

**Meeting Minutes**  
**Hightstown Borough Council**  
**Regular Meeting**  
**October 18, 2010 6:30 pm**

The meeting was called to order by Mayor Patten at 6:30 pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute was followed by roll call.

**ROLL CALL**

	<b>PRESENT</b>	<b>ABSENT</b>
<i>Councilmember Bond</i>	✓	
<i>Councilmember Gilmartin</i>	✓	
<i>Councilmember McGinty</i>	✓	
<i>Councilmember Musing</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Sikorski</i>	✓	
<i>Mayor Patten</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Herbert Massa, Borough Administrator; and Frederick Raffetto, Borough Attorney; George Lang, Chief Finance Officer; and Richard Shaklee, Labor Counsel.

**Resolution 2010-227 Executive Session**

The Mayor requested that Minute Maid Litigation and Attorney-Client Privilege be added to the resolution.

Council President Quattrone moved resolution 2010-227 as amended, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0

Resolution 2010-227

*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**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 October 18, 2010 at approximately 6:30 pm in the Council Chambers 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:

Personnel – Workers Compensation Claim

Litigation – Minute Maid

Attorney-Client Privilege

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: January 18, 2011, or when the need for confidentiality no longer exists.

, October 18, 2010

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.

Council re-convened into open session at 7:40 pm.

The meeting was called to order by Mayor Patten at 7:40pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The Flag Salute was followed by Roll call which had remained the same.

Councilmember McGinty motioned to amend the agenda to include additions previously requested by her for the Borough Council meeting on Monday, October 18, 2010:

Add before Engineer Items:

Resolution 2010-xxx -- "Requiring Formal Report to be Delivered Publicly at the Borough Council Meeting on October 18, 2010 of the Work Conducted by the Negotiating Committee, Which Had Been Set in Place by Resolution 2010-123, to Inform the Public of What Happened with the Negotiations with East Windsor Township in Regards to the Police and Court Shared Services Study, at Which Time the Powers and Duties of that Committee Shall Formally Be Ended"

Council Committee Presentation: Formal Report of the Council Negotiating Committee for Police and Court Shared Services

Presentation: Enforcement Issues of Boarding Houses and Rentals

Discussion: Scheduling of Special Meetings of Borough Council

Councilmember Musing seconded and all agreed.

Council President Quattrone motioned to accept the agenda as amended, Councilmember Sikorski seconded, all approved.

Council President Quattrone motioned to approve the minutes of the June 7, 2010 open session meeting, Councilmember Sikorski seconded, Councilmember Gilmartin and Musing abstained, the remainder of Council approved the minutes.

Council President Quattrone motioned to approve the minutes of the June 21, 2010 open session meeting, Councilmember Sikorski seconded, Councilmember Gilmartin abstained, the remainder of Council approved the minutes.

Council President Quattrone motioned to approve the minutes of the June 30, 2010 budget session meeting, Councilmember Sikorski seconded, Councilmember Gilmartin and Musing abstained, the remainder of Council approved the minutes.

**Resolution 2010-235 -- "Requiring Formal Report to be Delivered Publicly at the Borough Council Meeting on October 18, 2010 of the Work Conducted by the Negotiating Committee, Which Had Been Set in Place by Resolution 2010-123, to Inform the Public of What Happened with the Negotiations with East Windsor Township in Regards to the Police and Court Shared Services Study, at Which Time the Powers and Duties of that Committee Shall Formally Be Ended"**

Councilmember McGinty moved resolution 2010-235, Councilmember Musing seconded.

There was discussion and the Borough Attorney cautioned Council about disclosing information from negotiations and executive session.

Roll Call Vote: Council members Gilmartin, McGinty, Musing, voted yes; Councilmembers Bond, Quattrone and Sikorski voted no; the Mayor broke the tie with a no vote.

Resolution defeated, 4-3

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**REQUIRING FORMAL REPORT TO BE DELIVERED PUBLICLY AT THE BOROUGH COUNCIL MEETING ON OCTOBER 18, 2010 OF THE WORK CONDUCTED BY THE NEGOTIATING COMMITTEE, WHICH HAD BEEN SET IN PLACE BY RESOLUTION 2010-123, TO INFORM THE PUBLIC OF WHAT HAPPENED WITH THE NEGOTIATIONS WITH EAST WINDSOR TOWNSHIP IN REGARDS TO THE POLICE AND COURT SHARED SERVICES STUDY, AT WHICH TIME THE POWERS AND DUTIES OF THAT COMMITTEE SHALL FORMALLY BE ENDED**

WHEREAS, on May 3, 2010, by Resolution 2010-123, the Hightstown Borough Council, by unanimous vote, set in place a committee of three council members (the "Negotiating Committee"), whose mandate was the following:

"NOW THEREFORE BE IT RESOLVED that the Borough Council hereby appoints Council President Lawrence Quattrone and Councilmembers Walter Sikorski and Jeffrey Bond to serve on a negotiating committee to meet with the Township [of East Windsor] for the purpose of developing a contract to implement the recommendations as described in the . . . Police and Court Shared Services Study [conducted by the Patriot Consulting Group, in consultation with the committees of the two municipalities, and with the same three Hightstown Borough Council Members representing Hightstown for that Study]. The Borough Council also authorizes the appointment of a Special Labor Council to assist this committee."

WHEREAS, the Councilmembers of that Negotiating Committee, having reported to the Mayor and other three Councilmembers at the Borough Council meeting on October 13 that the meetings of the Negotiating Committee have ended, and that there would be no contract for shared or outsourced police services submitted for consideration by the Hightstown Borough Council;

NOW THEREFORE BE IT RESOLVED that the Hightstown Borough Council directs the Negotiating Committee to report formally on what the Negotiating Committee did during the term of its existence, with that formal report to be delivered at the Borough Council meeting on Monday, October 18, 2010, in open session.

IT IS FURTHER RESOLVED by the Hightstown Borough Council that, upon the completion of the formal report on October 18, 2010, the Negotiating Committee set in place by Resolution 2010-123 shall officially be disbanded, without power or authority to speak further with East Windsor or any of its representatives on behalf of the Borough of Hightstown as to any police issues.

The Borough Attorney proceeded to give a review of Chapter 13 of the Revised General Ordinances of the Borough of Hightstown regarding boarding houses and rental units; reviewing Hightstown's requirements and case law regarding same. There was then discussion on the matter.

There was then discussion regarding the scheduling of special meetings of Council.

**Resolution 2010-228 Authorizing Receipt of Bids – Chemicals**

Council President Quattrone moved resolution 2010-228, Councilmember Sikorski seconded.

The Borough Clerk gave a review of the resolution.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0

**Resolution 2010-228**

The Mayor opened Public Comment Period I and the following individual spoke during the period: Phyllis Deal, 305 Stockton Street; Peter Kalapsogearge, 418 N. Main Street; Melanie Alio 158 Grant Avenue; Eugene Sarafin, 628 S. Main Street; Fran Palumbo, Tavern on the Lake Owner; Pat Duncan, 158 Grant Avenue; Anne Harewood, 320 Park Avenue; Lynne Woods, 315 Park Avenue; Mary Stazzone, 304 Park Avenue; J. P. Gibbons, 602 S. Main Street; Rob Thibault, 504 S. Main Street; Steve Kirson, 43 Norton Ave.; Scott Caster, 12 Clover Lane; and John Arxher, 131 Bennett Place.

, October 18, 2010

There being no further comments, the Mayor closed the public comment period.

**Resolution 2010-229 Authorizing the Payment of Bills**

Council President Quattrone moved resolution 2010-229, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0.

**Resolution 2010-229**

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**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 Mayor, the appropriate Councilmember and the Treasurer

in the amount of       \$           277,475.16               from the following accounts

Current	\$	51,656.61
W/S Operating		44,997.48
General Capital		151,424.95
W/S Capital		17,361.25
Grant		722.00
Trust		4,243.18
Housing Trust		-
Animal Control		-
Law Enforcement Trust		-
Housing Rehab Loans		3,270.00
Escrow		3,799.69
Total	\$	<u>277,475.16</u>

**Resolution 2010-230 Requesting Approval for Insertion of a Special Item of Revenue in the 2010 Budget**

Council President Quattrone moved resolution 2010-230, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0.

**Resolution 2010-230**

*BOROUGH OF HIGHTSTOWN*

*COUNTY OF MERCER  
STATE OF NEW JERSEY*

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE  
2010 BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2010 as follows:

<b>Source</b>	<b>Amount</b>	<b>Revenue Title</b>	<b>Appropriation Title</b>
State of New Jersey Division of Criminal Justice	\$1,367.32	State Body Armor Replacement Fund Program	State Body Armor Replacement Fund Program

**Resolution 2010-231 Authorizing the Release of Funds Remaining in Escrow – T-Mobile Northeast LLC**

Council President Quattrone moved resolution 2010-231, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0.

Resolution 2010-231

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
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**AUTHORIZING RELEASE OF FUNDS REMAINING IN ESCROW –  
T-MOBILE NORTHEAST, LLC (CRANBURY STATION ROAD)**

**WHEREAS**, T-Mobile Northeast, LLC posted funds in escrow with the Borough relative to Block 1.01, Lot 2, Cranbury Station Road; and

**WHEREAS** the work is now complete, and the Borough Engineer has recommended release of all remaining escrow held by the Borough on her behalf;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized and directed to return to T-Mobile Northeast, LLC any and all funds remaining in the escrow account as detailed herein.

**Resolution 2010-232 Authorizing the Issuance of a Bingo License – Hightstown High School Parents Association**

Council President Quattrone moved resolution 2010-232, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0.

Resolution 2010-232

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AUTHORIZING ISSUANCE OF BINGO LICENSE #BL-001 TO  
HIGHTSTOWN HIGH SCHOOL PARENT ASSOCIATION**

**WHEREAS**, the Hightstown High School Parent Association wishes to hold a Bingo at the Hightstown High School on November 13, 2010, between the hours of 6:00 pm and 10:30 pm; and

**WHEREAS**, the group has submitted application number BL-001 for this raffle, together 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 Bingo License No. BL-001 to the Hightstown High School Parent Association for a Bingo to be held at the Hightstown High School on November 13, 2010.

**Resolution 2010-233 Authorizing the Refund for a Vendor Fee for Participation in the Hightstown Harvest Fair – Christ Foundation Academy USA**

Council President Quattrone moved resolution 2010-233, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0.

Resolution 2010-233

*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AUTHORIZING THE REFUND OF A VENDOR FEE FOR PARTICIPATION IN THE  
HIGHTSTOWN HARVEST FAIR – CHRIST FOUNDATION ACADEMY USA**

**WHEREAS**, it is required that a Vendor fee be paid by vendors participating in the Annual Hightstown Harvest Fair; and,

**WHEREAS**, the vendor fee for Christ Foundation Academy of Langhorne, PA was \$50.00; and

**WHEREAS**, Christ Foundation Academy paid \$50.00 on August 6, 2010 for said fee to participate in the Annual Hightstown Harvest Fair; and

**WHEREAS**, Christ Foundation Academy was unable to meet the requirements of the Board of Health for the overnight storage of fish in an approved facility in order to participate; and

**WHEREAS**, the Treasurer finds that Christ Foundation Academy is due a \$50.00 refund for the fees paid to participate in the Annual Hightstown Harvest Fair; and

**WHEREAS**, the Treasurer has certified the availability of funds for this expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized to issue a refund to Christ Foundation Academy of Langhorne, PA in the amount of \$50.00 to refund them for the fee paid to participate in the Annual Hightstown Harvest Fair.

**Resolution 2010-234 Accepting Membership of Jonathan M. Trimboli in Hightstown Engine Co. No. 1**

Council President Quattrone moved resolution 2010-234, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, Gilmartin, McGinty, Musing, Quattrone and Sikorski yes.

Resolution adopted, 6-0.

Resolution 2010-234

*BOROUGH OF HIGHTSTOWN*

, October 18, 2010

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*COUNTY OF MERCER  
STATE OF NEW JERSEY*

**ACCEPTING MEMBERSHIP OF JONATHAN M. TRIMBOLI  
IN HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Jonathan M. Trimboli of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Mr. Trimboli has undergone and passed the required physical examination, and his membership application has been reviewed and approved by Fire Chief Lawrence Van Kirk;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the membership of Jonathan M. Trimboli in Hightstown Engine Company No. 1 is hereby accepted.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

The Mayor then opened Public Comment Period II. The following residents spoke during the public comment period: Peter Kalapsogorge, 418 N. Main Street; Rob Thibault, 504 S. Main Street; Mary Stazzone, 304 Park Avenue; Dan Buriak, 194 Stockton Street; J. P. Gibbons, 602 S. Main Street; and Eugene Sarafin, 628 N. Main Street.

There being no further comments, the Mayor closed the public comment period.

**Council/Mayor/Administrative Comments**

**Borough Clerk Sopronyi** – commented that the bid for chemicals will be for two years and advised Council that letters were sent out to all businesses and parking permit holders prior to start of the Memorial Park improvements project.

**Councilmember McGinty** – stated that she felt the failure of her resolution does not provide closure regarding negotiating a police agreement with East Windsor. She then commented regarding recent events held in the Borough, public comment periods, executive session discussion, Attorney participation in meetings, Governor's Tool Kit, the Borough Treasurer's retirement, the garbage truck, taxi licensing, Voices of Hightstown, Quality of Life Ordinance Review Committee, the PBA contract, and protocol of Council at meetings.

**Councilmember Bond** – commented that Councilmember McGinty is an eloquent speaker, but her facts are skewed.

**Council President Quattrone** – commented that the First Aid is doing a great job, but they need volunteers and encouraged the hiring of additional staff for Code Enforcement. He then complimented Dan Buriak for his work on the Stockton Street Historic District project, and commented regarding boarding house issues, and executive sessions.

**Councilmember Musing** – commented that Stockton Street looks amazing and thanked everyone involved in the project. He then advised that additional Code Enforcement Staff should be hired as soon as possible.

**Mayor Patten** – commented regarding the recent events held in the Borough and stated he was proud of the Public Works and Police Departments. He also stated that the media is not always correct in their evaluation of a subject, the talks with East Windsor had reached an impasse and Hightstown needs to move on.

Council President Quattrone moved to adjourn the meeting at 10:02 pm and Councilmember Sikorski seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk