

OPEN SESSION
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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 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; James M. Eufemia, Chief of Police and Frederick Raffetto, Esq., Borough Attorney.

### APPROVAL OF AGENDA

Added to the agenda was Resolution 2008-83, "Resolution Opposing the Failure of the Governor's Proposed State Budget for the 2008-2009 Fiscal Year to Treat Property Tax Relief as Our Priority." The agenda was moved as amended by Council President Sikorski, seconded by Councilmember Rosenberg and unanimously approved.

### APPROVAL OF MINUTES

Minutes of the February 19, 2008 open and closed sessions were moved by Council President Sikorski, seconded by Councilmember Quattrone and unanimously approved as submitted.

## PRESENTATIONS

FIREFIGHTER OF THE YEAR 2007 – ROGER LEROUX

E.M.T OF THE YEAR 2007 – CURTIS CROWELL

POLICEMAN OF THE YEAR 2007 – HIGHTSTOWN BOROUGH POLICE DEPARTMENT

Mayor Patten stated that there is currently a proposal by Governor Corzine which would penalize the 330 towns in the State of New Jersey with populations under 10,000, including those which are running efficiently. "Our volunteers and our police department," he said, "are the core and backbone of our town's being what it is – one square mile of paradise." He

then presented proclamations to Roger Leroux (2007 Firefighter of the Year), Curtis Crowell (2007 E.M.T. of the Year) and the Hightstown Police Department (2007 Policeman of the Year, which was awarded to all members of the department and accepted on their behalf by Police Chief James Eufemia). Each recipient received a standing ovation from those in attendance at the meeting.

## **2007 Firefighter of the Year – Roger Leroux**

**Whereas, Roger Leroux** is performing a valuable service to the residents of Hightstown by serving as a devoted, reliable and hard-working volunteer member of Hightstown Engine Company No. 1; and

**Whereas, Mr. Leroux** joined the Fire Department in 1981, and has always been there when needed, performing his duties with a “can do” attitude; and

**Whereas, Mr. Leroux** has held many positions during his years as a member of Hightstown Engine Company No. 1, including Auditor, Treasurer, Captain, Lieutenant, and now, Assistant Chief; and

**Whereas, over the years, Mr. Leroux** has participated in various Fire Department activities, served as a valuable member of the committee which researched and implemented the purchase of a new fire truck, helped run the car raffle during the past year, and has always assisted with the Christmas Tree sales; and

**Whereas, Roger Leroux** has been honored by Hightstown Engine Co. No. 1 as 2007 Firefighter of the Year;

**Now, Therefore, Be It Proclaimed** by the Mayor and Council of the Borough of Hightstown that **Roger Leroux** is hereby recognized as **2007 Firefighter of the Year**, and is thanked and commended for his bravery, commitment and dedicated service to the Borough of Hightstown and the surrounding community.

## **2007 E.M.T. of the Year – Curtis Crowell**

**Whereas, Curtis Crowell** is performing a valuable service to the residents of Hightstown as a volunteer Emergency Medical Technician with the Hightstown First Aid Squad; and

**Whereas, Mr. Crowell** currently leads the First Aid Squad as its Captain, and has served in past years as Vice President, Correspondence Secretary, Trustee, and Vehicle Engineer, as well as on several committees; and

**Whereas, Mr. Crowell** has contributed a great deal of his time and talent to the Hightstown First Aid Squad, including building two cabinets during the past year for the portable oxygen bottles; and

**Whereas, Mr. Crowell** attended approximately 50 hours of training, rides on a duty crew and participates in many First Aid Squad activities, such as parades, drills, standbys and preparing correspondence; and

**Whereas, Mr. Crowell** has lent his talents and energy to help maintain the ambulance and to assist in various repairs and upgrades to the Squad building; and

**Whereas, the volunteer services provided to the Borough of Hightstown by Curtis Crowell** have helped to enhance the safety, well being and peace of mind of Borough residents; and

**Whereas, Mr. Crowell** has been chosen by his peers as **2007 E.M.T. of the Year**;

**Now, Therefore, Be It Proclaimed** by the Mayor and Council of the Borough of Hightstown that **Curtis Crowell** is hereby recognized as 2007 E.M.T. of the Year, and that he is commended for his commitment, dedication and devoted service to the Borough of Hightstown and its residents as a volunteer E.M.T. with the Hightstown First Aid Squad.

## 2007 Policeman of the Year - Hightstown Police Department

*Whereas, each year, the Hightstown Police Department chooses one of its members to receive the honor of Policeman of the Year; and*

*Whereas, during 2007, the efforts of all members of the Police Department were exemplary in initiating and assisting with the Department's first National Night Out, the annual Toys for Kids Program, the Santa Claus and helpers program, the Borough's Community Fair and Memorial Day Parade, the Santa Lighting Parade, the Hispanic Saints Day Parade and much more; and*

*Whereas, even though the Borough is investigating the feasibility of contracting with East Windsor Township for police services, morale in the Police Department remains high, and the men and women of the department continue to be proactive and maintain a consistently positive attitude toward the Borough and its residents; and*

*Whereas, for these reasons, the Policeman of the Year Award for 2007 has been conferred on all of the Department's members;*

*Now, Therefore, Be It Proclaimed* by the Mayor and Council of the Borough of Hightstown that **all members of the Borough of Hightstown Police Department** are hereby recognized as **2007 Policemen of the Year** and are commended for their professionalism, dedication to law enforcement and committed service to the Borough of Hightstown and its residents.

## PUBLIC COMMENT I

Mayor Patten opened the floor for public comment.

**Phyllis Deal**, 305 Stockton Street, urged Council to move forward with a change to the Borough's animal control ordinances that would change the term "owner" to "owner/guardian." She said that Wanaque made this change and has had no complaints after doing so. Four other towns are pursuing this, she said, and it is in the "best interest of animals and people to do the right thing."

**Rob Thibault**, 504 South Main Street, stated that Hightstown's taxpayers have been "forgotten in a lot that Council has done," including approving 3.5% salary increases for all Borough employees. He said that, since 2000, his taxes have risen 56%, but his salary has not increased by 3.5% per year and he must pay for his own health care. He agreed with comments made in the press by Council President Sikorski that the Borough is "on the brink of financial extinction," and said that he can't afford another six, seven or eight percent tax increase on his home. "Taxes are legalized coercion," he said. He asked that the budget be cut and that employee contracts be renegotiated.

**Joe Balcewicz**, 413 Stockton Street, urged Council to introduce the Ordinance listed on this meeting's agenda regarding the keeping of farm animals and fowl within the Borough. He stated that the Borough's current method of dealing with offensive odors, flies and rodents through the public health nuisance code has not proven effective, and many towns have effective farm animal ordinances. He asked Council now to take the next step and introduce the ordinance.

**Jan Guthrie**, 425 Stockton Street, agreed with Mr. Balcewicz's comments and said that the keeping of chickens on Stockton Street affects the quality of life of neighbors, and that their rights are being violated if they "can't walk out the door without an odor." She asked Council to enact regulations to "help those who need it."

**Elizabeth Balcewicz**, 413 Stockton Street, stated that an ordinance on the books in Hightstown years ago was effective in dealing with a burro problem in 1984, but has since disappeared from the Code. She urged Council to reenact this restriction, and noted that, while residents may have no more than two dogs, there is no restriction at all on farm animals. This has a huge impact on neighboring properties, she said, and urged Council to introduce Ordinance 2008-06 at this meeting. She added, "I didn't ever imagine I would be standing here, living next door to a poultry farm."

**Eugene Sarafin**, 600-628 South Main Street, stated that "a gun has been fired across the bow of East Windsor," and the Borough should not be negotiating with them regarding police services. In fact, he said, the Borough should not be

talking to them at all. "No one has established the rules," he said. "There is no law in New Jersey protecting us for sharing services, and what we pay – it's whatever they'll charge." He said that, while Hightstown has "cat rabbits," East Windsor has "rat rabbits -- fuzzy on the outside and mean on the inside." "Stop," he said. "It's insulting to negotiate with them." He added that, while Governor Corzine is telling us to cut costs, "he doesn't give us a way to negotiate anything." He suggested that the governing body "be flexible and consider all alternatives" and address things such as phone service costs and utility costs. He further recommended that the Borough write to the Governor to ask that he "tell us how to negotiate" and enact laws to protect us in that process.

**J. P. Gibbons**, 602 North Main Street, noted that he read in the press that the Mayor of East Windsor wants Hightstown High School renamed because East Windsor pays 85% of the school taxes. "If she wants it," he said, "let her have it. Let's negotiate. It's non-taxable to us." He suggested that the high school property be traded for 100 acres of adjoining land in the Township. He objected to changes made at the Post Office where the Zip code 08520 now shows up at "East Windsor" rather than "Hightstown" in postal databases. "I hate getting mail that says I live in East Windsor," Mr. Gibbons said. "I pay extra to live in Hightstown, and I don't mind." He again suggested that we negotiate with East Windsor regarding the school property (which is on the borderline) and added, "We need to take a look at what Hightstown is, what we want it to be, and how we want it to go. Look at the problem and put everything on the table."

**Torry Watkins**, 68 Meadow Drive, said that the Borough is "not thorough and efficient" and commended Council President Sikorski for "calling a spade a spade." He said that he would like responses to three email messages he sent over the last few weeks (1) urging Hightstown to reach out to the Governor's office on consolidation; (2) noting that the Borough "did not cooperate" with the County's Office of Shared Services; and (3) recommending that the Borough tie into East Windsor's sewer plant, as it is undergoing a "very significant expansion." Mr. Watkins went on to object to the decision of the Mayor and Administrator to close Borough offices on Friday, February 22, due to inclement weather, and asked why the Borough's non-automated garbage truck was recently being used to collect garbage with three men on board.

No one else came forward and the floor was closed.

## ENGINEER'S ITEMS

Ms. Gallagher stated that Borough Engineer Carmela Roberts was not present at this meeting as a result of the Borough's efforts to contain costs.

## SAFE ROUTES TO SCHOOLS GRANT

Ms. Gallagher stated that the deadline for submission of a grant application for the NJDOT's Safe Routes to Schools program is April 18. Last year, the Borough applied for funding to construct and replace sidewalks on Summit and Mechanic Streets. The original grant application was prepared by Ms. Roberts at a cost of between \$3,000 and \$4,000. If the Borough wishes to apply for funding again this year, the most cost-effective way to do so would be to resubmit last year's application. However, due to new State requirements, the application would need to be split, with design and construction phases applied for separately through the electronic SAGE system. Ms. Roberts has proposed a price of \$950 to resubmit our application. Discussion ensued.

Councilmember Quattrone expressed concern about this expenditure, in light of the fiscal challenges faced by the Borough in establishing its 2008 budget. Councilmember Schneider asked Chief Eufemia if Summit and Mechanic Streets would "still be at the top of his list" for this program, and he indicated that they would be. After further discussion, Mayor Patten agreed to donate his salary toward the cost of the application, and it was then generally agreed to proceed. A verbal Resolution to this effect, to be consecutively numbered and reduced to writing by Ms. Gallagher, was moved by Councilmember Bond and seconded by Councilmember Harinxma.

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

**Resolution adopted, 6-0.**

**RESOLUTION 2008-84                      RESOLUTION AUTHORIZING BOROUGH ENGINEER TO SUBMIT APPLICATION  
TO NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
FEDERAL-AID SAFE ROUTES TO SCHOOLS PROGRAM**

**WHEREAS**, the New Jersey Department of Transportation is sponsoring a federally-funded Safe Routes to Schools program to provide funding for infrastructure projects within two miles of any elementary or middle school, the application deadline for which is April 18, 2008; and

**WHEREAS**, the Borough Engineer has recommended that the Borough apply for Safe Routes to Schools funding to replace damaged or unsafe existing sidewalks and construct new sidewalks at areas where sidewalks do not now exist on Summit Street and Mechanic Street within the Borough; and

**WHEREAS**, the Mayor and Council concur with the Engineer's recommendations and wish to apply for this funding;

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

1. The Governing Body of the Borough of Hightstown supports the project to replace damaged or unsafe existing sidewalks and construct new sidewalks at areas where sidewalk does not now exist on Summit Street and Mechanic Street within the Borough.
2. In accordance with the grant's requirements, the Borough of Hightstown shall continue to own and maintain the sidewalks installed pursuant to the Safe Routes to School Grant for a minimum of twenty (20) years following the project's completion.

**RESOLUTION 2008-74, AUTHORIZING PAYMENT NO. 4 – THINK PAVERS HARDSCAPING, LLC  
(NORTH MAIN STREET AND BANK STREET IMPROVEMENTS)**

Following a brief review by Ms. Gallagher, Resolution 2008-74 was moved by Council President Sikorski and seconded by Councilmember Bond

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

**Resolution adopted, 6-0.**

**RESOLUTION 2008-74                      AUTHORIZING PAYMENT NO. 4 – THINK PAVERS HARDSCAPING, LLC  
(NORTH MAIN STREET AND BANK STREET IMPROVEMENTS)**

**WHEREAS**, on September 17, 2007, the Borough Council awarded a contract for improvements on North Main Street and Bank Street in the Borough of Hightstown to Think Pavers Hardscaping, LLC of Woodbury, New Jersey in the amount of \$247,044.00; and

**WHEREAS**, on January 22, 2008, Council approved Change Order No. 1 to that contract in the amount of \$19,840.35, bringing the total contract price to \$266,884.35; and

**WHEREAS** the contractor has submitted Payment Request No. 4 for work done in the total amount of \$34,982.08; and

**WHEREAS** the Borough Engineer has recommended approval of this payment request, subject to receipt of the required certified payrolls;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Payment Request No. 4 for Think Pavers Hardscaping, LLC of Woodbury, New Jersey in the amount of \$34,982.08 is hereby approved, and the Treasurer is authorized to issue same, subject to receipt of the required certified payrolls.

**RESOLUTION 2008-75, APPROVING INSTALLATION BY THE PEDDIE SCHOOL OF WATER MAIN AND NJDEP  
PERMIT APPLICATION REGARDING SAME**

Ms. Gallagher explained that Peddie School is proposing to install a 10" water main across their campus, from Ward Street to Etra Road. This will benefit not only the school but the Borough, and will aid fire flow at the southern end of the Borough. NJDEP approval will be needed before the main is connected to the Borough's system, and the Borough would eventually take ownership of the new main. This Resolution, she said, would approve installation of the pipe at Peddie's own risk, and approve their application to NJDEP for the needed permits.

Resolution 2008-75 was moved by Council President Sikorski and seconded by Councilmember Bond.

Councilmember Bond stated that this is a good example of a "win/win" public/private partnership. The pipe is for fire suppression only, he said, and is part of a bigger picture for the future.

Council President Sikorski commended Councilmember Bond and Mayor Patten for their work on this issue.

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

**Resolution adopted, 6-0.**

**RESOLUTION 2008-75                      APPROVING INSTALLATION BY THE PEDDIE SCHOOL OF WATER MAIN AND NJDEP PERMIT  
APPLICATION REGARDING SAME**

**WHEREAS**, The Peddie School proposes to install a new ten (10) inch water main on its campus running from Ward Street to Etra Road; and

**WHEREAS**, the purpose of this water main is to improve fire flow on The Peddie School campus; and

**WHEREAS**, in support of its request, The Peddie School has filed a detailed plan with the Borough depicting the proposed improvements; and

**WHEREAS**, pursuant to Section 19-1-1 of the Borough Code, it is necessary for The Peddie School to receive approval from the Mayor and Council before the desired improvements may be constructed; and

**WHEREAS**, the Borough Engineer has reviewed the plan submitted by The Peddie School, and has determined that construction of the desired improvements will not only improve fire flow on The Peddie School campus, but that it will also improve fire flow in the larger southern area of the Borough as a whole; and

**WHEREAS**, the Borough Engineer has determined that, because of the greater benefit of the water main to the Borough, ownership of the proposed improvements will ultimately be conveyed to the Borough, with The Peddie School granting an easement to the Borough for those portions that are located beneath The Peddie School's campus; and

**WHEREAS**, the Borough Engineer has advised that, because of the length and size of the proposed water main extension, the proposed improvements shall also require approval(s) from the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, at this time, The Peddie School is requesting that the Mayor and Borough Council approve the installation of the proposed improvements as depicted upon the plan submitted to the Borough; and

**WHEREAS,** The Peddie School is also requesting that the Mayor and Council provide consent to permit it to proceed with construction of one portion of the pipe on its campus immediately, with the understanding that the NJDEP has not yet granted the necessary permits and/or other approvals required for this project, and that The Peddie School is therefore proceeding at its own risk; and

**WHEREAS,** the Borough Engineer recommends that, until an NJDEP permit is received, there can be no connection to the Borough's water system.

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

1. That, in accordance with Section 19-1-1 of the Borough Code, the Borough hereby authorizes The Peddie School to install the improvements depicted on the plan submitted to the Borough, as referenced above, subject to receipt of all necessary permits and/or other approvals which are required from the NJDEP.
2. That the Borough also authorizes The Peddie School to make application to the NJDEP for all necessary permits and/or other approvals which are required for this construction.
3. That, in accordance with the request made by The Peddie School, the Borough hereby consents to the immediate installation of one portion of the said improvements on its campus, while The Peddie School seeks issuance of the necessary NJDEP permits and/or other approvals. This consent is made with the understanding that The Peddie School is proceeding at its own risk until all necessary permits and/or other approvals are received from the NJDEP. All such construction shall be performed under the direct supervision and oversight of the Borough Engineer.
4. That, until all necessary NJDEP permits and/or other approvals are received, there shall be no connection to the Borough's water system.
5. That all Borough officials are hereby authorized and directed to undertake all actions that are necessary in order to effectuate the intentions of this Resolution.
6. That a certified copy of this Resolution shall be provided to each of the following:
  - a. The Peddie School
  - b. Carmela Roberts, P.E., Borough Engineer
  - c. William Searing, Superintendent of the Borough's Water and Sewer Department
  - d. Larry Blake, Director, Borough Department of Public Works
  - e. Candace B. Gallagher, Borough Administrator
  - f. Frederick C. Raffetto, Esq., Borough Attorney

## **RESOLUTION 2008-76, ACCEPTING WATER AND SEWER UTILITY IMPROVEMENTS – ENCHANTMENT AT HIGHTSTOWN**

Resolution 2008-76 was moved by Council President Sikorski and seconded by Councilmember Bond.

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

**Resolution adopted, 6-0.**

### **RESOLUTION 2008-76      ACCEPTING WATER AND SEWER UTILITY IMPROVEMENTS – ENCHANTMENT AT HIGHTSTOWN**

**WHEREAS,** the Borough Engineer has advised that construction and testing of the water and sewer utility extensions at the Enchantment at Hightstown subdivision are complete; and

**WHEREAS,** the Borough Engineer has also advised that testing of both systems has confirmed that construction was performed satisfactorily; and

**WHEREAS**, in accordance with Section 19-1-6 of the Borough Code, the Borough Engineer and the Superintendent of the Borough's Sewer Department have recommended that the water and sewer systems be acquired by the Borough for use by the Enchantment at Hightstown subdivision; and

**WHEREAS**, the Borough's acceptance of these improvements does not relieve the developer of its obligations under the performance guarantee(s) and the Developer's Agreement, as well as its obligations for maintenance of both utility systems until release of a maintenance bond.

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

1. That the Borough is hereby authorized to accept the water and sewer systems at the Enchantment at Hightstown subdivision for use by the Enchantment, in accordance with Section 19-1-6 of the Borough Code.
2. That the Borough's acceptance of these improvements does not relieve the developer of its obligations under the performance guarantee(s) and the Developer's Agreement, as well as its obligations for maintenance of both utility systems until release of a maintenance bond.
3. That all Borough officials are hereby authorized and directed to undertake all actions that are necessary in order to effectuate the intentions of this Resolution.
4. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Enchantment at Hightstown, LLC
  - b. Carmela Roberts, P.E., Borough Engineer
  - c. William Searing, Superintendent of the Borough's Sewer Department
  - d. Larry Blake, Director, Borough Department of Public Works
  - e. Candace B. Gallagher, Borough Administrator
  - f. Frederick C. Raffetto, Esq., Borough Attorney

## ORDINANCES

### PUBLIC HEARING AND FINAL READING: ORDINANCE 2008-04,

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

Ms. Gallagher reviewed the provisions of Ordinance 2008-04, explaining that it sets salary ranges for all employees to accommodate a 3.5% increase for most. That increase, she said, was previously approved for union employees as part of the contracts with Local 32 and the P.B.A. Non-union salaries will be set by Resolution 2008-77, slated for action later on this agenda.

Mayor Patten opened the public hearing on Ordinance 2008-04.

**Eugene Sarafin**, 600-628 South Main Street, noted his presence at the hearing.

**Rob Thibault**, 504 South Main Street, asked Council to reject this Ordinance and set the salary caps lower. He noted that "two or three employees are making over \$100,000, and half a dozen are making over \$60,000, plus benefit costs" and said that the Borough's "customers and bosses can't afford it anymore."

**Mr. Sarafin** spoke again to say that, in 1965, teachers started with a salary of \$6,000, and now start at \$46,000. Most can't live at \$60,000, he said, which is minimal. "When we decide to cut the salaries of our executives," he said, "we may as well cut our own throat. They do a job and a good job. We're not paying them out of the kindness of our heart." He went on to say that the Superintendent of Schools earns \$160,000, and in 1968 that salary was \$70,000. He urged Council to adopt the salary ordinance and resolution as written.



Dave Ogorzalek, 3 Pershing Avenue, said that he feels a 3.5% increase is excessive and that "no one gets this in the real world."

J.P. Gibbons, 602 North Main Street, acknowledged that this is "a tough issue." "Borough employees generally do a good job," he said, "but taxpayers are up against the wall." He suggested that a freeze on pay raises be put into place. He asked Council to "draw the line and say that if the money is there next year, you'll give 4%. ...It is or it is not a financial crisis we face. There is no shame with going back and saying that we can't see money in the budget this year for pay raises."

Torry Watkins, 68 Meadow Drive, said that pay raises for supervisors should be addressed separately from those for other employees. "It would be unconscionable," he said, to deny "the rank and file" the 3.5% increase, and noted that those increases were the subject of union negotiations. However, he questioned increases for supervisors and said that "there are employees downstairs who don't know how to do a credit card transaction, public works employees leaning on their rakes because no one is watching, uncollected leaves on Meadow Drive in March, and three men on a garbage truck that was intended to have a one man lift. Where is the supervision?"

No one else came forward and the floor was closed. Discussion ensued.

Councilmember Bond stated that this ordinance sets ranges, and he has no problem with it.

Councilmember Schneider stated that he objects to "the bureaucratic circumstance" that requires Council to set salary ranges each year, which he feels is a "waste of time." Council President Sikorski asked why the Ordinance is needed. Mr. Raffetto stated that it is required by law.

Council President Sikorski noted that the 2008 cost of living increase for social security was 2.3%, and as such, he will vote no on this ordinance. He added that he feels those making salaries above a certain level should be excluded from automatic increases and should instead be the subject of individual negotiations.

Councilmember Harinxma expressed agreement with Council President Sikorski.

Mayor Patten stated that he has suggested for years that the governing body relinquish their salaries, and recommended that the salary ranges for the Mayor and Council be set at zero from this point forward.

Ordinance 2008-04 was moved by Councilmember Bond and seconded by Councilmember Schneider.

**Roll Call:** Councilmembers Harinxma, Rosenberg and Sikorski voted no. Councilmembers Bond, Quattrone and Schneider voted yes. Mayor Patten broke the tie vote by voted yes.

**Ordinance adopted, 4-3.**

**ORDINANCE 2008-04                    AN ORDINANCE TO ESTABLISH SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN**

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

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

	<i>RANGING FROM:</i>	<i>TO:</i>
Mayor	\$4,800.00	\$4,800.00
Councilmember	\$3,600.00	\$3,600.00
Planning Board Attorney	\$2,000.00	\$2,000.00

	<i>RANGING FROM:</i>	<i>TO:</i>
Borough Administrator	\$18,000.00	\$28,000.00
Borough Clerk	\$40,000.00	\$75,000.00
Deputy Borough Clerk	\$28,000.00	\$40,000.00
Treasurer	\$40,000.00	\$65,000.00
Tax/Water/Sewer Collector	\$38,000.00	\$50,000.00
Deputy Tax/Water/Sewer Collector	\$8,000.00	\$16,000.00
Tax Assessor	\$7,500.00	\$12,000.00
Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Deputy Registrar of Vital Statistics	\$1,000.00	\$4,000.00
Municipal Magistrate	\$25,000.00	\$36,000.00
Municipal Court Administrator	\$40,000.00	\$70,000.00
Deputy Municipal Court Administrator	\$28,000.00	\$42,000.00
Administrative Assistant/Secretary	\$22,000.00	\$44,000.00
Planning Board Secretary	\$1,000.00	\$16,000.00
Technical Assistant	\$28,000.00	\$38,000.00
Construction Code Official	\$18,000.00	\$35,000.00
Fire Subcode Official	\$3,500.00	\$6,000.00
Building Subcode Official	\$3,500.00	\$6,000.00
Superintendent of Public Works	\$50,000.00	\$82,000.00
Assistant Superintendent of Public Works	\$50,000.00	\$66,000.00
Superintendent of Water Plant	\$5,000.00	\$8,000.00
Water Plant Operator	\$40,000.00	\$65,000.00
Superintendent of AWWTP	\$50,000.00	\$75,000.00
Lab Manager - AWWTP	\$35,000.00	\$55,000.00
Chief of Police	\$65,000.00	\$107,000.00
Secretary - Board of Health	\$500.00	\$1,500.00
Computer Systems Administrator	\$3,000.00	\$6,000.00
Chief Financial Officer	\$2,000.00	\$50,000.00
Payroll Clerk (Full-time)	\$20,000.00	\$28,000.00
Building Inspector	\$3,500.00	\$6,000.00
Health Officer	\$8,000.00	\$12,000.00

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

	<i>RANGING FROM:</i>	<i>TO:</i>
Part-time clerical	\$8.00	\$30.00
Assistant Treasurer (part-time)	\$12.00	\$30.00
Payroll Clerk (part-time)	\$10.00	\$20.00
Violations Clerk (part-time)	\$10.00	\$14.00
Disposition Clerk (part-time)	\$12.50	\$22.00
Special Officer – Municipal Court	\$25.00	\$35.00
Court Interpreter (two hour minimum per court session)	\$50.00	\$80.00
Public Health Nurse	\$25.00	\$38.00
School Crossing Guard	\$15.00	\$25.00
Radio Dispatcher	\$8.00	\$23.00
Administrative Assistant/Secretary	\$10.50	\$20.00
Administrative Assistant – Floater	\$13.50	\$20.00
Public Works Foreman	\$16.00	\$25.00
Public Works Heavy Equipment Operator	\$14.00	\$22.00
Public Works Automated Vehicle Operator	\$14.00	\$22.00
Public Works Driver/Laborer	\$10.00	\$20.00
Public Works Laborer	\$8.00	\$18.00
Public Works Municipal Building Maintenance	\$8.00	\$16.00
Public Works Mechanic	\$10.00	\$20.00
Public Works Driver/Laborer/Mechanic	\$10.00	\$20.00

	<i>RANGING FROM:</i>	<i>TO:</i>
Seasonal/Temporary Labor	\$8.00	\$16.00
Assistant Water Plant Operator	\$14.00	\$20.00
AWWTP Maintenance	\$15.00	\$22.00
AWWTP Shift Supervisor/Operator	\$15.00	\$20.00
AWWTP Operator Trainee (up to 1 year exp)	\$12.00	\$15.50
AWWTP Operator – Class I (min. 1 year exp)	\$14.50	\$17.00
AWWTP Operator – Class II (min. 2 years exp)	\$15.25	\$18.50
AWWTP Operator – Class III (min. 3 years exp)	\$16.50	\$20.00
AWWTP Operator – Class IV (min. 4 years exp)	\$17.25	\$21.50
Recreation Director (part-time)	\$20.00	\$35.00
Assistant Recreation Director (part-time)	\$8.00	\$20.00
Junior Recreation Counselor (part-time)	\$6.00	\$12.00
Housing Inspector	\$18.00	\$35.00
Fire Inspector	\$18.00	\$35.00
Building Inspector	\$18.00	\$35.00
Fire Official	\$18.00	\$35.00
Electric Subcode Official	\$18.00	\$40.00
Plumbing Subcode Official	\$18.00	\$40.00

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

	<i>RANGING FROM:</i>	<i>TO:</i>
Judge (Acting)	\$150.00	\$300.00
Public Defender	\$100.00	\$200.00

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

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

**Section 5.** In addition to salary ranges listed herein, all full-time employees who have waived health benefits coverage shall receive a supplemental stipend in the amount of \$5,000 per year.

**Section 6.** This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2008.

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

## INTRODUCTION AND FIRST READING: ORDINANCE 2008-05, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Following a brief review by Ms. Gallagher, Ordinance 2008-05 was moved 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 2008-05 was set for March 17, 2008.

## INTRODUCTION AND FIRST READING: ORDINANCE 2008-06,

### AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN WITH RESPECT TO THE KEEPING OF FARM ANIMALS AND FOWL

Mr. Raffetto reviewed the provisions of Ordinance 2008-06, which would restrict the keeping of farm animals and fowl within the Borough, and which was modeled after Wanaque's ordinance.

Ordinance 2008-06 was moved for introduction by Council President Sikorski and seconded by Councilmember Quattrone. Discussion ensued.

Council President Sikorski stated that, years ago, the Borough had a similar ordinance on the books, and "there needs to be some protection in a community where people live close to each other." Councilmember Quattrone agreed, and stated that this ordinance is more defined than that which existed years ago. Councilmember Schneider noted that, to require a minimum of three acres in order to maintain farm animals is essentially a ban, since there may not be any properties that large in the Borough. "Why not an outright ban?" he asked. "It's less confusing." Mr. Raffetto stated that the first ordinance drafted by him did provide for an outright ban, and Council could opt to do that, but after the initial discussion, he was asked to change it in this way. Councilmember Bond pointed out that it is a moot question, and we should not spend more money to change the ordinance again, since it accomplishes the same purpose. Mr. Raffetto noted that he still has the original version which he drafted, so there would be no added legal cost for that.

Mayor Patten asked if this could be a zoning ordinance. Mr. Raffetto stated that it was not drafted as such, but could be. It would then allow for variances, but it would also then grandfather those who are currently keeping farm animals or fowl. "There are some here now," Mayor Patten said, "that never caused any problems. Are we opening up another can of worms?" He suggested that a subcommittee be formed to tweak this ordinance "to fit Hightstown."

At this time, the roll was called for the introduction of Ordinance 2008-06, as written.

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

**Ordinance introduced, 6-0.**

The public hearing and final reading for Ordinance 2008-06 was set for March 17, 2008.

## RESOLUTIONS

### RESOLUTION 2008-77, ESTABLISHING SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN FOR THE YEAR 2008

Council discussed Resolution 2008-77, which would set salaries for non-union employees as discussed earlier in the meeting during consideration of Ordinance 2008-04.

Councilmember Schneider stated that he does not disagree with comments by the public, and noted that, in years past, non-union employees have been accepting negotiated union salary increases. This has been true even in years when union salaries have increased by only two percent, so average salary increases, he said, have been just over three percent. Regarding negotiating individually with supervisors, Mr. Schneider stated that, with individual negotiations, "we would be taking into account similar salaries in other towns, and I don't believe we'll see an average of just over 3%." He said that to negotiate those salaries individually would put the Borough in a worse position and be a waste of time and energy. Surrounding areas, he said, have seen salary increases well above our average, and 4% to 5% increases are "completely typical." "This increase, although 3.5% this year," he said, "is a continuation of the trend of our non-union

employees going along with numbers we've negotiated with the unions at very good rates." He added that he believes that this has allowed Borough salaries to drop below what surrounding towns pay.

Councilmember Quattrone agreed that Borough salaries are well below those paid in other towns, but added that he does believe that salaries for employees earning more than \$50,000 should be negotiated separately and said, "services in the Borough are very good." With respect to salaries of the governing body, Mr. Quattrone said that he will vote to leave those in because it helps recruit people to run for office.

Councilmember Bond noted that this ordinance does not include police or other union employees, or the Chief of Police. "These are key employees," he said, "... the ones who get the job done. ... You don't cut salaries of valuable employees, especially if they're getting below the norm in other communities."

It was noted that the positions listed individually in the Resolution are held by 13 employees (department heads) and that the total impact of the 3.5% raise for *all* non-union employees would be approximately \$35,000. It was also noted that no increase was included for members of the governing body, the Planning Board Attorney, or the Chief Financial Officer.

Council President Sikorski said that he intends to vote against this Resolution for reasons previously stated.

**Roll Call:** Councilmembers Harinxma, Rosenberg and Sikorski voted no. Councilmembers Bond, Quattrone and Schneider voted yes. Mayor Patten broke the tie by voting yes.

**Resolution adopted, 4-3.**

**RESOLUTION 2008-77                      ESTABLISHING SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN FOR THE YEAR 2008**

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

**WHEREAS** it is the desire of the Mayor and Council to set 2008 salaries for non-union employees to provide a three and one-half percent increase, consistent with that received by members of the P.B.A. and Local 32 unions for those years;

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

1. Salaries for department heads, including any additional titles held by them, are hereby established as set forth on Schedule "A," attached.
2. Salaries for those titles which are set by separate contract and/or Resolution of Council or other Boards or Commissions are not included in this Resolution.
3. The Borough Administrator shall adjust the salaries of other non-union employees who are not Department Heads and who have not entered into a separate contractual arrangement with the Borough to reflect an increase in pay of three and one-half percent (3½ %) above their 2007 base salary, effective January 1, 2008 or, in the case of any employees hired during the year 2007, effective upon their completion of one full year of service, as provided in Section 4.2 of the *Personnel Policy Manual of the Borough of Hightstown*.

**Borough of Hightstown  
Resolution 2008-77 - SCHEDULE "A"**

**2008 Salaries of Department Heads not otherwise set by Contract or Resolution**

<b>Position Title</b>	<b>Salary</b>
<b>ANNUAL PAY:</b>	
Mayor	4,800.00
Councilmember	3,600.00
Planning Board Attorney	2,000.00
Chief Financial Officer	45,000.00
Borough Clerk	74,869.70
Treasurer	60,253.73
Tax Collector	2,329.64
Water/Sewer Collector	46,594.97
Deputy Tax/Water/Sewer Collector	15,199.47
Municipal Court Administrator	69,892.45
Municipal Court Administrator - on call stipend	1,000.00
Municipal Magistrate	35,014.52
Tax Assessor	11,902.50
Superintendent of Public Works	80,839.13
Superintendent of Water Plant	7,020.61
Water Plant Operator	64,546.96
Superintendent of AWWTP	74,762.62
Registrar of Vital Statistics	3,653.99
Computer Systems Administrator	5,480.99
Construction Code Official	18,630.00
Technical Assistant	37,674.00
Building Subcode Official	3,622.50
Building Inspector	3,622.50
<b>HOURLY PAY:</b>	
Fire Official	33.64
Building Inspector	33.64
Fire Protection Inspector	33.64
<b>PER SESSION PAY:</b>	
Acting Judge	250.00
Public Defender	150.00

**RESOLUTION 2008-83, RESOLUTION OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED STATE  
BUDGET FOR THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY TAX RELIEF AS OUR PRIORITY**

Mayor Patten noted that this Resolution was created based on a sample provided by the League of Municipalities. Council President Sikorski asked that, because Council did not receive this until it was added to the agenda at this meeting, action be postponed to the budget meeting scheduled for March 11. This was generally agreed upon by Council.

Mayor Patten read aloud a comment that he posted on the League of Municipalities website in their "Mayor's Forum" regarding the Governor's proposed cuts in State aid<sup>1</sup>.

## UNFINISHED BUSINESS

### STATUS REPORT: DISCUSSIONS WITH EAST WINDSOR TOWNSHIP REGARDING SHARED POLICE SERVICES

Council President Sikorski reported that the subcommittee regarding shared police services met on February 20 for 2½ hours, and interviewed three of the firms which submitted proposals to conduct a study regarding shared police services. One of those firms was selected by the committee, and details are being worked out now. The Borough will be the lead agency and a SHARE grant will be applied for to fund the study. The application will be prepared by the chosen firm for a cost of \$500, to be split between the Borough and the Township. If the grant is not received, the study would not be done. Mayor Patten asked how long it would be before the grant application is submitted. Council President Sikorski said that the contract can be awarded as soon as details are worked out and references checked. The Mayor asked how long the discussions with East Windsor have been taking place. Mr. Sikorski was unsure exactly when those began, and noted that discussions had stopped for a time.

### REQUESTS FOR ADDITIONAL GARBAGE CANS

Ms. Gallagher reported that, since January 1, the Borough has documented requests from 10 residents, three businesses, the group home on Springcrest Drive and the First Aid Squad for additional garbage containers. She added that, originally, the Borough distributed a total of 1,330 95-gallon cans and 65 65-gallon cans. Councilmember Quattrone recommended that a subcommittee be formed to review these requests on an individual basis, and assure that those requesting additional cans are recycling properly. Mayor Patten asked Mr. Quattrone to serve on that committee along with Mr. Blake and Councilmember Rosenberg. Councilmember Bond volunteered to serve if Mr. Rosenberg is too busy to do so.

## CONSENT AGENDA

Council President Sikorski asked if the taxi driver's license to be approved with Resolution 2008-70 was the same license that had previously been recommended for a probationary approval. Chief Eufemia stated that this is the same licensee, and he now has only one point on his license and meets the requirements of our ordinance.

Resolution 2008-70 and Resolutions 2008-78 through 2008-81 were moved by Council President Sikorski and seconded by Councilmember Harinxma.

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

**Resolutions adopted, 6-0.**

### RESOLUTION 2008-70 AUTHORIZING RENEWAL OF TAXI DRIVER'S LICENSE – MIGUEL SAQUICELA (TU AMIGO)

**WHEREAS**, Section 4-21 of the *Revised General Ordinances of the Borough of Hightstown* provides that a taxicab may not be operated within the Borough of Hightstown unless the owner and driver are licensed by the Borough; and

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<sup>1</sup> Clerk's note: The web address is <http://www.njslom.org/mayor-budget-comments.html>.

**WHEREAS**, said Ordinance further provides that accepting a passenger to be transported for hire from a point of departure within the Borough to a destination within or without the Borough shall be considered "operation of a taxicab" within the Borough; and

**WHEREAS**, an application for renewal of a taxicab driver's license, which application complies with Section 4-21.5 of the *Revised General Ordinances of the Borough of Hightstown*, has been submitted by Miguel Saquicela, driving for Tu Amigo Taxi, 79 Twin Rivers Drive North, East Windsor, New Jersey, together with the required fee; and

**WHEREAS**, the Hightstown Police Department has reviewed the application and has approved issuance of the license;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a 2008 taxicab driver's license to Miguel Saquicela, driving for Tu Amigo Taxi, 79 Twin Rivers Drive North, East Windsor, New Jersey.

**RESOLUTION 2008-78                      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	157,700.00	166,555.00	324,255.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	24,000.00	331,311.00	355,311.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
<b>TOTAL</b>	<b>181,700.00</b>	<b>497,866.00</b>	<b>679,566.00</b>

**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<sup>2</sup>.
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.

**RESOLUTION 2008-79                      AMENDING RESOLUTION 2008-21, ADOPTED JANUARY 7, 2008, ENTITLED "AUTHORIZING  
APPLICATION FOR A RECYCLING TONNAGE GRANT"**

**WHEREAS**, Resolution 2008-21 was adopted by the Borough Council on January 7, 2008 and authorized the Borough's application for a Recycling Tonnage Grant; and

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<sup>2</sup> Schedule is on file in the Borough Clerk's office with original copy of Resolution 2008-78.



**WHEREAS**, in order to meet the grant requirements, it is necessary to amend said Resolution to specifically state that the grant in question is a 2008 Recycling Tonnage Grant;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Resolution 2008-21 is hereby amended to reflect that the grant to be applied for is a 2008 Recycling Tonnage Grant, and that a revised copy of the Resolution be provided to the New Jersey Department of Environmental Protection.

**RESOLUTION 2008-80                      AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-187 TO  
BETTER BEGINNINGS DAY CARE CENTER**

**WHEREAS**, Better Beginnings Day Care Center wishes to hold an off-premise merchandise raffle at 318 North Main Street on June 18, 2008; and

**WHEREAS**, the group has submitted application number RA-187 for this raffle along with the required fees; and

**WHEREAS**, the Borough Clerk and the Chief of Police have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-187 to Better Beginnings Day Care Center for their merchandise raffle to be held on June 18, 2008.

**RESOLUTION 2008-81                      AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator and the Treasurer in the amount of **\$1,270,674.72** from the following accounts:

Current	\$ 1,070,924.83
W/S Operating	138,129.80
General Capital	53,850.09
W/S Capital	1,933.60
Grant Account	430.90
Trust Account	5,105.50
Public Defender	<u>300.00</u>
<b>Total</b>	<b>\$ <u>1,270,674.72</u></b>

## **PUBLIC COMMENT II**

Mayor Patten once again opened the floor for Public Comment.

**Phyllis Deal**, 305 Stockton Street, asked that the Borough inform the taxi driver whose license was just renewed that he needs to drive 25 mph. "I have yet to see him drive the speed limit," she said.

**Rob Thibault**, 504 South Main Street, objected once again to salary increases for Borough employees, noting also that they receive a \$5,000 stipend if they do not take health insurance and they receive longevity bonuses which is "unheard of in private enterprise." He said that the Borough's liability for accumulated sick days is \$465,000 and that he does not believe that Borough employees are underpaid. He also criticized Council for "spending months on a chicken ordinance"

and "allowing a developer who might have done something to reduce the tax burden to get away." Garbage collection service has been reduced, he said, noting that many years ago it was collected twice a week and is now once a week, with only one can allowed. He asked Council to cut the budget and to look at why the Housing Authority and Peddie School are paying only \$23,000 per year in lieu of taxes. He said that Council is "forgetting the taxpayers" and that he may have to look into moving to a "less expensive place."

**Eugene Sarafin**, 600-628 South Main Street, said that there is "a lot of merit to what [Mr. Thibault] is saying, but there is also another side -- greed and stupidity." The Borough, he said, is paying the price for the failure of the State to collect money for pension funds and to keep income taxes at a level that would generate sufficient revenue for the State. He said that he doesn't mind paying income taxes because they are fair, but property taxes "are absurd." He urged Council to "say 'Enough!' to the politicians" and "tell them to raise income taxes to pay for this stuff ... it's got to come from someplace."

**J. P. Gibbons**, 602 N. Main Street, thanked Council for taking the time and energy to be here. "You earn your paycheck," he said. Mr. Gibbons noted that a representative of the Knights of Columbus was present earlier in the meeting to present plaques to the Firefighter, E.M.T., and Policeman of the Year, but was never recognized, and an apology from the Borough should be forthcoming. Ms. Gallagher stated that this was an oversight on her part, and that she had not informed the governing body that Mr. Misiura was here for that reason. She will be in touch with him directly to offer her apologies. Mr. Gibbons closed his comments by saying that Borough Council meetings are the "best show in town for the price" and reiterated his suggestion to negotiate with East Windsor regarding the high school. "We may be surrounded," he said, "but we're not giving up that easily."

**Torry Watkins**, 68 Meadow Drive, reminded Council that Governor Corzine "came up with a plan that would pay down 50% of the State's accumulated debt and create a Transportation Trust Fund, and half of that would be paid for by people who don't live in this state," yet, he said, "yokels screamed and shot his plan off the wall."

**Jan Guthrie**, 425 Stockton Street, thanked Council for taking the "first step in getting rid of farm animals."

**Mike Theokas**, 142 Mill Run East, said that it seems odd for the Borough to "give raises to underpaid people with money we don't have," and that the Borough's attempts to cut the budget is like "putting a piece of bubble gum in a crack on the Hoover Dam." "The budget and the Borough are broken," he said. He reminded Council that he has said in the past that, if the Borough does not take the first steps toward consolidation, the State would do it for us, and now those steps have been taken. "They offer a carrot now," he said, "but soon it will be the stick." He urged Council to be "proactive to keep all that we love ... our culture, our history, our volunteer groups. We can do that if we are the ones who start the process."

**Dave Ogorzalek**, 3 Pershing Avenue, said that he was opposed to the new garbage collection system from the beginning and is "still not having a good time with it." He feels it is "insulting" and "ridiculous" to create a subcommittee to deal with 15 requests out of 1900 for extra cans. "Just say yes," he said. He added that the cans create a traffic hazard when placed in the street and reduce traffic to one lane.

No one else came forward and the floor was closed.

## COUNCIL COMMENTS AND COMMITTEE REPORTS

Councilmember Quattrone reported that the First Aid Squad's annual Pancake Breakfast will be held on Palm Sunday at the firehouse. He congratulated Curtis Crowell for having been named as E.M.T. of the Year, and commended him for the "wonderful job" he does. He added that the Squad has submitted their budget request, and that their main focus has been to save lives. He congratulated Gene Sarafin, who is now a member of the First Aid Squad and who recently passed his E.M.T. examination. Things are going well in the fire department, he said, and they were willing to make some cuts in their budget requests. Mr. Blake is working with them regarding their phones, and membership there

remains strong. Mr. Quattrone went on to commend Mr. Blake for continuing to keep his Public Works budget lean, and thanked Councilmember Schneider for his hard work in negotiating contracts with our unions. He again stated that he feels that salary increases for non-union employees who earn more than \$50,000 should be separately negotiated. Councilmember Quattrone also thanked Mayor Patten for his comments regarding the Governor's proposed cuts, and said, "To punish a town that works so hard to save a buck ... I wish the governor would address insurance issues first. It's out of hand." Insurance costs, he said, should be capped. Lastly, Mr. Quattrone announced that the first meeting for the annual Memorial Day Parade will take place soon, and he welcomed the participation of anyone who would like to help. "It's six or eight meetings and one long day," he said.

Council President Sikorski stated that, while it may appear to the public that members of Council only work at the two meetings held each month, in actuality they spend many more hours working on Borough business. He said that he personally spends 35 hours each week, and he commended Mayor Patten for his efforts and time spent. "In the larger scheme of things, we don't address the larger issues," he said. The governor inherited some issues, where things were funded without recurring sources of revenue. State income taxes, he said, are progressive taxes that would go a long way toward addressing these issues, while property taxes are regressive. Until that is resolved, he said, "we'll be faced with the same situation and more dire consequences."

Councilmember Bond reported that he attended the most recent meeting of the water and sewer committee, and "much is going on." The Borough has been working with Peddie School and Meadow Lakes, he said, to "try and get the water system to fruition." Mr. Bond provided a brief report of police department activities during February, which included answering 947 calls. He commended Officers Frank Gendron and Jeanine Khalifa for saving a woman's life, along with an officer from East Windsor Township, using an AED. "We're proud of them and the job they do," he said. He added that he and Chief Eufemia are working on enforcement of parking regulations in the Borough's parking lots, and noted that Chief Eufemia was commended for the Emergency Management Plan which he recently submitted. Chief Eufemia explained that this is an 800-page document that "governs anything and everything in times of emergency." It must be updated every three years and is now up to date until 2012. Mr. Bond also reported that he, Mr. Lang and Ms. Gallagher are looking into the new school tax rate, which he believes should be investigated to see how the State has generated their figures. Lastly, Mr. Bond encouraged the public to attend budget meetings, and noted that an opportunity is provided for public comment at those meetings also.

Mayor Patten pointed out that, of the total property tax bill received by our residents, only slightly more than 20% represents the portion paid for municipal services. The remainder goes to the school and the county. His tax bill, for example, is over \$7,000, and of that amount, he spends about \$1,500 on municipal services. "We're all concerned about taxes," he said, "but take a look at what portion is ours. We're not the center of the target. We're doing all that we can and all that the State wants us to do. Our budget is not broken. The State is broken. The State is sinking, and we're the ones that have to suffer, and now the small communities especially." He said that Hightstown is an example of how things should be done, and that there is often mismanagement and corruption in larger municipalities. "[The Governor's plan to cut State aid] is unfair to us," he said, "and I want to hear the public screaming and hollering about that."

Mayor Patten added, in response to earlier comments by Torry Watkins, that the Borough's automated garbage truck was being repaired, which is why the other truck was being used. He further stated that the decision to close Borough offices on Friday, February 22 was made by him and Ms. Gallagher with input from the Borough's police and public works departments and in light of the conditions and forecast at the time the decision was made. "There was a reason for that," he said, "and these are tough decisions to make." Lastly, he pointed out that East Windsor is upgrading their sewer plant in order to comply with NJDEP requirements, and not so that they can expand their operation.

## EXECUTIVE SESSION

Ms. Gallagher read aloud Resolution 2008-73, authorizing a closed session for the purpose of discussing contract negotiations and litigation. The Resolution was moved by Council President Sikorski and seconded by Councilmember Quattrone.

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

Resolution adopted, 5-1

### **RESOLUTION 2008-73      AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on March 3, 2008 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 – WorldWater & Power; Disposition of Borough-owned property  
LITIGATION – Presbyterian Home at Meadow Lakes v. Borough of Hightstown;  
Greystone Capital Partners NJ, LLC v. Borough of Hightstown**

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: June 3, 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.

Upon reconvening into open session, Resolution 2008-82 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 2008-82      A RESOLUTION AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO ENTER INTO AN AMENDED AND RESTATED SOLAR ENERGY POWER PURCHASE AGREEMENT WITH WWST- HIGHTSTOWN, LLC FOR THE PROVISION OF PHOTOVOLTAIC (SOLAR) ELECTRIC GENERATION SYSTEMS FOR BOROUGH FACILITIES**

**WHEREAS**, on May 11, 2006, and following a public RFQ/RFP process, the Borough adopted Resolution No. 2006-122, which authorized the Borough to enter into a power purchase agreement (the "PPA") with WorldWater & Power for the provision of energy for Borough facilities from photovoltaic (solar) electric generation systems (the "Hightstown project"); and

**WHEREAS**, the PPA was executed by the parties on May 12, 2008; and

**WHEREAS**, since execution of the PPA, WorldWater & Power has changed its name and is now known as WorldWater & Solar Technologies Corporation, located at 200 Ludlow Drive, Ewing, New Jersey 08638; and

**WHEREAS**, WorldWater & Solar Technologies Corporation has formed a special purpose entity for the Hightstown project, known as WWST-Hightstown, LLC; and

**WHEREAS**, the parties have recently re-negotiated certain terms and conditions associated with the Hightstown project; and

**WHEREAS**, the revised terms and conditions are set forth in an "Amended and Restated Solar Energy Power Purchase Agreement" between the Borough and WWST-Hightstown, LLC;

**WHEREAS**, a copy of the "Amended and Restated Solar Energy Power Purchase Agreement" is attached hereto and is made a part hereof; and

**WHEREAS**, the Borough wishes to enter into the attached "Amended and Restated Solar Energy Power Purchase Agreement" with WWST-Hightstown, LLC, which shall completely supersede and nullify the original PPA.

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

1. That the Mayor is authorized to execute and the Borough Clerk to attest the attached "Amended and Restated Solar Energy Power Purchase Agreement" with WWST-Hightstown, LLC<sup>3</sup>, which shall completely supersede and nullify the original PPA.
2. That all other Borough officials are hereby authorized and directed to perform such tasks as are necessary to effectuate the intentions set forth in this Resolution.
3. That a certified copy of this Resolution shall be provided to each of the following:
  - a. WWST-Hightstown, LLC
  - b. Arlene O'Rourke, Borough Treasurer
  - c. George Lang, Borough Chief Financial Officer
  - d. Candace Gallagher, Borough Administrator/Clerk
  - e. Larry Blake, Director of Borough Department of Public Works
  - f. Frederick C. Raffetto, Esquire, Borough Attorney

There being no further business, adjournment was moved by Council President Sikorski, seconded and unanimously approved. The meeting was adjourned at 10:44 p.m.

Respectfully submitted,

Candace B. Gallagher, RMC  
Borough Clerk

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<sup>3</sup> Agreement is on file in the Borough Clerk's office with original copy of Resolution 2008-82.