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| OPEN SESSION |
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Mayor Robert Patten called the meeting to order at 7:05 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> | ✓ | |
| <i>Councilmember Schneider</i> | ✓ | |
| <i>Councilmember Sikorski</i> | ✓ | |

Also in attendance: Candace Gallagher, Borough Clerk/Administrator; Carmela Roberts, Borough Engineer; James M. Eufemia, Chief of Police and Frederick Raffetto, Esq., Borough Attorney.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

An amendment to the January 7, 2008 open session minutes was moved by Council President Sikorski, seconded by Councilmember Quattrone and approved by all.

The January 22, 2008 open and closed session minutes were moved by Council President Sikorski, seconded by Councilmember Rosenberg and unanimously approved as submitted.

RESOLUTION 2008-47: PROMOTING FRANK GENDRON TO RANK OF POLICE SERGEANT

Resolution 2008-47 was moved by Councilmember Schneider and seconded by Councilmember Bond.

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

Resolution adopted, 6-0.

WHEREAS, there exists a need for an additional Police Sergeant in the Hightstown Police Department; and

WHEREAS, after competitive written and oral examination, Ptl. Frank Gendron has been found to possess the experience and qualifications necessary to fill this position; and

WHEREAS, it is the recommendation of the Chief of Police and the desire of the Mayor and Council that Ptl. Gendron be promoted to fill the position of Police Sergeant;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Frank Gendron is hereby promoted to the rank of Police Sergeant with the Hightstown Police Department effective this date, February 4, 2008.

Mayor Patten administered the Oath of Office to Sgt. Gendron, who received congratulations from those in attendance. Officers from Hightstown, East Windsor, Cranbury, Hopewell and Trenton were present for the event.

PRESENTATION

AMERICANA DINER – USE AND LEASE OF BOROUGH-OWNED PROPERTY

Councilmember Quattrone recused himself at this time and left the dais.

Constantine Katsifis of the Americana Diner and Julius Soleil of Menlo Engineering presented a conceptual plan to the Mayor and Council for expanded parking at the diner. They would like to lease a portion of the Borough's recycling center, which is adjacent to their property, for this purpose. The area in question is approximately 8/10 of an acre and 35,000 square feet, and would be accessible from the diner at two locations. The plan is subject to all necessary approvals by the Borough and any other government agency.

Mayor Patten asked Ms. Roberts if she had any comments or concerns. She stated that she has looked at this plan preliminarily, and, if a lease agreement is entered into, the project would need to go before the Planning Board, and technical aspects would be reviewed by her office. Mr. Raffetto stated that, because this would be a lease of Borough property to a private entity, we would need to do so by public bidding.

Councilmember Schneider asked Mr. Katsifis if they are looking for a long-term lease or are interested in purchasing the property. Mr. Katsifis replied that "a long-term lease would be sufficient, but an option to purchase the property down the road would be okay." He noted that Borough officials have indicated that it may be to the Borough's advantage to lease rather than sell the property.

Councilmember Rosenberg asked if this would interfere with anything else planned for this site. Ms. Gallagher stated that the plan has the support of Mr. Blake, and would co-exist with the solar panels which may be installed there.

Council President Sikorski asked what the Diner's estimated cost of construction would be and was told that it would be approximately \$130,000. Mr. Sikorski asked what would happen if the lease were not extended beyond a certain period. Councilmember Schneider said that, in that event, he would expect that the Borough would take ownership of improvements on the property.

Mr. Raffetto noted that the size of the entire parcel owned by the Borough is about 5.75 acres. The area to be leased would comprise about 8/10 of an acre. The Diner's attorney has advised him that they would like to pursue a temporary arrangement with the Borough that would allow certain activities by them on the property until such time as the bidding

process was complete and planning board approvals obtained, with the understanding that there is no guarantee that the Diner will be the high bidder.

PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

Phyllis Deal, 305 Stockton Street, asked how close the diner's parking would be to the water in that area. She went on to note that some towns have acquired electronic speed reading signs using grant funds from the State, and suggested that the Borough could do likewise. She said that, according to the Police Chiefs in towns that use them, they slow traffic and reduce the number of tickets issued. Lastly, Ms. Deal reiterated her request to change the language in the Borough's animal control ordinances from "owner" to "owner/guardian." She said that she is also pursuing this at the state level. "Keep in mind," she said, "that if you're right, you're not always popular, and if you're popular, you're not always right." She suggested that the opposition to this by the AKC and some veterinarians may be because it is not in their financial best interest.

Eugene Sarafin, 600-628 South Main Street, said that there is some merit to Ms. Deal's comments, and that "when the AKC and vets are against it, it should be brought out in a debate." He expressed concern about an email he had received stating that the Borough did not fill out a questionnaire about shared services, and he spoke of the "horrendous" impact which the Governor's planned toll hike would have on local traffic. It would be better to raise taxes to pay off the debt, he said. He encouraged the Mayor and Council to attend the Governor's Town Hall Meeting planned for Saturday.

Joe Balcewicz, 413 Stockton Street, encouraged the reestablishment of an ordinance to regulate the keeping of farm animals in the Borough. He said that, given the recent "green movement" by those who wish to keep them in order to be self-sufficient and have a healthy food supply, such an ordinance would establish "acceptable parameters" so that animals could be kept without becoming an annoyance to others.

Torry Watkins, 68 Meadow Drive, noted the passing of two "fine gentlemen," members of our community who died one day apart: Phil Tagliaro and Bruce Sellers.

Jan Guthrie, 425 Stockton Street, expressed hope that Council would establish regulations regarding farm animals. She said that chickens attract rats, which carry disease, and noted that organic, cage-free eggs and organic meats are available at area supermarkets. "Stockton Street is not a rural area in which to raise farm animals," she said, noting that to do so can affect the quality of life of one's neighbors. She asked Council not to allow the keeping of chickens and added that the possibility of their being subjected to ritual sacrifices should be considered also.

Chris Emigholz, 148 South Street, expressed concern that Council is "losing its direction." He said that their attention is being diverted from the issues that should be their focus: redevelopment of the Mill and Minute Maid, which would "save taxes and make this a better town." "Something like adding two seats [to the Historic Preservation Commission] is not making the town a better place for everyone," he said. "At worst, it's meddling and trying to do an end run around the Mayor for someone that may not belong there."

No one else came forward and the floor was closed.

ENGINEER'S ITEMS

RESOLUTION 2008-48, AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE AND AMOUNTS REMAINING IN ESCROW – PEDDIE SCHOOL (ANNENBERG SCIENCE CENTER)

Following a brief review by Ms. Roberts, Resolution 2008-48 was moved by Council President Sikorski and seconded by Councilmember Quattrone.

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

Resolution adopted, 6-0.

RESOLUTION 2008-48 AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE AND AMOUNTS REMAINING IN ESCROW – PEDDIE SCHOOL (ANNENBERG SCIENCE CENTER)

WHEREAS the Peddie School has posted a maintenance guarantee in the amount of \$17,249.07 and maintained an inspection escrow account with the Borough for their Annenberg Science Center project; and

WHEREAS the Borough Engineer has inspected the project and has recommended the release of the maintenance bond and remaining escrow funds, subject to payment of any outstanding fees;

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

1. The Borough Clerk is authorized and directed to release to the Peddie School the maintenance bond in the amount of \$17,249.07 held relative to their Annenberg Science Center project, as detailed herein.
2. The Treasurer is authorized and directed to release to the Peddie School all amounts remaining in their escrow account for this project, subject to certifications from the Borough's professionals that all amounts due to them for this project have been fully paid.
3. A certified copy of this Resolution shall be provided to the following:
 - a. Michael McKitish, The Peddie School
 - b. Arlene O'Rourke, Treasurer
 - c. Leona Baylor, Planning Board Secretary
 - d. Carmela Roberts, Borough Engineer
 - f. Gary Rosensweig, Planning Board Attorney

RESOLUTION 2008-49, AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE AND AMOUNTS REMAINING IN ESCROW – PRESBYTERIAN HOME AT MEADOW LAKES (COUNTRY COTTAGES)

Following a brief review by Ms. Roberts, Resolution 2008-49 was moved by Council President Sikorski and seconded by Councilmember Harinxma.

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

Resolution adopted, 6-0.

RESOLUTION 2008-49 AUTHORIZING RELEASE OF MAINTENANCE GUARANTEE AND AMOUNTS REMAINING IN ESCROW – PRESBYTERIAN HOME AT MEADOW LAKES (COUNTRY COTTAGES)

WHEREAS the Presbyterian Home at Meadow Lakes has posted a maintenance guarantee in the amount of \$74,992.92 and maintained an inspection escrow account with the Borough for their Country Cottages project; and

WHEREAS the Borough Engineer has inspected the project and has recommended the release of the maintenance bond and remaining escrow funds, subject to payment of any outstanding fees;

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

1. The Borough Clerk is authorized and directed to release to the Presbyterian Home at Meadow Lakes the maintenance bond in the amount of \$74,992.92 held relative to their Country Cottages project, as detailed herein.
2. The Treasurer is authorized and directed to release to the Presbyterian Home at Meadow Lakes all amounts remaining in their escrow account for this project, subject to certifications from the Borough's professionals that all amounts due to them for this project have been fully paid.
3. A certified copy of this Resolution shall be provided to the following:
 - a. Presbyterian Homes and Services, Inc.
 - b. Arlene O'Rourke, Treasurer
 - c. Leona Baylor, Planning Board Secretary
 - d. Carmela Roberts, Borough Engineer
 - f. Gary Rosensweig, Planning Board Attorney

**RESOLUTION 2008-53, AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND PARTIAL RELEASE
OF AMOUNTS REMAINING IN ESCROW – JEFFREY BOND (MERCER STREET BUILDING)**

Following a brief review by Ms. Roberts, Resolution 2008-53 was moved by Councilmember Quattrone and seconded by Councilmember Schneider.

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

Resolution adopted, 5-0.

**RESOLUTION 2008-53 AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND PARTIAL RELEASE OF
AMOUNTS REMAINING IN ESCROW – JEFFREY BOND (MERCER STREET BUILDING)**

WHEREAS Jeffrey Bond has posted a performance guarantee and inspection escrow with the Borough for his Mercer Street building, as follows:

| | |
|----------------------|-------------|
| Cash portion of bond | \$ 6,645.72 |
| Non-cash bond | \$59,811.48 |

along with cash placed in escrow for inspection fees; and

WHEREAS the Borough Engineer has inspected the project and has recommended the release of the performance bond and reduction in the escrow funds to a balance of \$400.00, subject to receipt of a two-year maintenance guarantee in the amount of \$6,645.72;

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

1. The Borough Clerk is authorized and directed to release to Jeffrey Bond the non-cash performance bond held relative to his Mercer Street building, as detailed herein.
2. The Treasurer is authorized and directed to release to Jeffrey Bond the cash portion of the performance bond held relative to his Mercer Street building, in the amount of \$6,645.72.

3. The Treasurer is authorized and directed to release to Jeffrey Bond all but \$400.00 of the amounts remaining in his escrow account for this project, subject to certifications from the Borough's professionals that all amounts due to them for this project have been fully paid.
4. Authorizations provided herein are subject to the posting by Jeffrey Bond of a two-year maintenance guarantee in the amount of \$6,645.72 in a form acceptable to the Borough Attorney.
5. A certified copy of this Resolution shall be provided to the following:
 - a. Jeffrey Bond
 - b. Arlene O'Rourke, Treasurer
 - c. Leona Baylor, Planning Board Secretary
 - d. Carmela Roberts, Borough Engineer
 - f. Gary Rosensweig, Planning Board Attorney

ORDINANCES

PUBLIC HEARING AND FINAL READING: ORDINANCE 2008-02,

AN ORDINANCE TO AMEND THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*, CHAPTER 2 THEREOF, REGARDING MEMBERSHIP OF THE HISTORIC PRESERVATION COMMISSION

Following a brief review by Mr. Raffetto, Mayor Patten opened the public hearing on Ordinance 2008-02.

Eugene Sarafin, 600-628 South Main Street, stated that it is good to have all types of people seated on the Borough's various boards and commissions, including those who may not agree. "Consider that you want to hear the other side," he said. "It gives you insight." He said that he hopes that Mayor Patten will appoint those individuals who have received the support of Council.

Chris Moraitis, 208 Stockton Street, thanked Councilmember Rosenberg for his vision. "Whenever we come to a dead end," he said, "you see it as a crossroads, and there are better options out there." The Historic Preservation Commission, he said, will help support the Borough's revitalization. It is an important function that "needs to be undertaken rigorously, with a lot of participation." Mr. Moraitis said that he feels that having Dan Buriak serve on the Commission would benefit people around the Borough. "Those benefits come in the form of property values," he said. He asked the Mayor to include Council in the selection process and said that it is to the benefit of the Borough to have the right people in the right positions serving all of the Borough.

Michael Theokas, 142 Mill Run East, urged Council to think bigger. "You mess around with everything except what really matters," he said. He noted that no progress has been made toward redevelopment or consolidation with East Windsor, and said, "Let's get down to real work, please."

No one else came forward and the floor was closed.

Ordinance 2008-02 was moved for adoption by Council President Sikorski and seconded by Councilmember Harinxma.

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

Ordinance adopted, 6-0.

AN ORDINANCE TO AMEND THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*, CHAPTER 2 THEREOF, REGARDING MEMBERSHIP OF THE HISTORIC PRESERVATION COMMISSION

WHEREAS, on December 17, 2001, in accordance with the provisions of N.J.S.A. 40:55-D-107 *et seq.*, the Hightstown Borough Council adopted Ordinance 2001-23, to create a Historic Preservation Commission consisting of five regular members and two alternate members; and

WHEREAS, N.J.S.A. 40:55-D-107 provides that:

Every historic preservation commission shall include, in designating the category of appointment, at least one member of each of the following classes:

Class A--a person who is knowledgeable in building design and construction or architectural history and who may reside outside the municipality; and

Class B--a person who is knowledgeable or with a demonstrated interest in local history and who may reside outside the municipality.

The commission shall consist of five, seven or nine regular members and may have not more than two alternate members.

Of the regular members a total of at least one less than a majority shall be of Classes A and B.

Those regular members who are not designated as Class A or B shall be designated as Class C. Class C members shall be citizens of the municipality who shall hold no other municipal office, position or employment except for membership on the planning board or board of adjustment; and

WHEREAS, it is the desire of the Mayor and Council to amend the *Revised General Ordinances of the Borough of Hightstown* to provide that the Borough's Historic Preservation Commission shall consist of seven regular members plus two alternate members;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown that Section 2-45.2 of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended as follows (deletions in ~~strikeout text~~, additions underlined):

Subsection 2-45.2 Membership.

The Historic Preservation Commission shall consist of ~~five~~ seven (57) regular members consisting of the following three classes, and two Alternate members:

(1) Class A--a person who is knowledgeable in building design and construction or architectural history and who may reside outside the municipality.

(2) Class B--a person who is knowledgeable or with a demonstrated interest in local history and who may reside outside the municipality.

(3) Class C-- citizens of the municipality who shall hold no other municipal office, position or employment except that they may be members of the Planning Board.

~~There shall be one member from Class A, one member from Class B, and three members from Class C.~~ Of the regular members a total of at least three members shall be of Classes A and B.

There shall be appointed two (2) alternate members, designated as "Alternate No. 1" and "Alternate No. 2." Alternate members shall meet the qualifications of Class C members.

BE IT FURTHER ORDAINED, that if any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

BE IT FURTHER ORDAINED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Mayor Patten thanked the Council for "expanding the Commission's membership so that those who wanted to be reappointed were, and to allow the additional appointment of two people who are interested in helping to develop one of Hightstown's outstanding resources, its history." He then announced his appointments to fill the two new positions, stating first that he "thought long and hard about who would be best," and is making the appointments not at the recommendation of others, but "based on my own evaluation and my involvement in the Borough for over 50 years." His appointments were:

1. Rick Pratt, who has served in past and present capacities as Council member, Planning Board member and on various committees. Mr. Pratt, the Mayor said, has indicated his strong interest in serving on the Commission, and he has known him for a long time to "be one who cares deeply and has invested in our town in many ways." He said that Mr. Pratt's architectural expertise will be an asset to the Commission, and he thanked him for his interest in and willingness to extend his service to the Borough in this way.
2. Dan Buriak. "I know Dan is devoted to the best interest of our town," he said. He added that, although he and Mr. Buriak "haven't been the best of friends," he is willing to look past that because he has "never doubted Dan's sincerity in protecting the town's most valuable assets." He thanked Mr. Buriak for his interest in and willingness to serve.

Mayor Patten further stated that he would like to form an advisory committee, as Councilmember Rosenberg had previously suggested, to work solely on projects relating to the Historic District, such as grantwriting, promotion and communication. "This has been a win-win process," he said, and thanked all involved, saying, "Let's move forward."

Council President Sikorski commended Mayor Patten. "The Mayor has given us a sign of good faith," he said, "and has risen to the level of statesmanship. People sometimes attack him unmercifully, but it is not easy doing his job, and you can't please all the people all the time."

Mr. Sikorski went on to say that those he works with on the governing body are "hard working, sincere and dedicated. We don't always agree about some major projects, but I don't question the sincerity of their beliefs. In a small town, these little issues are what are unique to small towns, we can't just disregard them. They may not be your issues, but they might be someday."

Mr. Raffetto noted that the Municipal Land Use Law provides that regular members of the Historic Preservation Commission must be identified by class (Class A, B or C), and that three of the regular members must be of Class A and/or B. Mayor Patten said that he would specify those designations at the next meeting of the Historic Preservation Commission.

INTRODUCTION AND FIRST READING: ORDINANCE 2008-03,

AN ORDINANCE TO AMEND THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*, CHAPTER 7 THEREOF, REGARDING PARKING IN THE STOCKTON STREET PARKING LOT

Ms. Gallagher provided a brief review of the provisions of Ordinance 2008-03, which would de-designate certain permit parking spaces in the Stockton Street parking lot. Those spaces would then become 2-hour time limit parking spaces. Chief Eufemia expressed support for this Ordinance, and said that this will improve parking in that lot by allowing the use of these spaces by patrons of our local businesses. He noted that the permit parking spaces located behind Wachovia Bank are not fully utilized at present.

Ordinance 2008-03 was moved for introduction by Council President Sikorski and seconded by Councilmember Quattrone.

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

Ordinance introduced, 6-0.

The public hearing and final reading for Ordinance 2008-03 was set for February 19, 2008.

CONSENT AGENDA

Resolutions 2008-50, 51 and 52 were moved by Council President Sikorski and seconded by Councilmember Schneider.

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

Resolutions adopted, 6-0.

RESOLUTION 2008-50 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 **\$9,089,611.94** from the following accounts:

| | |
|----------------------------------|------------------------------|
| Current | \$ 1,568,401.75 |
| W/S Operating | 154,739.55 |
| General Capital | 4,015,980.41 |
| W/S Capital | 3,266,491.04 |
| Animal Control Account | 2,250.00 |
| Trust Account | 10,120.00 |
| Unemployment Trust | 1,938.30 |
| RCA COAH | 3,942.00 |
| Public Defender | 150.00 |
| Escrow – Subdivision & Site Plan | 462.23 |
| Payroll | 3,294.00 |
| Lien Trust | <u>61,842.66</u> |
| Total | <u>\$9,089,611.94</u> |

RESOLUTION 2008-51**AUTHORIZING A TRANSFER OF FUNDS IN THE 2007 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 2007 CURRENT budget are hereby authorized:

| | | FROM: | TO: |
|--------------------------------|----------------|--------------------|--------------------|
| Data Processing/Info Tech. | Other Expenses | \$ 300.00 | |
| Police Department | Other Expenses | 2,000.00 | |
| Grant Writing & Administration | Other Expenses | | \$ 300.00 |
| Gasoline | Other Expenses | | 2,000.00 |
| | | | |
| TOTAL | | \$ 2,300.00 | \$ 2,300.00 |

RESOLUTION 2008-52**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 | 149,830.00 | 0.00 | 149,830.00 |
| Capital Outlay – Current | 0.00 | 0.00 | 0.00 |
| Debt Service - Current | 0.00 | 0.00 | 0.00 |
| Water/Sewer | 299,111.00 | 0.00 | 299,111.00 |
| Capital Outlay – W/S | 0.00 | 0.00 | 0.00 |
| Debt Service - W/S | 0.00 | 0.00 | 0.00 |
| TOTAL | 448,941.00 | 0.00 | 448,941.00 |

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 hereof.
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.

COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilmember Quattrone reported regarding several issues:

- The First Aid Squad is looking for new members, and the new ambulance is back in service.

- He corrected himself regarding his statement at a previous meeting that the generator at the water plant was seven or eight years old. The generator he referenced is actually at the water tower, while the generator at the plant, which recently failed, is closer to 23 years old. He is working with Mr. Blake to be sure that it is sound before making repairs to it. If repairing it is not feasible, he said, we will need to "go back to the drawing board."
- The Fire Company is anticipating the award of a grant that would fund the purchase of air packs. He credited the volunteers for their incentive to seek this grant, and said that other departments should follow suit.
- The Public Works department is prepared for snow, should it ever arrive.
- The new garbage collection system is "phenomenal," and he is very proud of the way it is working. It is a one-man operation, and the cans are lined up perfectly on collection days. "So far," he said, "all is going well."

Council President Sikorski reported that the Planning Board is reviewing Peddie School's site plan application related to their athletic complex. He also noted that the Historical Commission is planning a "Porch Tour" on May 18, a joint effort with the Hightstown – East Windsor Historical Society. The Society will be dedicating new cabinets at the Ely House Freight Station on that day as well.

Councilmember Rosenberg reported that the Economic Development Committee has been working on a website for the Main Street initiative. It would serve as a portal for outsiders who want to learn more about Hightstown and would include cultural and community events, as well as a business registry to encourage more people to buy locally. He noted that there are over 125 businesses in the Borough, and this will provide the business district with a "robust presence online." The new website is expected to launch in the spring, he said.

Councilmember Bond reported that he attended the most recent meeting of the Water and Sewer Committee, which has a "full slate." He added that, as liaison to the police department, he has met several times with Chief Eufemia, and they are working together well.

Chief Eufemia thanked Councilmember Bond for his involvement, and said that he was very helpful with the proposed change in the Stockton Street parking lot. He thanked the governing body for their continued support of the department, expressed his appreciation to the officers who came out to support Sgt. Gendron as he received his promotion, and said that things are going well in the police department. They will be in attendance at the Governor's February 9 Town Hall Meeting at Hightstown High School, he said. Lastly, Chief Eufemia announced that he received notification that day from Better Beginnings that Officer David Chenoweth has been chosen to receive a Shining Star Award for his work in the community. The award will be presented at their April 6 gala.

Ms. Roberts reported that bids will be accepted the next day for the reconstruction of Outcalt Street. She anticipates receiving several bids for this project. She further reported that the preconstruction meeting for the Greenway Phase One project will take place on the coming Wednesday, and she is about to begin the design work for the Westerlea Avenue project. "It's another busy year," she said.

Mayor Patten reminded all to vote in the next day's Presidential Primary Election.

PUBLIC COMMENT II

Mayor Patten opened the floor once again for public comment.

Eugene Sarafin, 600-628 South Main Street, stated that there should be a police presence at the Governor's upcoming Town Hall Meeting at Hightstown High School, and that it is "important to send a message that we don't want a riot."

Chief Eufemia noted that the State Police will be present. Mr. Sarafin said that he would hope that members of the governing body will be prepared, as local leaders, to address the issue of the planned toll hikes, and to let the Governor know that "we don't mind paying to reduce the debt we incurred."

Shawn Hiers, 419 Stockton Street, said that she has submitted a letter to members of the governing body, and that she wishes that the issue [of her family's keeping chickens] "had been solved over the fence. It should be between neighbors." She said that she would like to see Council working on other things.

Torry Watkins, 68 Meadow Drive, said that he agreed with much of what Mr. Theokas said during the earlier public comment session regarding the need to "keep an eye on redevelopment matters and not so much on extraneous matters." He also expressed agreement with some of what Mr. Emigholz said earlier, urging Council to "keep their eye on the ball" with respect to property tax reduction and reform. "What a difference a year can make!" Mr. Watkins said, recalling that, a year ago, Mr. Emigholz "stood here and lectured those who were seemingly obsessed with property tax reform that other things were more important," and that "those who think property taxes are too high can always vote with their feet." "I welcome him to the fold," he said.

Joe Balcewicz, 413 Stockton Street, stated that the planned Porch Tour could be a nice event, but he was concerned about the traffic volume, speed and diesel fumes on Stockton Street, "even on Sunday." He suggested that the Borough plan to route traffic another way that day, and close the street if possible "or at least slow traffic."

Kathy Patten, 135 South Street, reported that the Animal Welfare Committee has tabled the issue of guardianship until they can gather enough research to make an informed recommendation to Council. They didn't realize that there was a controversy brewing around this issue and are now researching it. Ms. Patten reported that the Committee is serving a valuable purpose in the Borough. In the past year, she said, 113 cats were trapped, and over 50% of them were adopted out to good homes. The committee also cared for a number of animals who had been abandoned or hit by cars, and provided medical care. Over the past year, the Committee raised \$7,000 through events and donations to completely fund their own costs. This is something other committees should consider, she said. It is possible to raise money, but it takes work and volunteers.

Gail Dorum, 201 Hutchinson Street, stated that the redevelopment of the rug mill and Minute Maid facility are important, "but so are the little things, like preserving our historic character, and banning farm animals from a small town. If you don't take care of these things, who will? This is the closest form of government to how people live in town." She commended Council for dealing with these issues. Ms. Dorum also asked if there is a place that yard waste could be brought until pickups begin in April. Councilmember Quattrone said that he would look into this and let her know.

Paul Byrne, 220 Stockton Street, noted that garbage containers placed in the street on Stockton Street cause drivers to cross the centerline to avoid hitting them. Mayor Patten noted that Mr. Blake has suggested placing reflective tape on those containers, as they are hard to see after dark on the narrower streets. Councilmember Bond said that, in areas where parking is prohibited, the cans could be left on the curb rather than in front of it. "This can be worked out," he said.

Jan Guthrie, 425 Stockton Street, said that she, too, has yard waste to dispose of at this time. She noted that there are no curbs on Stockton Street.

No one else came forward and the floor was closed.

EXECUTIVE SESSION

Ms. Gallagher read aloud Resolution 2008-46, authorizing a closed session to discuss contract negotiations, personnel, litigation and anticipated litigation. The Resolution was moved by Council President Sikorski and seconded by Councilmember Quattrone.

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

Resolution adopted, 6-0.

RESOLUTION 2008-46 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 4, 2008 at approximately 8:30 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 – Temporary Use of Borough Property
Litigation – Presbyterian Home at Meadow Lakes v. Borough of Hightstown
Anticipated Litigation
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: May 4, 2008 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.

There being no further business, adjournment was moved by Council President Sikorski, seconded by Councilmember Schneider and unanimously approved. The meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC
Borough Clerk