

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 Kenneth Pacera, Borough Tax Assessor. Arriving later in the meeting was George Lang, Chief Financial Officer.

APPROVAL OF AGENDA

Deleted from the agenda was a report to Council by the Economic Development Committee, and added was Resolution 2007-73, authorizing emergency temporary appropriations. The agenda as amended was moved by Council President Sikorski, seconded by Councilmember Rosenberg and approved by all.

APPROVAL OF MINUTES

Minutes of the January 23, 2007 Special Meeting were moved by Council President Sikorski, seconded by Councilmember Harinxma and approved as submitted by all but Councilmember Thompson, who abstained.

Minutes of the February 5, 2007 open and closed meetings were moved by Council President Sikorski, seconded by Councilmember Schneider and unanimously approved as submitted.

EXECUTIVE SESSION

Ms. Gallagher read aloud Resolution 2007-70, authorizing a closed session for the purpose of discussing the sale of public property. The Resolution 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 2007-70 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 February 20, 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:

Sale of Public Property

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: April 20, 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 at approximately 7:30 p.m., the meeting continued.

PRESENTATIONS

PRESBYTERIAN HOMES AT MEADOW LAKES

Heather Hill and Ed Trucelli of Presbyterian Homes and Services addressed the Mayor and Council to review their plans for a new 60-unit apartment building at Meadow Lakes. Although the development will take place entirely within East Windsor Township (and has been approved by the Township Planning Board), they are applying for water and sewer service from Hightstown, and made this presentation as a courtesy to the Borough.

Following a brief review of their plans, they offered to answer any questions. Following is a summary of the questions and answers which followed:

Q. How tall will the new building will be?

A. *Two stories.*

Q. What is located at that site now?

A. *A maintenance facility.*

Q. Where will the parking be located?

A. *Adjacent to the building.*

Q: Will any of the units would be affordable units?

A. *No.*

Q. What are you doing in East Windsor to accommodate your COAH obligation?

A. *Presbyterian Homes had previously constructed affordable housing near the East Windsor Township Municipal Building. Those units were viewed as covering part of their responsibility for this new construction, and they will also make a contribution as part of the developer's agreement to the Township's Affordable Housing Trust Fund.*

Q. What will you be giving to Hightstown?

A. *Water and sewer connection fees and usage charges.*

Q. How close will the building be to existing homes?

A. *100 to 200 feet.*

Eugene Sarafin noted that there is not enough water pressure there for adequate fire protection, and that another water tower is needed at that end of town.

Ms. Roberts provided clarification regarding certain items that were mentioned:

- She said that the edge of the loop road is 50 feet from the property line at its closest point.
- She anticipates water usage of about 9,000 gallons per day, and sewer usage of about 8,600 gallons per day. There is adequate capacity in our pipes and at the treatment plant, but certain forms must be submitted to NJDEP which she is working on now.
- Fireflow in this area is a concern, and she has not yet completed that analysis. Water pressure for domestic use is fine.
- We have been having grease problems at Meadow Lakes for years, and we have figured out a way to separate grease generating things from regular waste. She will be recommending that the grease situation be corrected before connecting any more units to the Borough's sewer system.
- The next step is to adopt a Resolution on March 5 to authorize the Mayor to sign forms stating that the Borough has reviewed the project and consents to submitting applications to NJDEP.

Mayor Patten wished Presbyterian Homes the best of luck with their project.

COST RECOVERY FOR FIRE AND POLICE SERVICES

Regina Moore, President of Cost Recovery Corporation (CRC), addressed the Mayor and Council regarding the services offered by her firm. They recover costs for fire departments and police departments by submitting claims to the insurance providers of the responsible parties for services rendered at the scene of an accident. The claims are based on time spent and materials used. 50% of insurance companies, she said, are paying these claims in full, even without federal regulations in place yet.

Ms. Moore stated that this program helps to alleviate the tax burden for citizens, who should not be responsible for these costs, especially when the accident is caused by a non-resident. She noted that most of the time spent at the scene of an accident by our police and fire personnel is spent "babysitting," and during that time, our resources are tied up. Her firm would submit a claim to the responsible party's auto insurance provider regardless of residency, but there would be no out-of-pocket costs to property taxpayers in the Borough. If an accident was caused by a Borough resident and the insurance company declined to pay, CRC would simply write off the outstanding amount. Non-residents, however, would be held responsible for payment.

Ms. Moore went on to say that there is no fee charged to the Borough. Instead, their 10% administrative fee is billed to the insurance companies. Insurance payments are sent directly to a separate accounting firm, she said, and CRC pays for a state audit. The Borough would receive monthly reports showing every incident and how much was assessed, written off and paid.

Mayor Patten asked if costs are also recovered from fires or disasters. Ms. Moore stated that this type of coverage is often included in homeowner's policies, and policy holders are not always aware of it. The Mayor asked how much

administrative work this would require on the Borough's part. "Only efficient reporting," Ms. Moore said. The Borough would be asked to submit incident reports weekly by fax or email. No further work would be required. Fire Chief John Archer was in attendance and stated that the fire department submits incident reports anyway through the National Fire Incident Reporting System.

Chief Archer asked if homeowner's insurance rates would see an increase if the Borough institutes this program. Ms. Moore replied that insurance rates cannot be raised without approval of the insurance commissioner. "Since 1999," she said, "there is not one town where rates have gone up because of this." She added that, the insurance industry is so lucrative, they typically offer discounted rates. When an accident is reported, they will take a portion of that discount away.

Councilman Thompson asked if the Borough is receiving any of these revenues at present. Ms. Gallagher confirmed that it is not. These would represent new revenues.

Council President Sikorski asked Ms. Moore if she could provide any references within New Jersey. "Not yet," she said. "New Jersey is new for us." She said that she does have clients in Pennsylvania, and would provide a reference list of similar clients throughout the U.S.

Mayor Patten thanked Ms. Moore for her time, and Chief Archer for bringing this to Council.

PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

Phyllis Deal, 305 Stockton Street, noted that residents with corner properties do not seem to include those corners when clearing their sidewalks of snow and ice. She said that she does not believe that people are being ticketed for failure to clear their sidewalks, and asked if that could be done, or if the Borough could "make them shovel." She added, "If you're going to shovel, how about shoveling the handicapped sections at the corners?" Ms. Deal also noted that the snow was piled too high near the handicapped spaces at the library to allow people to get out of their cars. Councilman Quattrone said that he would look into that.

Nancy Walker Loudenberger, 632 South Main Street, stated that she was "saddened" to read a recent article in the *Windsor Hights Herald* regarding the relationship between Hightstown and East Windsor. She reminded all that "the last 12 years have not gone smoothly." "Neither Scott [Caster] nor Amy [Aughenbaugh] had smooth sailing," she said, and added that, although Mayor Patten spent the last four years trying to build trust between the two towns, "there has been no real change in the relationship, as evidenced by those letters." She said that Mayor Patten was right to leave a recent meeting with Mayor Mironov and East Windsor representatives, and that Council President Sikorski should have left as well. "Hightstown should understand," she said, "that East Windsor is not going to accommodate us quickly."

Eugene Sarafin, 600-628 South Main Street, stated that Mayor Patten was right to walk out of that meeting, and Council President Sikorski was right in staying. "Mark Lipmann said, 'We don't need them – they need us,'" he said. "That was not very smart." Mr. Sarafin said that the Borough and Township "have to agree on a lot." The Borough has frontage on Route 130, he said, "but we're not allowed to meet to discuss the impact there." "There is nothing to negotiate with East Windsor," he concluded. "Ask them to give us a price for recreation, police, whatever. It's simple. Then accept or reject it. There is no need to study or negotiate."

Phil LoBianco, Orchard Avenue, said, "For you to even consider doing business with Janice Mironov -- what are you thinking? You do not *want* her to have any say. ... She is *not* your friend." Regarding shared services, Mr. LoBianco said, "our taxes are not out of line with other towns. We have something special here. ... For a little bit of taxes, we'd be giving

up too much." Mr. LoBianco stated that Hightstown has a "history of good men and women running our town," and that Mayor Mironov and Mark Lippman "insulted us." He expressed doubt that Mr. Lippman was "polite and respectful" at the meeting in question, as had been stated in the press. "I like our little town," he said. "It is a special place. Dig in and work with Bob. We're all getting away real good for what we're getting here."

Jim Jurgens, 425 South Main Street, stated that, after listening to the presentation by Presbyterian Homes, he is seeing a trend "with East Windsor building a wall around Hightstown." "Look at Windsor Crossing," he said. "Face it, Janice doesn't want to be a good neighbor. That is the bottom line. Stop wasting your time." He urged Council to focus instead on sharing services with Washington, Cranbury and other towns.

Bob Murdoch, 128 South Street, expressed agreement with Mr. LoBianco and Mr. Jurgens. "Janice does not want to help us," he said, "and there is no reason for her to do that. ...Her attitude is to insult and degrade us. To bloody hell with her."

No one else came forward and the floor was closed.

ENGINEER'S ITEMS

RESOLUTION 2007-60, AWARDING CONTRACT FOR ZETA LYTE 1A POLYMER

Ms. Roberts reviewed the provisions of Resolution 2007-60. She noted that the cost is higher than the last time this was bid because both the price and quantity required has increased¹. Councilman Quattrone asked why we are using more of this, and Ms. Roberts stated that polymer is used to thicken sludge. "There is a lot of sludge that comes through with the septage deliveries," she said. Mayor Patten asked if we have any surplus chemicals left at the end of the contract period. "Not that I am aware of," she replied. "Can we do without it?" Councilmember Schneider asked. "No," Ms. Roberts responded.

Resolution 2007-60 was moved by Councilmember Thompson and seconded by Councilmember Schneider.

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

Resolution adopted, 6-0.

RESOLUTION 2007-60 AWARDING CONTRACT FOR ZETA LYTE 1A POLYMER (CUSTOM ENVIRONMENTAL TECHNOLOGY)

WHEREAS three (3) bids were received on January 4, 2007, for the provision of a polymer chemical, Zeta Lyte 1A or equivalent, for the approximate two-year period running through December 31, 2008; and

WHEREAS the low bid, submitted by Aries Chemical, Inc., was for an "equivalent" product, which required testing by our Advanced Wastewater Treatment Plant prior to awarding the contract; and

WHEREAS said testing has been conducted, and it has been determined by the Superintendent of the Advanced Wastewater Treatment Plant that the chemical proposed by Aries Chemical, Aries Polymer #3644, is NOT equal to that specified in the bid specifications, due to a slower settling time and fine particulate overflowing the clarifier; and

¹ Clerk's note: The prior contract for this polymer (2005-06) was for an estimated 1,320 gallons at a price of \$8.39/gal. (Total \$11,074.80). This contract, totaling \$21,890, is for an estimated 2,200 gallons at a price of \$9.95/gal.

WHEREAS the Superintendent has recommended the award of a contract for the specified chemical to the second-low bidder, Custom Environmental Technology of Collegeville, Pennsylvania; and Custom Environmental Technology of Collegeville, Pennsylvania, and the Borough Engineer concurs with that recommendation; and

WHEREAS, the Borough Attorney has reviewed the bid documents submitted by Custom Environmental Technology 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. The contract for provision of Zeta Lyte 1A Polymer or equivalent for the approximate two-year period running through December 31, 2008, is hereby awarded to Custom Environmental Technology of Collegeville, Pennsylvania, for the unit price of \$9.95/gallon and a total amount not to exceed Twenty One Thousand Eight Hundred and Ninety (\$21,890.00) Dollars.
2. The Mayor and Clerk are hereby authorized to execute an agreement with Custom Environmental Technology, subject to approval of the Borough Attorney.
3. This contract is contingent upon provision of adequate funds in the budgets for the years 2007 and 2008.

RESOLUTION 2007-61, AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE – JEFF FORMAN
(OLD HIGHTS OVERLOOK)

Following a brief review by Ms. Roberts, Resolution 2007-61 was moved by Councilmember Quattrone and seconded by Councilmember Thompson.

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

Resolution adopted, 6-0.

RESOLUTION 2007-61 AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE – JEFF FORMAN
(OLD HIGHTS OVERLOOK)

WHEREAS in May 2005, Jeff Forman posted a performance guarantee in the amount of \$287,170.20 relative to his Planning Board application for Old Hights Overlook; and

WHEREAS Mr. Forman has requested a reduction in the amount of the posted guarantee; and

WHEREAS the Borough Engineer has inspected the improvements and has determined that it would be appropriate for the Borough to release a portion of the posted bond at this time, as follows:

	Amount of original bond	Amount to be released	Amount to be retained by Borough
Bond portion	\$ 258,453.18	\$ 165,902.58	\$ 92,550.60
Cash portion	28,717.02	18,433.62	10,283.40
TOTAL	\$ 287,170.20	\$ 184,336.20	\$ 102,834.00

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

1. The Treasurer is hereby authorized and directed to release to Jeff Forman the amount of \$18,433.62, representing a portion of the cash portion of their performance guarantee as detailed herein.
2. The Borough Clerk is authorized and directed to take all necessary steps to reduce the balance of the bond portion of the performance bond held on behalf of Jeff Forman to \$165,902.58, or to effect the replacement of said bond with a new bond in the reduced amount.

3. The balance remaining of \$102,834.00, as detailed herein, shall be retained by the Borough as the performance guarantee for this project until such time as its release is recommended by the Borough Engineer and approved by further Resolution of Council.

RESOLUTION 2007-72, AUTHORIZING PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES AND PRESERVATION PLANNING – STOCKTON STREET HISTORIC DISTRICT

Ms. Roberts stated that the Borough applied for and received a grant last year from the New Jersey Historic Trust for engineering preservation planning. This contract with her firm will cover engineering design for a new streetscape in the Stockton Street Historic District, and will incorporate preservation planning work done by Hunter Research. "At the end," she said, "you will have a full set of plans for curbs and sidewalks, and a design for the Civil War park, a new style of street lighting and other small improvements." She said that having that plan completed will position the Borough to apply for and receive a grant to fund the construction itself. She noted that this is the first grant of its type to be awarded by the Historic Trust.

Councilmember Rosenberg asked if the planned work would result in restrictions afterward on those residents who need to replace their sidewalks. "The vision for the streetscape," Ms. Roberts replied, "will rest more with Hunter Research. They will make recommendations regarding the types of materials to be considered." She noted that one of the first things we will be doing is meeting with residents to be sure that there is interest in and cooperation with the project. We may see varying materials throughout the project area, she said, because we will try to match the historic period of each building.

Councilmember Rosenberg asked Ms. Roberts if she foresees any problems attaining future grants without a local designation of the Historic District. She noted that the lack of a local designation did not create a problem in obtaining this grant.

Resolution 2007-72 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 2007-72 AUTHORIZING PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING SERVICES AND PRESERVATION PLANNING – STOCKTON STREET HISTORIC DISTRICT

WHEREAS there exists a need for professional engineering and preservation planning services relative to the Stockton Street Historic District, in order to carry out activities for which the Borough has received funding through the Garden State Historic Preservation Trust Fund administered by the New Jersey Historic Trust (Project No. 2005.0038); and

WHEREAS, Roberts & Reymann Engineering, LLC has offered to perform such services as set forth on the firm's proposal dated May 25, 2005, for a total cost of \$48,897.25; and

WHEREAS, said proposal includes the cost of preservation planning services by Hunter Research, Inc., as detailed in a proposal dated May 24, 2005, which firm would function as a subcontractor to Roberts & Reymann Engineering, LLC; and

WHEREAS, the proposals by Roberts & Reymann Engineering, LLC and Hunter Research, Inc. which are referenced herein are attached hereto and made a part hereof;

WHEREAS, said proposals were included in the Borough's successful grant application for this project and has been reviewed by the New Jersey Historic Trust; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "professional services" without public advertising for bids and bidding therefor, provided that the Resolution authorizing the contract and the contract itself are available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of this contract may exceed \$17,500, and therefore the contract is also subject to the provisions of the State's newly enacted Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, this contract is intended to be awarded as a "non-fair and open contract" pursuant to and in accordance with the Local Unit Pay-to-Play Law; and

WHEREAS, Roberts & Reymann, LLC has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), and has further submitted a certification that they are in compliance with the Borough's own Pay-to-Play ordinance (Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*);

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 Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Roberts & Reymann, LLC regarding the above-referenced professional engineering and planning services, subject to approval of the Borough Attorney.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Roberts & Reymann, LLC is a firm whose engineers are authorized by law to practice a recognized profession.
3. That this contract is subject to and contingent upon adequate funding in the Borough's 2007 budget and/or other available sources.
4. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.
5. That this contract is being awarded in accordance with the Local Unit Pay-to-Play Law and Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, and the Business Disclosure Entity Certification, Determination of Value and other certifications required pursuant to same shall be placed on file with this Resolution.
6. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Carmela Roberts, P.E., Borough Engineer
 - b. Richard W. Hunter, President, Hunter Research, Inc.
 - c. Amy Aughenbaugh, Chair, Hightstown Historic Preservation Commission
 - d. Arlene O'Rourke, Borough Treasurer
 - e. George Lang, Borough Chief Financial Officer
 - f. Candace Gallagher, Borough Administrator/Clerk
 - g. Frederick C. Raffetto, Esquire, Borough Attorney
7. That a copy of this Resolution as well as the contract shall be placed on file in the office of the Borough Clerk.
8. That a notice of this action shall be printed once in the official newspaper as required by law.

ORDINANCES

PUBLIC HEARING AND FINAL 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 OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Ms. Gallagher and Ms. Roberts reviewed the provisions of Bond Ordinances 2007-01 and 2007-02, and the project that they will fund. Ms. Roberts noted that there are a lot of trees in this area, and she will be speaking with the Environmental Commission regarding which must be saved and which should come down. Many of them have damaged the sidewalks, she said.

Mayor Patten opened the public hearing on Ordinance 2007-01.

Eugene Sarafin, 600-628 South Main Street, expressed support for the ordinance.

No one else came forward and the hearing was closed.

Ordinance 2007-01 was moved for adoption by Councilmember Thompson and seconded by Council President Sikorski.

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

Ordinance adopted, 6-0.

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 OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$555,000, including a \$444,000 grant expected to be received from the State of New Jersey Department of Transportation Trust Fund (the "State Grant"), and further including \$5,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the improvement or purpose not covered by application of the down payment or from the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$105,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various road improvements, including the installation/replacement of curbs and sidewalks, storm drainage improvements and pavement replacement on Morrison Avenue and the installation of curbs and sidewalks and updating of the stormwater facilities on Outcalt Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$105,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$105,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or if other then as referred to in Section 1 hereof, to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**PUBLIC HEARING AND FINAL 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 \$85,500
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Mayor Patten opened the public hearing on Ordinance 2007-02.

Eugene Sarafin, 600-628 South Main Street, expressed support for the Ordinance.

No one else came forward and the hearing was closed.

Ordinance 2007-02 was moved for adoption by Council President Sikorski and seconded by Councilmember Harinxma.

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

Ordinance adopted, 6-0.

**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 \$85,500
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$145,000, including a \$55,000 grant expected to be received from the State of New Jersey Department of Transportation Trust Fund (the "State Grant"), and further including \$4,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the improvement or purpose not covered by application of the down payment or from the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$85,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various water and sewer improvements, including improvements to the sanitary sewer manholes on Morrison Avenue and the replacement of a water main, hydrants and sanitary manholes on Outcalt Street and various other water-sewer capital improvements, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$85,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or if other then as referred to in Section 1 hereof, to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC HEARING AND FINAL 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

Ms. Roberts reviewed the provisions of this Ordinance. Connection fees will decrease, she said, because information provided by the Chief Financial Officer indicates that slightly more debt was retired than was taken on during the past year. The annual calculations are based on a statutory formula.

Mayor Patten opened the public hearing on Ordinance 2007-03.

Eugene Sarafin, 600-628 South Main Street, stated that this was a complicated and impressive calculation. These fees keep going down, he said, and we need to have them go up.

No one else came forward and the hearing was closed.

Ordinance 2007-03 was moved for adoption by Councilmember Quattrone and seconded by Council President Sikorski.

Councilmember Schneider asked if the calculations take into account appropriations for which no debt has been incurred. Mr. Lang stated that the calculations are based on outstanding debt. The debt just approved would factor into next year's calculation.

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

Ordinance adopted, 6-0.

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

WHEREAS, municipalities in the State of New Jersey are authorized to collect certain charges in the nature of "connection fees" from all users of water and sewer services within the municipality, with such fees being payable at the time of connection to such services, pursuant to *N.J.S.A. 40A:26A-11* and *N.J.S.A. 40A:31-11*; and

WHEREAS, such authorization permits municipalities to collect amounts which represent a fair payment per unit toward the cost(s) associated with the water and sewer systems as paid by the municipality through the end of the preceding fiscal year; and

WHEREAS, the formula(s) for calculating such connection fees are established and set forth by statute and administrative regulation; and

WHEREAS, such fees shall be re-computed by the municipality at the end of each fiscal year after a public hearing; and

WHEREAS, connection fees in the Borough of Hightstown are currently set forth in and governed by Section 19-2.7 of the *Revised General Ordinances of the Borough of Hightstown*; and

WHEREAS, the Borough Engineer has re-computed the existing water and sewer connection fees in accordance with and as required by *N.J.S.A. 40A:26A-11* and *N.J.S.A. 40A:31-11*, as set forth in her letter dated January 31, 2007, which letter is attached hereto and made a part hereof;

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

1. That the water and sewer connection fees set forth in Section 19-2.7(a) of the Revised General Ordinances of the Borough of Hightstown are hereby amended as follows:

1. Water Connection Fee: \$ ~~3,515.00~~ 3,379.00

2. Sewer Connection Fee: \$ ~~2,204.00~~ 2,185.00

2. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
3. That, in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.
4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

PUBLIC HEARING AND FINAL 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, Mayor Patten opened the public hearing on Ordinance 2007-04.

Eugene Sarafin, 600-628 South Main Street, asked about the cost of the garbage truck purchased late last year. Mr. Lang replied that he recalled that it was in the area of \$187,000. Mr. Sarafin stated that he is looking forward to seeing what happens with moving garbage collection back in house. "I don't know whether we're right or wrong," he said.

No one else came forward and the floor was closed.

Ordinance 2007-04 was moved for adoption by Councilmember Quattrone and seconded by Councilmember Schneider.

Councilmember Harinxma noted that during the past week, "there were garbage cans all over the road. If this can help resolve that and generate revenue," she said, "it's the right thing."

Councilman Thompson stated, "if we're able to pull this off without incremental additions [to the workforce], it will save a lot of money."

Councilmember Schneider asked when the containers would be ordered. Ms. Gallagher stated that this would be done later in the year.

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

Ordinance adopted, 6-0.

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
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BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$318,000, including the sum of \$15,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$302,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of an automated garbage truck and containers, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$302,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$3,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC HEARING AND FINAL READING: ORDINANCE 2007-05,

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

Ms. Gallagher reviewed the provisions of this Ordinance, noting that it reflects the negotiated salary increases of 2.5%, 3%, 3.5% and 3.5%. It also provides for an increase in the amount to be paid to officers and the Borough by outside agencies for special duty.

Mayor Patten opened the public hearing on Ordinance 2007-05.

Eugene Sarafin, 600-628 South Main Street, congratulated the Borough on these negotiations and said that teachers should be earning more.

No one else came forward and the hearing was closed.

Ordinance 2007-05 was moved by Councilmember Schneider and seconded by Councilmember Quattrone.

Councilman Quattrone stated that, at his request, Chief Eufemia did some research regarding what other towns are charging for the use of police officers through special duty. We currently charge a 10% administrative fee, he said, and recommended that we should be charging \$50 for the vehicle used. Ms. Gallagher said that this could be addressed in a separate ordinance.

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

Ordinance adopted, 6-0.

ORDINANCE 2007-05 AN ORDINANCE TO ESTABLISH POLICE SALARIES FOR THE YEARS 2006, 2007, 2008 AND 2009

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

SECTION 1. Base "A" salaries shall be as follows:

For existing employees at 1/1/07:					
Classification		2006	2007	2008	2009
Probationary		38,625.54	42,270.82	43,750.30	45,281.56
Patrolman		49,648.98	54,334.60	56,236.31	58,204.58
2 years		56,576.12	61,915.49	64,082.53	66,325.42
3 years		63,503.02	69,496.12	71,928.48	74,445.98
4 years		73,153.11	80,056.94	82,858.93	85,759.00
Sergeant		79,663.74	87,182.00	90,233.37	93,391.54
Lieutenant		82,611.30	90,407.74	93,572.01	96,847.03
For employees hired after 1/1/07 (seven steps):					
Classification			2007	2008	2009
Probationary			46,497.90	48,125.33	49,809.72
Patrolman			50,416.25	52,180.82	54,007.15
2 years			54,334.60	56,236.31	58,204.58
3 years			61,915.49	64,082.53	66,325.42
4 years			69,496.12	71,928.48	74,445.98
5 years			74,776.53	77,393.71	80,102.49
6 years			80,056.94	82,858.93	85,759.00
Sergeant			87,182.00	90,233.37	93,391.54
Lieutenant			90,407.74	93,572.01	96,847.03

SECTION 2. Formula for Salary Computation.

A. Police officers' salaries shall be computed in accordance with the following formula:

Base "A" + longevity % = Base "B"
Base "B" divided by 2080 = Hourly rate for holiday pay
Holiday hourly rate x 104 holiday hours = Holiday adjustment value
Base "B" + Holiday adjustment value + College + Stipends = Base "C"
Base "C" divided by 2080 = Current year's hourly pay rate

B. For the year 2006 only, Detectives and Lieutenants, where applicable, shall receive an additional 130 hours of pay as follows:

Base "C" divided by 2080 = Hourly rate
Hourly rate x 130 = Detective/Lieutenant adjustment
Base "C" + Detective/Lieutenant adjustment = Base "D", Detective/Lieutenant base salary

SECTION 3. Longevity pay.

Each police officer shall, in addition to his regular wages and benefits, be paid longevity increments based upon years of service with the police department in accordance with the following schedule:

After 5 years of service	1% of Base "A" pay
After 10 years of service	2% of Base "A" pay
After 15 years of service	3% of Base "A" pay
After 20 years of service	4% of Base "A" pay
After 24 years of service	5% of Base "A" pay

SECTION 4. Other pay.

A. The following stipends shall be paid:

- | | |
|--|----------------|
| 1. Officers assigned to head the traffic bureau | \$750 per year |
| 2. Detectives on call 24/7 | \$750 per year |
| 3. Highest college of university degree obtained: | |
| a. Associates Degree in field of police science, public administration or criminal justice | \$150 |
| b. Bachelor's Degree in field of police science, public administration or criminal justice | \$250 |
| c. Master's Degree in field of police science, public administration or criminal justice | \$350 |
| d. Doctorate in field of police science, public administration or criminal justice | \$450 |

B. A person engaged in DWI Enforcement shall be paid at the rate of one and one-half times his or her hourly rate.

C. A person engaged in Special Duty shall be paid as follows:

January 1, 2006 – December 31, 2006	\$40.00 per hour, plus 10% admin fee*
Effective January 1, 2007:	
First 8 hours of assignment	\$50.00 per hour, plus 10% admin fee*
Each hour after 8 hours of assignment	\$60.00 per hour plus 10% admin fee*

** Except that no administrative fee shall be assessed to any Board of Education, schools, or governmental units or agencies.*

SECTION 5. This ordinance shall take effect as indicated after passage and publication as provided by law.

INTRODUCTION AND FIRST READING: ORDINANCE 2007-06, ORDINANCE AUTHORIZING THE SALE OF BOROUGH-OWNED PROPERTY NO LONGER NEEDED FOR PUBLIC USE

Ms. Gallagher provided a brief review of Ordinance 2007-06, which would authorize the sale of an undersized lot owned by the Borough on South Academy Street (Block 40, Lot 28) by auction among the adjacent property owners. The minimum bid for the parcel as discussed by Council during their closed session discussion earlier in the meeting was set at \$185,000.

Ordinance 2007-06 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.

The public hearing and final reading for Ordinance 2007-06 was set for March 5, 2007.

RESOLUTIONS

RESOLUTION 2007-62, AUTHORIZING INTERLOCAL AGREEMENT WITH EAST WINDSOR TOWNSHIP FOR SENIOR SERVICES

Ms. Gallagher reviewed the provisions of Resolution 2007-62, noting that the Borough's cost has decreased due to a decrease in our participation level. The last contract, she said, represented a 12% participation by Borough seniors. This contract reflects a 9% participation.

Resolution 2007-62 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 2007-62 AUTHORIZING INTERLOCAL AGREEMENT WITH EAST WINDSOR TOWNSHIP FOR SENIOR SERVICES

WHEREAS, with the adoption of Resolution 2006-68 on February 21, 2006, the Borough Council approved an Interlocal Service Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2006 through February 28, 2007; and

WHEREAS, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 29, 2008; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq. authorizes the approval of Interlocal Service Agreements by Resolution; and

WHEREAS, the Mayor and Council have reviewed the proposed Interlocal Service Agreement for Senior Services for the period March 1, 2007 through February 28, 2008, which agreement is attached hereto and made a part hereof; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, will be Twenty-Five Thousand Three Hundred Fifty-Three Dollars and Sixty-One Cents (\$25,353.61) for this 12-month period; and

WHEREAS it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2007 and 2008 budgets;

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

1. The attached Interlocal Service Agreement with the Township of East Windsor for Senior Services for the period March 1, 2006 through February 28, 2007 is hereby approved, in accordance with the provisions of N.J.S.A. 40:8A-4.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement for same.
3. This agreement is approved subject to the provision of adequate funds in the Borough's 2007 and 2008 budgets.

RESOLUTION 2007-71, AUTHORIZING AGREEMENT WITH JCP&L FOR CONVERSION OF STREET LIGHTS

Ms. Gallagher reviewed the provisions of this Resolution, noting that funding for the conversion of these lights had been set aside in a bond ordinance a few years ago with the intention of converting the lights gradually over a period of a few years. At that time, the conversion cost was less, and as a result the benefit is not as great as it once was, but it is still to the Borough's benefit to do this. Mr. Lang confirmed this, stating that we will see some savings from the conversion, and will also save energy as a result.

Resolution 2007-71 was moved by Councilmember Thompson and seconded by Councilmember Schneider.

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

Resolution adopted, 6-0.

RESOLUTION 2007-71**AUTHORIZING AGREEMENT WITH JCP&L FOR CONVERSION OF STREET LIGHTS**

WHEREAS, on August 2, 2004, the Borough Council approved Resolution 2004-195, authorizing an agreement with Jersey Central Power and Light for conversion of 151 Sodium Vapor street lighting accounts from Company Rates to Contribution Rates and for the changeover of 28 100W Mercury Vapor lights to 70W Sodium Vapor lights, also converting to the Contribution Rate for those fixtures; and

WHEREAS, the Resolution further expressed the Borough's intention to gradually convert the Borough's remaining 160 Mercury Vapor street lights to Sodium Vapor street lights, and funding for the total anticipated expenditure was provided in Ordinance 2004-17, adopted on August 2, 2004; and; and

WHEREAS, at this time, the Borough wishes to convert 44 100W Mercury Vapor street lights to 70W Sodium Vapor Street lights at locations detailed on the attached listing;

WHEREAS, the charge to convert this lighting is \$404.44 per light, for a total of \$17,795.36; and

WHEREAS, the Chief Financial Officer has certified that funding for this expenditure was provided by Ordinance 2004-17, adopted on August 2, 2004; and

WHEREAS, this change will result in immediate and long-term savings to the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough is hereby authorized to enter into an agreement with Jersey Central Power and Light for conversion of 44 100W Mercury Vapor street lights to 70W Sodium Vapor street lights, at the locations specified on the attached listing, for a one-time total fee of \$17,795.36.

CONSENT AGENDA

Resolutions 2007-63 through 2007-70 and 2007-73 were moved by Council President Sikorski and seconded by Councilmember Harinxma.

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

Resolutions adopted, 6-0.

RESOLUTION 2007-63**AUTHORIZING REFUND OF TAX OVERPAYMENTS**

WHEREAS, tax overpayments has been received by the Borough as follows:

Refund to:	<i>Amount of Overpayment:</i>	Block & Lot #	Property Address:
FIS Tax Services 3100 New York Drive, Suite 100 Pasadena, CA 91107	<i>\$1,309.58</i>	Block 7 Lot 31	157 Oak Lane
Wells Fargo Home Mortgage MACX2501-01X Tax Department 1 Home Campus Des Moines, IA 50328	<i>\$1,493.57</i>	Block 44 Lot 10	325 Stockton Street

; and

WHEREAS, the Tax Collector has requested permission to refund the overpayments;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Tax Collector and Treasurer are hereby authorized to refund the tax overpayments set forth herein.

**RESOLUTION 2007-64 AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-172 TO LADIES AUXILIARY,
HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, the Ladies Auxiliary of Hightstown Engine Co. No. 1 wishes to hold an on-premises 50-50 raffle at the Hightstown Firehouse on April 13, 2007; and

WHEREAS, the group has submitted application number RA-170 for this raffle; and

WHEREAS, no fees are due for this raffle because the prize amount is not expected to exceed \$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-172 to the Hightstown Engine Co. No. 1 Ladies Auxiliary for their raffle to be held on April 13, 2007 as outlined herein.

**RESOLUTION 2007-65 AUTHORIZING INTERLOCAL AGREEMENT WITH HAMILTON TOWNSHIP FOR HEALTH
SERVICES (STD CLINIC)**

WHEREAS, the Borough of Hightstown is responsible by law for the protection of public health and wishes to provide certain clinic services relative to sexually transmitted diseases (STDs); and

WHEREAS, the Township of Hamilton is agreeable to providing clinic services relative to STDs to the Borough of Hightstown for the period January 1, 2007 through December 31, 2007 for a fee of \$25 per patient; and

WHEREAS, it is the desire of the Borough Council to enter into an interlocal agreement with the Township of Hamilton for provision of these services; and

WHEREAS, such agreements are authorized pursuant to *N.J.S.A. 40:8A-1 et seq*;

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

1. An interlocal services agreement between the Borough of Hightstown and the Township of Hamilton for the provision of professional health clinic services for sexually transmitted diseases for the period January 1, 2007 through December 31, 2007, which agreement is attached hereto and incorporated herein², is hereby authorized and accepted.
2. The Mayor and Clerk are authorized and directed to execute said agreement.

² See end of these 2/20/07 minutes.

RESOLUTION 2007-66 AMENDING CASH MANAGEMENT PLAN

WHEREAS, the Chief Financial Officer, in accordance with the requirements of N.J.S.A. 40A:5-14, has prepared a Cash Management Plan ("the Plan") for the year 2007 which designates the depositories for Borough funds, outlines procedures for the handling thereof, and details other responsibilities with regard to Borough funds; and

WHEREAS, said Plan was formally adopted by the Mayor and Council on January 1, 2007; and

WHEREAS, subsequent to approval of the Plan, the Borough was notified that First Washington State Bank would be merging into "The Bank," and would be adopting the name of "The Bank, First Washington Division" on February 10, 2007; and

WHEREAS, the Chief Financial Officer has recommended that the Cash Management Plan be amended accordingly;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Section IV, "Designation of Depositories," of the Borough's Cash Management Plan for the year 2007 is hereby amended to include "The Bank, First Washington Division" as a designated depository for the Borough.

RESOLUTION 2007-67 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:
Legal Services and Costs	Other Expense	\$ 2,663.00	
Police Department	Other Expense	1,275.00	
Sanitation	Other Expense	3,000.00	
Buildings and Grounds	Other Expense	395.00	
Gasoline and Diesel Fuel	Other Expense		\$ 1,275.00
Landfill Disposal Costs	Other Expense		3,395.00
Public Employee's Retirement System	Other Expense		2,663.00
TOTAL		\$ 7,333.00	\$ 7,333.00

RESOLUTION 2007-68 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	2,540.00	92,914.00	95,454.00
Capital Outlay – Current	5,000.00	0.00	5,000.00
Debt Service - Current	0.00	152,603.00	152,603.00
Water/Sewer	118,502.00	183,830.00	302,332.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	146,580.00	146,580.00
TOTAL	126,042.00	575,927.00	701,969.00

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 hereof³.
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.

RESOLUTION 2007-69 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 **\$10,686,995.92** from the following accounts:

Current	\$ 808,474.20
W/S Operating	348,784.34
General Capital	6,630,417.00
W/S Capital	2,873,800.00
Animal Control	268.80
Trust	4,331.60
Grant	2,132.00
Escrow – Subdivision & Site Plan (First Washington Bank)	<u>18,787.98</u>
Total	\$10,686,995.92

RESOLUTION 2007-70 AUTHORIZING 2007 TEMPORARY CAPITAL BUDGET

WHEREAS, the Borough of Hightstown desires to constitute the 2007 Temporary Capital Budget by inserting therein various capital projects,

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

1. That the 2007 Temporary Capital Budget of the Borough of Hightstown is hereby constituted by the adoption of a schedule to read as follows:

³ Included at end of these 2/20/07 minutes.

Temporary Capital Budget of the Borough of Hightstown
County of Mercer, New Jersey
Projects Schedule for 2007
Method of Financing

<u>Project</u>	<u>Project No.</u>	<u>Est. Costs</u>	<u>Capital Imp. Fund</u>	<u>Grants In Aid and Other Funds</u>	<u>Debt Authorized</u>
Various Road Improvements	C-1	\$ 555,000.00	\$ 5,500.00	\$ 444,000.00	\$ 105,500.00
Various Water and Sewer Improvements	WS-1	145,000.00	4,500.00	55,000.00	85,500.00
Purchase of Automated Garbage Truck and Containers	C-2	318,000.00	15,500.00	-	302,500.00
		<u>\$ 1,018,000.00</u>	<u>\$ 25,500.00</u>	<u>\$ 499,000.00</u>	<u>\$ 493,500.00</u>

2. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

**RESOLUTION 2007-73 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	48,897.25	95,454.00	144,351.25
Capital Outlay – Current	0.00	5,000.00	5,000.00
Debt Service - Current	0.00	152,603.00	152,603.00
Water/Sewer	0.00	302,332.00	302,332.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	146,580.00	146,580.00
TOTAL	48,897.25	701,969.00	750,866.25

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 hereof⁴.
2. Each emergency appropriation listed will be provided for in the 2007 budget under the same title as written herein;

⁴ Included at end of these 2/20/07 minutes.

3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Treasurer.

COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilmember Harinxma commented regarding her recent attendance at a meeting of the East Windsor Regional School District Board of Education. "I went there," she said, "to discuss a policy with the school board. I was confused and frustrated by the article which represented me as wanting to advocate to get something free for Hightstown. That was not my intent or purpose at all. My intent was to address an inequitable policy – distributing flyers to children that give priority to East Windsor students over Hightstown students. ... These are extracurricular activities that take place in the school and we are a regional school district. There should be equal access to all students. I never implied that we should go for free. There has always been an additional charge. Maybe it is not cost effective at this rate, and parents may consider a slightly higher fee just to give our children equal access. I was not there to attack the East Windsor recreation department. ... The second part was to discuss access to the school for programs like the YMCA's, which is essentially our rec program." She noted that, as a nonprofit organization, the YMCA has had less and less access to the school because East Windsor's program has grown and they get priority. As a result, our children have been shut out of a lot of programs. "I was merely trying to address this with the school board," Ms. Harinxma said. "It was not about the East Windsor recreation program but about making it an equitable policy for all of the children in our school district."

Councilmember Harinxma went on to say, "I DO know the history of this. Many years ago, Hightstown had to opt out of a joint agreement. It was not resolved or it would not be brought up over and over again. We really need to look at this and ask that our children be given an equal chance. We are willing to pay for that. It is only fair that we get some access. If a policy change is needed regarding how access to schools is divided up, we need to look at that." She noted that her own children, ages 4 and 6, had to be bused to Freehold in order to go swimming under the YMCA's program last year. "I am clarifying this," she said, "because the paper didn't get the point." She noted that although it was reported in the *Herald* that only two members of the school board supported her, Board Member Perez also supported her request, and both he and Mr. Laverly said that the District may need to look again at that policy. "The *Herald* didn't report that," she said.

Ms. Harinxma closed her comments by noting that the issue she raised was referred to as "trivial" by one school board member and "ridiculous" by another. "Our children are not 'trivial' and 'ridiculous,'" she said, "and they should not be punished by a policy made years ago. This will rear its head over and over because there are new children in Hightstown. I am not asking East Windsor for anything free or for them to open their doors and make us a part of their recreation program. I just want what is fair to us as taxpayers of a regional school district – our children should have access to these schools."

Councilmember Harinxma's comments were met by applause from many in attendance.

Councilman Thompson stated that his son was one of the children affected by this policy and he commended Councilmember Harinxma "for advocating on behalf of all of our children." He said that it comes down to prioritization, and questioned whether the Borough has made decisions to prioritize its children's future education and recreation as well as it should.

Council President Sikorski stated that he is "caught in the middle" regarding aspects of working with the Mayors of both Hightstown and East Windsor, and said that he doesn't want to "add fuel to the fire by commenting further publicly." "We were in a delicate situation," he said. "I did take notes and I stayed for the meeting, and I do not have a preconceived notion about the final plan. I respect Bob's decision, but before people make comments, they should have the courtesy to call and find out what happened." "I still hold hope that something can be worked out," he said, and added that he would hope that criticism in the future would be "directed based on a more informed consensus rather than shooting from the hip."

Councilman Quattrone addressed several issues:

- He stated that he heard criticism about the Borough's snow removal during the last storm based on the fact that the clearing began later than some felt it should have. He explained that this was an unusual storm with ice under the snow. Once the snow is removed, you would have ice, he said, adding "The roads were safer with snow. We waited until the sun came out and the snow let up." He said that the State and County did the same thing, and he feels it was right. He added that a problem with one of our older snowplows set us back about two and a half hours also, and one man had to be taken off the road to repair it.
- He said that he is concerned about the failure of some residents to clear their sidewalks after a storm, and noted that it is easier to clear if done early. The corner properties, he said, should have the responsibility to clear the handicap ramps. "I'll get the word out," he said.
- He reported that the First Aid Squad is putting together a crew to take on a third night of coverage. He noted that he had requested a meeting with Mayor Mironov to discuss shared EMS services, but he received a phone call on Valentine's Day stating that it was not the appropriate time to have a meeting and that she was not interested in doing that. "I'll have to recommend that we go a different route," he said.
- He reported that our Public Works department worked hard during the recent ice storm, and has also been busy with broken water mains, which happens in this type of extremely cold weather.

Council President Sikorski asked if the Borough could investigate the possibility of having the Borough provide snow removal services, for a fee, to seniors who don't have the ability to clean their sidewalks. Councilman Quattrone stated that Public Works does not have the manpower to do this. Mr. Sikorski said that he has a corner property and has cleared his sidewalks, including the handicap ramp, but when the plow comes through and throws snow back up there, it "makes it next to impossible." "It is not the citizen's responsibility to clear the street," he said, "and the ice was not moving. This was an unusual situation with a lot of ice, and we don't have kids coming around anymore knocking on doors." Mayor Patten noted that neighbors can be helpful, and that works well on South Street. Councilman Quattrone noted that, in the event of ice, the homeowner is responsible for placing sand or other material on the walk so that people can walk safely across it.

Mayor Patten reported that the Corzine administration is going to appeal the recent Appellate Division decision on COAH regulations and will ask that existing growth share ordinances which have been adopted by 120 municipalities, including Hightstown, continue in effect pending the Supreme Court petition process. Unless the Appellate Division decision is corrected, he said, there will be a flood of lawsuits by developers, the potential loss of thousands of units of affordable housing and chaos for the hundreds of municipalities that relied upon COAH regulations in crafting their ordinances. If those ordinances are not saved, he said, market rate housing will spring up all over the state without the needed affordable housing as part of the development. He noted that the League of Municipalities has submitted a "friend of the court" brief and will be involved in the proceedings, and he expressed strong support for the League's efforts.

Mayor Patten further reported that legislators in District 30 have developed a petition asking Governor Corzine to make every effort to revise our school funding formula as soon as possible. "Lasting property tax relief," he said, "lies with redefining how we fund our schools." He noted that the petition is available for signing in the Clerk's office. He also asked Ms. Gallagher if she could post an interactive version of the petition on the Borough's website.

PUBLIC COMMENT II

Mayor Patten opened the floor for public comment.

Phyllis Deal, 305 Stockton Street, noted, with respect to curbs and sidewalks on Stockton Street, that there were no curbs in the 1800s. She said that she has postcards and pictures that will illustrate this. Ms. Deal also stated that she just had her sidewalks redone at a cost of about \$1,200, and will not be happy if they are torn out as part of the planned renovations in the Historic District. She said that she is "not fond of brick" and would prefer things as they were in 1885 – "no curbs and grass to the street."

Nancy Walker Laudenberg, 632 South Main Street, thanked Councilmember Harinxma for "going to the school board for us." She noted that 15 or 18 years ago, Hightstown withdrew from the joint recreation program and a surcharge was added at that time. "I don't know when our children got put to the end of the line," she said. "We are taxpayers and we should have equal access. Keep up the fight."

Eugene Sarafin, 600-628 South Main Street, stated that "we are a little town surrounded by another town," and in the end, "you have to negotiate with the enemy." Ultimately, he said, we are making an effort. He added that it is not true that East Windsor does not need us, because their surplus is disappearing and they will need ratables. Mr. Sarafin also commented regarding the presentation by Cost Recovery Corporation, and said that he doesn't like the idea because "the good Samaritan in me can't accept charging our neighbors for what I pay for through taxes."

Kathy Patten, 135 South Street, stated that the recreation issue is near and dear to their hearts also, and she and the Mayor have worked hard behind the scenes on this for a long time. "Bob and Janice have been talking for four years," she said. "The issue wasn't solved, but we had two letters, in March and December 2005. After that, Bob asked several times for figures regarding what it would cost for our kids to participate, and they have not been forthcoming. We are still waiting for those. It's a shame that our kids are held hostage to this stalemate."

No one else came forward and the floor was closed.

EXECUTIVE SESSIONS

The Borough Clerk read aloud Resolution 2007-59, authorizing a closed session for the purpose of discussing contract negotiations and personnel. The Resolution was moved by Councilmember Schneider and seconded by Council President Sikorski.

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

Resolution adopted, 6-0.

RESOLUTION 2007-59 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 February 20, 2007 at approximately 9:15 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 – Local 32; Emergency Medical Services; Interlocal Police Services Personnel

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: April 20, 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 Schneider and approved by all. The meeting was adjourned at 10:04 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk