construction has not yet been made; and

WHEREAS, the plans for the redevelopment of the rug mill on the Bank Street site and on-site construction are months away, and any new construction performed in the area of the streetscape improvements would likely be damaged by the on-site redevelopment; and

WHEREAS, the Borough believes it is in the best interest of the Borough, the redeveloper and the Small Cities program to extend the award of this contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough hereby requests from the New Jersey Department of Community Affairs a one-year extension of time to May 31, 2008, in which to award a contract for the Bank Street Streetscape project.

RESOLUTION 2007-101, A RESOLUTION AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO ACCEPT A CASH CONTRIBUTION IN LIEU OF THE CONSTRUCTION OF CURBS AND SIDEWALKS ADJACENT TO STOCKTON STREET (CCL LABEL)

Ms. Roberts provided a brief review of this Resolution and recommended its approval, and Council President Sikorski noted that the Planning Board has expressed its unanimous support for this. Councilmember Schneider asked if the amount of the contribution would be sufficient to install new sidewalks and Ms. Roberts stated that it would.

Resolution 2007-101 was moved by Councilmember Thompson and seconded by Council President Sikorski.

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

Resolution adopted, 6-0.

RESOLUTION 2007-101 A RESOLUTION AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO ACCEPT A CASH CONTRIBUTION IN LIEU OF THE CONSTRUCTION OF CURBS AND SIDEWALKS ADJACENT TO STOCKTON STREET (CCL LABEL)

WHEREAS, CCL Label previously received approval(s) from the Borough of Hightstown Planning Board, in 2004, to construct a warehouse addition to its existing facility that included on-site parking and drainage improvements; and

WHEREAS, one of the conditions of the Planning Board approval(s) was the replacement of certain concrete curbs and sidewalks along the frontage of the CCL Label facility, from the location of where Railroad Avenue was recently vacated to Forman Street; and

WHEREAS, CCL Label was required to submit Performance Guarantees for both the on-site and off-site improvements; and

WHEREAS, CCL Label recently contacted the Borough to advise that its project will be moving forward shortly; and

WHEREAS, prior to commencing the required curb and sidewalk work, CCL Label has inquired as to whether it would be more advantageous for the Borough to accept a cash contribution in lieu of the actual replacement of curbs and sidewalks along Stockton Street, since the Borough is reviewing the appropriate types of materials to be used for replacement of certain sidewalks on Stockton Street in connection with a project that will be undertaken in the Stockton Street Historic District which will be funded through a New Jersey Historic Trust Grant; and

WHEREAS, the Borough Engineer will soon be preparing plans for the reconstruction of curb and sidewalk areas along Stockton Street in the area of CCL Label and continuing to Summit Street, in connection with the Stockton Street Historic District project; and

WHEREAS, in lieu of reconstruction of the curbs and sidewalks as required by the Planning Board approval(s), CCL Label has proposed that it would make a cash contribution equivalent to the amount that would have been provided in a Performance Bond covering the work; and

WHEREAS, this cash contribution may then be utilized by the Borough to fund the improvements that will be constructed as part of the Stockton Street Historic District project; and

WHEREAS, the Borough Engineer has determined that the amount of the cash contribution would be \$31,572.50, based on the amount that would have been required to be posted in a Performance Bond to cover the original work contemplated by the Planning Board approval(s); and

WHEREAS, the Planning Board has considered this proposal, and the Board supports the concept of a cash contribution in the amount set forth above in lieu of actual construction, in view of the pendency of the Stockton Street Historic District project.

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, as follows:

1. That the Borough is authorized to accept a cash contribution in the amount of \$31,572.50 from CCL Label, in lieu of the actual construction of certain curbs and sidewalks along the frontage of the CCL Label property pursuant to the prior Planning Board approval(s).
2. That the Borough shall be permitted to utilize this contribution as it sees fit in connection with the Stockton Street Historic District project.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. CCL Label
 - b. Carmela Roberts, P.E., Borough Engineer
 - c. Hightstown Borough Planning Board
 - d. Gary Rosensweig, Esquire, Planning Borough Attorney
 - e. Candace Gallagher, Borough Administrator/Clerk
 - f. Frederick C. Raffetto, Esquire, Borough Attorney

RESOLUTIONS

RESOLUTION 2007-89, INTRODUCING THE 2007 BUDGET

Ms. Gallagher provided an overview of the budget to be introduced at this meeting. The budget as introduced would carry a 19-cent municipal tax increase, primarily the result of increases in expenses which are beyond the Borough's control, such as insurance, emergency medical services, debt service, State-mandated increases in pension contributions and the first of five annual appropriations necessary to fund the cost of the property revaluation ordered by the County. She stated that the Borough will be applying for \$380,000 in Extraordinary Aid which, if received, would lower the proposed tax increase to two cents.

Councilman Thompson noted the Borough's many uncontrollable expenses, and said that the only way to not look at significant tax increases is to look at the number we want to spend and then "build [the budget] from the ground up."

Councilman Quattrone noted that introduction of the budget does not mean that the Borough is finished working on it. Changes can still be made prior to its adoption.

Resolution 2007-89 was moved by Councilmember Quattrone and seconded by Councilmember Schneider.

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

Resolution adopted (budget introduced), 5-1.

RESOLUTION 2007-89, INTRODUCING THE 2007 BUDGET
(preprinted form; included at end of these 3/19/07 minutes)

ORDINANCES

PUBLIC HEARING AND FINAL READING: ORDINANCE 2007-07, ESTABLISHING SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN

Ms. Gallagher reviewed the provisions of Ordinance 2007-07, and stated that the upper ends of the salary ranges have been adjusted to accommodate negotiated salary increases. This ordinance, she added, covers salaries for both 2006 and 2007, and will be retroactive to January 1, 2006.

Mayor Patten opened the public hearing on Ordinance 2007-07.

Eugene Sarafin, 600-628 South Main Street, had several questions regarding the salaries to be set in Resolution 2007-90, which will fall within the ranges set by this Ordinance.

- He asked about the increase shown in the salary for Chief Financial Officer. Ms. Gallagher explained that Mr. Lang's salary will increase (as do most others) by 2 ½ percent as of January 1, 2006 and 3 percent as of January 1, 2007. As of April 1, 2007, his salary will increase to \$45,000 because he will be taking on more, thereby allowing the Borough to avoid the need to bring in another full-time Assistant Treasurer.
- He asked why the Borough Administrator's salary is not included in the salary Resolution. Ms. Gallagher explained that the Resolution does not include salaries which have previously been set by contract or Resolution, as has the Administrator's salary. That salary, she said, is currently \$26,000 per year, and the contract runs from July 1, 2006 through June 30, 2007. The salary for the next contract period (beginning July 1) has not yet been established.
- He asked why the range for the Borough Attorney's salary was lowered. Ms. Gallagher explained that, previously, the Borough attorney received \$23,000 per year as a retainer for general duties. Attendance at Council meetings was billed separately. This year, he will instead receive \$7,000 per year as a retainer for attendance at up to three Council meetings per month, and other duties will be billed separately at the rate of \$110 per hour.

No one else came forward and the hearing was closed.

Ordinance 2007-07 was moved for adoption by Councilmember Schneider and seconded by Councilmember Quattrone.

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

Ordinance adopted, 5-1.

**AN ORDINANCE TO ESTABLISH SALARY RANGES FOR CERTAIN OFFICERS AND
EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN**

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

Section 1. The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, excluding longevity, whose compensation shall be on an annual basis, is:

| | RANGING FROM: | TO: |
|--|---------------|--------------|
| Mayor | \$4,800.00 | \$4,800.00 |
| Councilmember | \$3,600.00 | \$3,600.00 |
| Planning Board Attorney | \$2,000.00 | \$2,000.00 |
| Borough Attorney | \$7,000.00 | \$25,000.00 |
| Borough Administrator | \$18,000.00 | \$27,000.00 |
| Borough Clerk | \$40,000.00 | \$72,500.00 |
| Deputy Borough Clerk | \$28,000.00 | \$40,000.00 |
| Treasurer | \$40,000.00 | \$65,000.00 |
| Assistant Treasurer (full-time) | \$36,000.00 | \$50,000.00 |
| Tax/Water/Sewer Collector | \$38,000.00 | \$48,000.00 |
| Deputy Tax/Water/Sewer Collector | \$8,000.00 | \$15,000.00 |
| Tax Assessor | \$7,500.00 | \$11,500.00 |
| Registrar of Vital Statistics | \$2,500.00 | \$5,000.00 |
| Deputy Registrar of Vital Statistics | \$1,000.00 | \$4,000.00 |
| Municipal Magistrate | \$25,000.00 | \$34,000.00 |
| Municipal Court Administrator | \$40,000.00 | \$69,000.00 |
| Deputy Municipal Court Administrator | \$28,000.00 | \$40,000.00 |
| Zoning Officer | \$8,000.00 | \$20,000.00 |
| Administrative Assistant/Secretary | \$22,000.00 | \$42,500.00 |
| Planning Board Secretary | \$1,000.00 | \$15,000.00 |
| Technical Assistant | \$28,000.00 | \$38,000.00 |
| Construction Code Official | \$18,000.00 | \$35,000.00 |
| Fire Subcode Official | \$3,500.00 | \$6,000.00 |
| Building Subcode Official | \$3,500.00 | \$8,000.00 |
| Superintendent of Public Works | \$50,000.00 | \$80,000.00 |
| Assistant Superintendent of Public Works | \$50,000.00 | \$65,000.00 |
| Superintendent of Water Plant | \$5,000.00 | \$8,000.00 |
| Water Plant Operator | \$40,000.00 | \$62,500.00 |
| Superintendent of AWWTP | \$50,000.00 | \$75,000.00 |
| Chief Operator - AWWTP | \$40,000.00 | \$55,000.00 |
| Lab Manager - AWWTP | \$35,000.00 | \$50,000.00 |
| Chief of Police | \$65,000.00 | \$103,000.00 |
| Secretary - Board of Health | \$500.00 | \$1,000.00 |
| Computer Systems Administrator | \$3,000.00 | \$6,000.00 |
| Chief Financial Officer | \$2,000.00 | \$50,000.00 |
| Payroll Clerk | \$20,000.00 | \$27,000.00 |
| Building Inspector | \$3,500.00 | \$9,000.00 |
| Fire Inspector | \$2,000.00 | \$6,000.00 |
| Housing Inspector | \$10,000.00 | \$20,000.00 |
| Health Officer | \$8,000.00 | \$12,000.00 |

Section 2. The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, whose compensation shall be on an hourly basis, is:

| | RANGING FROM: | TO: |
|---------------------------------|---------------|---------|
| Part-time clerical | \$9.00 | \$25.00 |
| Assistant Treasurer (part-time) | \$12.00 | \$27.00 |
| Payroll Clerk | \$10.00 | \$15.00 |
| Violations Clerk (part-time) | \$10.00 | \$14.00 |
| Disposition Clerk (part-time) | \$12.50 | \$22.00 |

| | RANGING FROM: | TO: |
|--|---------------|----------|
| Special Officer – Municipal Court | \$25.00 | \$30.00 |
| Court Interpreter (two hour minimum per court session) | \$50.00 | \$75.00 |
| Planning Board Secretary | \$12.00 | \$20.00 |
| Public Health Nurse | \$25.00 | \$35.00 |
| School Crossing Guard | \$16.00 | \$22.00 |
| Radio Dispatcher | \$8.00 | \$23.00 |
| Administrative Assistant/Secretary | \$12.00 | \$22.00 |
| Administrative Assistant – Floater | \$13.50 | \$18.00 |
| Public Works Foreman | \$16.00 | \$25.00 |
| Public Works Heavy Equipment Operator | \$14.00 | \$22.00 |
| Public Works Driver/Laborer | \$10.00 | \$20.00 |
| Public Works Laborer | \$8.00 | \$17.00 |
| Public Works Municipal Building Maintenance | \$8.00 | \$16.00 |
| Public Works Mechanic | \$10.00 | \$20.00 |
| Public Works Driver/Laborer/Mechanic | \$10.00 | \$20.00 |
| Seasonal/Temporary Labor | \$8.00 | \$16.00 |
| Assistant Water Plant Operator | \$14.00 | \$19.00 |
| AWWTP Maintenance Mechanic/Metal Fabricator | \$16.00 | \$20.00 |
| AWWTP Maintenance | \$15.00 | \$22.00 |
| AWWTP Shift Supervisor/Operator | \$15.00 | \$20.00 |
| AWWTP Operator Trainee (up to 1 year exp) | \$12.00 | \$14.00 |
| AWWTP Operator – Class I (min. 1 year exp) | \$13.25 | \$15.00 |
| AWWTP Operator – Class II (min. 2 years exp) | \$14.25 | \$16.00 |
| AWWTP Operator – Class III (min. 3 years exp) | \$15.50 | \$18.00 |
| AWWTP Operator – Class IV (min. 4 years exp) | \$16.50 | \$19.00 |
| Recreation Director (part-time) | \$20.00 | \$30.00 |
| Assistant Recreation Director (part-time) | \$8.00 | \$15.00 |
| Junior Recreation Counselor (part-time) | \$6.00 | \$10.00 |
| Construction Official | \$18.00 | \$40.00 |
| Housing Inspector | \$18.00 | \$35.00 |
| Fire Inspector | \$18.00 | \$35.00 |
| Building Inspector | \$18.00 | \$40.00 |
| Fire Official | \$18.00 | \$35.00 |
| Building Subcode Official | \$18.00 | \$40.00 |
| Electric Subcode Official | \$18.00 | \$ 35.00 |
| Plumbing Subcode Official | \$18.00 | \$ 40.00 |

Section 3. The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, whose compensation shall be on a per-session basis, is:

| | RANGING FROM: | TO: |
|--|---------------|----------|
| Judge | \$150.00 | \$300.00 |
| Prosecutor | \$150.00 | \$300.00 |
| Public Defender | \$100.00 | \$150.00 |
| Alcohol Education Rehab Sessions: | | |
| Municipal Court Administrator | \$150.00 | \$200.00 |
| Deputy Court Administrator | \$100.00 | \$150.00 |
| Planning Board Secretary – Planning Board meetings | \$50.00 | \$75.00 |

Section 4. Supplemental Longevity Pay for regular full-time employees except police shall be as follows:

| | |
|---|------------|
| After five (5) years of service | \$650.00 |
| After ten (10) years of service | \$1,000.00 |
| After fifteen (15) years of service | \$1,350.00 |
| After twenty (20) years of service | \$1,700.00 |
| After twenty-five (25) years of service | \$2,100.00 |

Section 5. All full-time employees who have waived health benefits coverage shall receive a supplemental stipend in the amount of \$2,150 per year.

Section 6. This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2006.

Section 7. The salary ranges established in this ordinance supercede any established for the same positions in previous salary ordinances, and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

RESOLUTION 2007-90, ESTABLISHING SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN FOR THE YEARS 2006 AND 2007

Ms. Gallagher reviewed the provisions of Resolution 2007-90, noting that it will set salaries for department heads for both 2006 and 2007. In most cases, salaries will increase by 2.5% for 2006 and 3% for 2007. The Resolution does not include salaries previously set by contract or Resolution.

Resolution 2007-90 was moved by Councilmember Quattrone and seconded by Councilmember Schneider.

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

Resolution adopted, 5-1.

RESOLUTION 2007-90 ESTABLISHING SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN FOR THE YEARS 2006 AND 2007

WHEREAS, Section 2-9.8(b) of the *Revised General Ordinances of the Borough of Hightstown* provides that salaries of Department Heads shall be set by the Mayor and Council and that the salaries of other non-union employees shall be set by the Borough Administrator within the range provided by Ordinance; and

WHEREAS it is the desire of the Mayor and Council to set 2006 and 2007 salaries for non-union employees to provide a two and one-half percent salary increase in 2006 and a three percent increase in 2007, consistent with that received by members the P.B.A. for those years;

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

1. Salaries for department heads, including any additional titles held by them, are hereby established as set forth on Schedule "A," attached¹.
2. Salaries for those titles which are set by separate contract and/or Resolution of Council are not included in this Resolution.
3. The Borough Administrator shall adjust the salaries of other non-union employees who are not Department Heads and who have not entered into a separate contractual arrangement with the Borough to reflect an increase in pay of two and one-half percent (2½ %) above their 2005 base salary for 2006 and three percent (3%) above their 2006 base salary for 2007, effective January 1 of each year or, in the case of employees hired during the year in 2005 or 2006, effective upon their completion of one full year of service, and as provided in Section 4.2 of the *Personnel Policy Manual of the Borough of Hightstown*.

¹ Included at end of these 3/19/07 minutes.

INTRODUCTION AND FIRST READING: ORDINANCE 2007-08,

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

Ms. Gallagher and Mr. Lang reviewed the provisions of this Ordinance, noting that, at present, the Borough's budget is within cap, but this Ordinance is important in order to establish a cap bank for use, only if needed, in the 2008 and/or 2009 budgets. Most towns adopt this ordinance each year, they explained.

Councilmember Schneider asked how much cap bank the Borough had available following last year's budget. Mr. Lang stated that the cap bank balance was about \$46. "That's pretty close," Councilmember Schneider said, and indicated that he will vote to approve this Ordinance while still being "morally opposed to spending more than we have to."

Ordinance 2007-08 was moved by Council President Sikorski and seconded by Councilmember Schneider.

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

Ordinance introduced, 5-1.

The public hearing and final reading for Ordinance 2007-08 was set for April 2, 2007.

CONSENT AGENDA

At the request of Councilman Quattrone, Resolution 2007-92 was pulled for separate consideration.

Resolutions 2007-91, 93, 94, 95 and 96 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 2007-91 AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-174 TO BETTER BEGINNINGS DAY CARE CENTER

WHEREAS, Better Beginnings Day Care Center wishes to hold an off-premise merchandise raffle at 318 North Main Street on June 27, 2007; and

WHEREAS, the group has submitted application number RA-174 for this raffle along with the required fees; 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-174 to Better Beginnings Day Care Center for their merchandise raffle to be held on June 27, 2007.

RESOLUTION 2007-93 RESOLUTION SUPPORTING RENEWAL OF THE GARDEN STATE PRESERVATION TRUST

WHEREAS, continued investment in open space and farmland preservation is vitally important to the state, as it enhances New Jersey's economy, safeguards its remaining natural, agricultural and cultural resources and preserves its character; and

WHEREAS, New Jersey continues to face incredible pressure from development, losing nearly 50 acres of open space daily to new development projects; and

WHEREAS, the Garden State Preservation Trust provides a match for open space taxes collected by all 21 counties and more than 225 municipalities; and

WHEREAS, protecting open spaces and improving urban natural areas stabilizes local property taxes and revitalizes communities; and

WHEREAS, since its creation in 1998, the Garden State Preservation Trust has enabled the State of New Jersey, its local governments, and nonprofits to acquire over 432,000 acres of parks, open space and farmland; and

WHEREAS, the Garden State Preservation Trust is essential not only to the State's conservation programs, but also to the work of counties, municipalities and nonprofit organizations by providing grants and low interest loans to help preserve land while protecting natural resources and farmland for future generations; and

WHEREAS, even many of the places already protected – our state and local parks – are threatened by inadequate levels of funding for operation, maintenance, and stewardship; and

WHEREAS, the Garden State Preservation Trust is virtually depleted, with funds to be completely exhausted in 2007 despite the continued need for the programs it makes possible;

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

1. The municipality supports the renewal and strengthening of the Garden State Preservation Trust, to provide \$325 million annually for New Jersey to continue its program to acquire open space and farmland and improve historic sites and preserve lands. This amount includes \$225 million a year for acquisition and \$100 million a year for capital projects, which could be provided by bonding an annual dedicated stream of approximately \$150 million.
2. The municipality supports the dedication of \$56 million annually to establish a stable source of funding for operation, maintenance, and stewardship for parks, recreation and natural areas.
3. The Municipal Clerk is hereby authorized to provide a copy of this resolution to the following:
 - a. The Honorable Jon Corzine, Governor
 - b. New Jersey Senators
 - c. New Jersey Assemblypersons
 - d. Morris Land Conservancy
 - e. New Jersey Conservation Foundation
 - f. The Outdoor Recreation Alliance

RESOLUTION 2007-94 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 **\$701,064.56** from the following accounts:

| | |
|--------------------------------|---------------|
| Current | \$ 377,461.33 |
| W/S Operating | 62,921.06 |
| General Capital | 185,179.502 |
| Public Defender | 2,600.00 |
| Trust | 1,223.87 |
| Grant | 366.60 |
| Housing Trust Recaptured Funds | 5,550.00 |

Total**\$701,064.56****RESOLUTION 2007-95****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: |
|-------------------------------------|--------------------|------------------|------------------|
| Police Department | Salaries and Wages | 6,500.00 | |
| Community/Condominium Services Act | Other Expenses | 8,200.00 | |
| Provision for Salary Adjustment | Salaries and Wages | 7,800.00 | |
| General Administration | Salaries and Wages | | 300.00 |
| Municipal Clerk | Salaries and Wages | | 1,000.00 |
| Financial Administration | Salaries and Wages | | 100.00 |
| Collection of Taxes | Salaries and Wages | | 500.00 |
| Planning Board | Salaries and Wages | | 700.00 |
| Uniform Fire Safety Act | Salaries and Wages | | 100.00 |
| Public Buildings and Grounds | Salaries and Wages | | 600.00 |
| Board of Health | Salaries and Wages | | 900.00 |
| State Uniform Construction Code | Salaries and Wages | | 3,000.00 |
| Housing Code Enforcement | Salaries and Wages | | 600.00 |
| Public Employees' Retirement System | Other Expenses | | 8,200.00 |
| Social Security System | Other Expenses | | 6,500.00 |
| | | | |
| TOTAL | | 22,500.00 | 22,500.00 |

RESOLUTION 2007-96**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 | 273,222.00 | 189,651.25 | 462,873.25 |
| Capital Outlay – Current | 0.00 | 5,000.00 | 5,000.00 |
| Debt Service - Current | 0.00 | 152,603.00 | 152,603.00 |
| Water/Sewer | 64,190.00 | 482,902.00 | 547,092.00 |
| Capital Outlay – W/S | 0.00 | 0.00 | 0.00 |
| Debt Service - W/S | 0.00 | 146,580.00 | 146,580.00 |
| TOTAL | 337,412.00 | 976,736.25 | 1,314,148.25 |

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof.
2. Each emergency appropriation listed will be provided for in the 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.

With respect to Resolution 2007-92, Councilman Quattrone expressed concern that the SCADA (automated alarm) system at the wastewater treatment plant would not be okayed and accepted by NJDEP, and asked if this type of system is in use in other plants. Ms. Gallagher stated that SCADA systems are used elsewhere, and she does not expect a problem with DEP, as they have been aware of this project for some time. She noted that we are approaching the end of the project and it will be functional soon.

Councilmember Schneider asked about savings in labor costs to be achieved with the SCADA system. Ms. Gallagher noted that, while someone must be available to respond to an alarm, Mr. Searing has indicated in the past that he is hopeful that we may be able to reduce or eliminate one shift once the system is fully functional.

Resolution 2007-92 was moved by Councilmember Schneider and seconded by Councilmember Quattrone.

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

Resolution adopted, 6-0.

RESOLUTION 2007-92 AUTHORIZING CHANGE ORDER TO AGREEMENT FOR SCADA SYSTEM PROGRAMMING

WHEREAS, on September 5, 2006, the Borough Council approved an agreement with Morehouse Engineering, Inc. of Hopewell, New Jersey, for specialized engineering services with regard to the automated SCADA alarm system recently installed at the Borough's Advanced Wastewater Treatment Plant, for a total cost not to exceed \$16,456.00; and

WHEREAS, the Advanced Wastewater Treatment Plant Superintendent has recommended that a change order to this agreement be approved in the amount of \$3,332.00 in order to authorize Morehouse Engineering to complete certain programming which a prior vendor was unable to complete, and for which that vendor was not paid by the Borough; 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 a change order to the agreement with Morehouse Engineering, Inc. in the amount of \$3,332.00 is hereby approved as outlined herein.

NEW BUSINESS

ECONOMIC DEVELOPMENT COMMITTEE – YEAR END REPORT

Economic Development Committee Chairman Mike Vanderbeck and Secretary Jeff Bond provided copies to the Mayor and Council of the EDC's year end report, a full copy of which is included at the end of these March 19 minutes, and offered to answer any questions. Mayor Patten asked them to speak briefly regarding the Main Street New Jersey program.

Mr. Vanderbeck said that they would like to make a formal presentation regarding the Main Street program at a future Council meeting, at which time they would request inclusion of funding in the 2007 budget for this. The EDC feels that this would help our downtown businesses, he said.

Councilman Thompson asked the EDC about their "bigger accomplishments." Mr. Bond stated that the report references meeting with developers, which they would like to do, particularly with respect to the Minute Maid property. He said it is important to improve communication between the EDC, the downtown merchants, and all of the Borough's businesspeople. He noted that the "flower donor list" alone listed 137 businesses in town. He added that Councilmember Rosenberg may be helping to establish a separate website for the businesses, possibly as a part of the Borough's official website at first, and later separating.

Councilmember Schneider asked if the EDC has reached out to any of the other businesses to encourage their attendance at meetings. Mr. Vanderbeck stated that the EDC would not be the venue for that. "That's why we want to introduce Main Street," he said. "They all want to participate in something that has that synergistic effect."

PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

Eugene Sarafin, 600-628 South Main Street, stated that the Borough has failed in its negotiations with East Windsor, and suggested that consideration be given to hiring professional agents to do that for us. He noted that, while a penny on the Borough's tax rate amounts to \$21,000 in the budget, it represents \$131,000 in East Windsor, therefore more money must be saved by them in order to see an impact. "You have to give something up in the first year," he said, and added that we should have offered East Windsor Township the \$200,000 we will be paying to Washington Township under the interlocal agreement for emergency medical services. East Windsor, he said, "has a political problem" and can't enter into an arrangement that would save substantially more pennies on the tax rate in Hightstown than in East Windsor.

No one else came forward and the floor was closed.

Upon motion by Council President Sikorski, seconded by Councilmember Harinxma and unanimously approved, the meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk