

SPECIAL MEETING - OPEN SESSION

Mayor Robert Patten called the meeting to order at 6:35 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 Bond</i>	✓	
<i>Councilmember Harinxma</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Rosenberg</i>	✓ (ARRIVED JUST AFTER ROLL CALL)	
<i>Councilmember Schneider</i>	✓ (ARRIVED JUST AFTER ROLL CALL)	
<i>Councilmember Sikorski</i>	✓	

Also in attendance: Candace Gallagher, Borough Clerk/Administrator.

APPROVAL OF AGENDA

The agenda was moved by Council President Sikorski, seconded by Councilmember Quattrone and approved as submitted by all.

PUBLIC COMMENT

No members of the public were present.

RESOLUTIONS

Resolutions 2008-181 through 2008-184 were moved as a consent agenda by Council President Sikorski and seconded by Councilmember Bond.

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

Resolutions adopted, 6-0.

RESOLUTION 2008-181 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 **\$253,525.29** from the following accounts:

Current	\$ 144,188.05
W/S Operating	75,117.68
General Capital	877.23
W/S Capital	3,921.52
Animal Control	39.60
Trust Account	3,716.85
Public Defender	300.00
Grant Account	5,688.86
Lien Trust	20,718.00
Escrow	<u>957.50</u>
Total	\$ <u>253,525.29</u>

RESOLUTION 2008-182 AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2008 BUDGET

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2008 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 2008 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	37,640.00	2,229,556.48	2,267,196.48
Capital Outlay – Current	20,000.00	0.00	20,000.00
Debt Service - Current	0.00	59,689.60	59,689.60
Water/Sewer	77,049.00	1,155,586.00	1,232,635.00
Capital Outlay – W/S	0.00	13,000.00	13,000.00
Debt Service - W/S	0.00	138,266.52	138,266.52
TOTAL	134,689.00	3,596,098.60	3,730,787.60

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 hereof¹.
2. Each emergency appropriation listed will be provided for in the 2008 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.

¹ Schedule is on permanent file in the Borough Clerk's office with original copy of Resolution.

A RESOLUTION OF THE BOROUGH OF HIGHTSTOWN APPROVING AND AUTHORIZING THE EAST WINDSOR REGIONAL SCHOOL DISTRICT TO INSTALL A RADIO ANTENNA ON THE LESHIN LANE STANDPIPE AND TO PERFORM CERTAIN IMPROVEMENTS TO THE EXISTING EQUIPMENT SHED LOCATED ADJACENT THERETO

WHEREAS, the East Windsor Regional School District (the "EWRSD") wishes to replace an existing radio antenna (the "old antenna") which is currently located on a pole at the bus port with a new antenna (the "new antenna") to be mounted atop the Borough's standpipe at Leshin Lane; and

WHEREAS, the old antenna has only a 10-15 mile radius and is not a repeater station; and

WHEREAS, the new antenna will be able to provide a 50 mile radius of coverage and will be a repeater; and

WHEREAS, the new antenna will provide better reception, as well as improved and more reliable service; and

WHEREAS, the new antenna can be used for emergency purposes; and

WHEREAS, the new antenna may be used for bus service during the school year and for the summer recreation program, as well as for the senior bus, and is part of the regional evacuation plan; and

WHEREAS, the installation of new equipment to support the new antenna will result in improvements to the Borough's existing equipment shed and the addition of electrical grounding equipment; and

WHEREAS, the Borough Engineer, the Borough's Superintendent of Public Works, and the Borough's Police Chief have all reviewed the proposed work, and none of these Officials have any objection(s) to the same; and

WHEREAS, since there will be no building(s) constructed or installed, no Planning Board approval(s) are necessary for the proposed work.

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 hereby approves and authorizes the EWRSD to replace an existing radio antenna which is currently located on a pole at the bus port with a new antenna to be mounted atop the Borough's standpipe at Leshin Lane.
2. That the Borough hereby also approves and authorizes the EWRSD to perform certain improvements to the existing equipment shed located adjacent thereto.
3. That all of the above-referenced work shall be performed under the supervision of, and to the satisfaction of, the Borough Engineer, the Borough's Superintendent of Public Works, and the Borough's Police Chief.
4. That all relevant Borough officials and agents are hereby authorized and directed to take all necessary actions that are consistent with this Resolution.
5. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Ronald Bolandi, Superintendent of Schools, East Windsor Regional School District
 - b. Carmela Roberts, P.E., Borough Engineer
 - c. Police Chief James M. Eufemia
 - d. Larry Blake, Superintendent of the Borough Public Works Department
 - e. Candace Gallagher, Borough Administrator/Clerk
 - f. Frederick C. Raffetto, Esquire, Borough Attorney

RESOLUTION SUPPORTING APPEAL FILED BY NEW JERSEY STATE LEAGUE OF MUNICIPALITIES REGARDING REGULATIONS ADOPTED BY THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING

WHEREAS, the New Jersey State League of Municipalities has filed a notice of appeal with the Appellate Division of the Superior Court of New Jersey, challenging the validity of regulations adopted by the New Jersey Council on Affordable Housing on June 2, 2008; and

WHEREAS, COAH's new regulations, if implemented, will drive up the costs of compliance, causing those additional costs to be borne by taxpayers; and

WHEREAS, the League has identified seven "fatal flaws" of the new COAH regulations, as follows:

1. Negative and overwhelming burdens on the taxpayer in violation of the Fair Housing Act, which specifically provides that a municipality shall not be required to raise or expend municipal revenue in order to provide low and moderate income housing.
2. Unjustified and unsupportable adjustments to the first and second round numbers, which result in unachievable obligations for many municipalities.
3. Third round growth share obligations are based upon unreliable and inaccurate information and exaggerated projections which result from false and unsupportable assumptions in the expert reports relied upon by COAH.
4. The exaggerated third round growth share obligations are allocated based upon false and inaccurate vacant land analysis and speculative residential and non-residential growth patterns, which ignore unusable land and levels of low and moderate income households anticipated to be created through 2018.
5. The Third Round allocated obligations ignore the State Development and Redevelopment Plan and all aspects of Smart Growth and open space conservation.
6. Full compliance with the third round obligations is unachievable, but will nonetheless subject municipalities to excessive market rate housing to subsidize the inaccurate projections of low and moderate income housing.
7. The implementation of the regulations will hinder rather than promote the production of low and moderate income housing for the low and moderate income citizens in the State of New Jersey, now and in the future; and

WHEREAS, the League has filed this appeal in support of achieving a sustainable affordable housing policy and in defense of property taxpayers across the State;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough hereby expresses its support for the appeal filed by the New Jersey State League of Municipalities as detailed herein; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be provided to William Dressel, Executive Director, of the New Jersey State League of Municipalities, to Governor Jon Corzine, to the New Jersey Council on Affordable Housing, and to representatives of the 12th Legislative District.

Adjournment was then moved by Council President Sikorski, seconded by Councilmember Quattrone, and approved by all. The meeting adjourned at 6:36 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk