

Meeting Minutes
Hightstown Borough Council
Regular Meeting
January 19, 2010 7:30 pm

The meeting was called to order by Mayor Robert Patten at 7:30 pm and 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

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

Also in attendance: Debra Sopronyi, Borough Clerk; Herbert Massa, Borough Administrator; Frederick Raffetto, Borough Attorney; Carmela Roberts, Borough Engineer; James Eufemia, Chief of Police; and George Lang, CFO.

Councilmember Sikorski motioned to accept the agenda, Councilmember Theokas seconded; all approved.

Approval of Minutes

Councilmember Sikorski moved the minutes of December 21, 2009 Open Session for approval, Councilmember Bond seconded. Councilmember Musing abstained, the remainder of Council approved. Minutes approved 4 – 0.

Councilmember Sikorski moved the minutes of December 21, 2009 Closed Session for approval, Councilmember Theokas seconded. Councilmember Musing abstained, the remainder of Council approved. Minutes approved 4 – 0.

Councilmember Sikorski moved the minutes of December 30, 2009 Special Session for approval, Councilmember McGinty seconded. Councilmember Musing abstained, the remainder of Council approved. Minutes approved 4 – 0.

Presentations

Mr. Bill Bowling, of the Knights of Columbus presented the Borough with a plaque containing all of the EMT, Police and Fireman of the Year for the last 21 years. The Mayor received the plaque and thanked him.

The Council thought the PB presentation was to address the sign ordinance requested by the Planning Board; Rick Pratt was in attendance to address the Concept Plan for the NJDOT Centers of Place Grant Program.

Councilmember Theokas recused himself from the discussion regarding resolution 2010-19 and stepped down from the dais.

Mr. Pratt, in conjunction with the Borough Engineer, reviewed the plan as submitted by the Borough Engineer. This plan is regarding the Memorial Park, or Main Street, parking lot; it was emphasized that this plan puts more green space in the park and more parking in the lot, as well as provide access to this lot from the parking lot behind the bank. The Borough Engineer had sent this plan out to the committees and boards for comments prior to this version being developed and sent to the Council for acceptance; and the Planning Board and Parks & Recreation Commission endorse the plan. More discussion followed. The Engineer informed Council that there is the possibility that there may be a crosswalk added to the plan.

At this time, Councilmember Bond recused himself from further discussion on the matter because he owns property across the street near the area of the possible crosswalk.

There was a continued question and answer period between Council and the Borough Engineer regarding truck deliveries, trash collection and drive through access.

Mayor Patten opened the floor for public comment on this matter.

Phyllis Deal – 305 Stockton St., was concerned with whether cars from the drive-thru will still be able to get through and if the road leaves space for trash collection. Rick Pratt showed her the plan.

Eugene Sarafin – 628 S. Main St., inquired if it was a one-way between the bank and the church, to which the Engineer responded that it was not. He then asked if you can exit by the pond, to which the Engineer responded that you can.

Derrick Hahn – 102 Manlove, thanked the Engineer for a great plan and stated that the Parks and Recreation Commission, are in support of this plan.

Tory Watkins - 68 Meadow Dr. reminded the Engineer that articulated trucks may use this road for deliveries.

Resolution 2010-19 Acceptance of Concept Plan for NJDOT Centers of Place Grant Program

Councilmember Sikorski moved resolution 2010-19, Councilmember McGinty seconded.

Roll Call Vote: Council members McGinty, Musing, Sikorski and Theokas voted yes; Council member Bond was recused.

Resolution adopted, 4-0

Resolution 2010-19

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

ACCEPTANCE OF THE CONCEPT PLAN FOR NJDOT CENTERS OF PLACE PROGRAM GRANT

WHEREAS, The Borough of Hightstown has received a \$350,000.00 grant from the New Jersey Department of Transportation through the Centers of Place Program; and

WHEREAS, the purpose of this grant is to provide funding for non-traditional transportation related improvements; and

WHEREAS, Hightstown Borough received this grant to modify the Memorial Parking Lot by increasing the number of parking spaces and improving the park area adjacent thereto; and,

WHEREAS, the basic conceptual plan for this project was distributed to 13 separate Borough Commissions, Boards, Businesses and Departments for review; and,

WHEREAS, upon receipt of comments, the concept plan was reviewed and endorsed by the Planning Board of Hightstown Borough; and

WHEREAS, the Borough Engineer recommends and requests that the Council review and accept the concept plan for this project.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that the concept plan for the Memorial Parking Lot improvements has been reviewed by the Council and is hereby accepted.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Carmela Roberts, Borough Engineer; and the Project File.

The Mayor called upon someone from the Recreation Commission to come forward to talk about the proposed sign ordinance. Mr. Patrick Dunkin then gave a review of the process that the Triathlon had to go through to get signs posted for their event. This ordinance will eliminate that requirement for particular events and originated from a request from the Parks and Recreation Commission to the Planning Board. The Council agreed that this ord. would be placed for introduction on the February 1st agenda.

Public Comment I

Michelle Jordan – 500 N. Main St., commented that the Grand Avenue (Association) Park should be fixed up so the residents can use it. The Mayor introduced her to Pat Dunkin so that she could discuss the issue with the Parks and Recreation Commission.

Eugene Sarafin – 628 S. Main St., gave a review of the democratic process and commented on how it is more parliamentary today than one-man/one-vote. He thinks we are a third-world country not a democracy.

Gary Stevens – 231 Rogers Ave. stated that he is interested in the position of Webmaster and would like to submit a proposal.

Rick Pratt – 214 Stockton St., finds it difficult to navigate the website.

Derrick Hahn – 201 Manlove, informed Council that the website has been discussed at the Parks and Recreation Commission meetings and found to need improvement.

The Mayor informed the public that the Borough would be soliciting proposals for WEBMASTER services in the near future.

Resolution 2010-20 Authorizing an agreement for Engineering Services for the Installation of a Chlorine Tank – Roberts Engineering Group, LLC

The Borough Engineer gave an overview of the project and explained that DEP is requiring that this chlorine tank be installed.

Councilmember Sikorski moved resolution 2010-20, Councilmember Bond seconded.

Councilmember Bond went on to say that it is a State mandate and there is not a lot the Borough can do about it, but comply.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Resolution adopted, 5-0

Resolution 2010-20

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

AUTHORIZING AN AGREEMENT FOR ENGINEERING SERVICES - ROBERTS ENGINEERING GROUP, LLC

WHEREAS, There is a need for Engineering Services at the Hightstown Water Treatment Plant for the installation of a Chlorine Contact Tank to put well #3 into operation; and

WHEREAS, Proposals were solicited by Larry Blake, Public Works Director, for these services and two (2) proposals were received; and,

WHEREAS, Carmela Roberts of Roberts Engineering Group, LLC has submitted a proposal in the amount of \$10,000.00 to design and permit this modification to the existing water treatment plant; and

WHEREAS, Larry Blake, Public Works Director, has recommended that Carmela Roberts of Roberts Engineering Group, LLC perform this work; and,

WHEREAS, the Treasurer has certified that funds for this purpose are available in the 2010 temporary budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized to execute an agreement with Carmela Roberts of Roberts Engineering Group, LLC in the amount of \$10,000.00 for the design and permit of a Chlorine Contact Tank to put well #3 into operation at the water treatment plant.

ORDINANCE 2010-01

First Reading and Introduction – Ordinance 2010-01 - Bond Ordinance Providing for Improvements to the Water/Sewer Utility at Leshin Lane From South Main Street to Westerlea Avenue In and By The Borough of Hightstown, in The County of Mercer, New Jersey, Appropriating \$52,000 Thereof and Authorizing the Issuance \$49,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof.

Councilmember Sikorski moved for the introduction of Ordinance 2010-01, Councilmember Bond seconded.

The Borough Engineer gave a brief summary of ordinances 2010-01 and 2010-02. George Lang gave an explanation of the grant and bond processes.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Ordinance introduced 5-0; the Final Reading and Public Hearing will be held on February 1, 2010.

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE WATER/SEWER UTILITY AT LESHIN LANE FROM SOUTH MAIN STREET TO WESTERLEA AVENUE IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$52,000 THEREFOR AND AUTHORIZING THE ISSUANCE \$49,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$52,000, including the sum of \$2,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$49,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the water/sewer utility at Leshin Lane from South Main Street to Westerlea Avenue, consisting of repairs to the sanitary sewer system and improvements to the storm drainage system, including upgrading the facilities, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

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

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

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

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

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

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$49,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE 2010-02

First Reading and Introduction – Ordinance 2010-02 - Bond Ordinance Providing for the Reconstruction of Leshin Lane from South Main Street to Westerlea Avenue in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$568,000 Therefor and Authorizing the Issuance \$568,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof.

Councilmember Theokas moved for the introduction of Ordinance 2010-02, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Ordinance introduced 5-0; the Final Reading and Public Hearing will be held on February 1, 2010.

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF LESHIN LANE FROM SOUTH MAIN STREET TO WESTERLEA AVENUE IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$568,000 THEREFOR AND AUTHORIZING THE ISSUANCE \$568,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the “Borough”) as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$568,000, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$455,000 (the “State Grant”). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of and not otherwise covered by the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount \$568,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the reconstruction of Leshin Lane from South Main Street to Westerlea Avenue, consisting of the installation and replacement of curbs, sidewalks and pavement, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

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

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

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

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

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

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$568,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$88,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such additional funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolution 2009-289 Authorizing a Rate Change for the Municipal Court Assistant – Ashelie Gordy

The Borough Administrator gave an overview of the resolution and explained that the salary for this position is generated from revenue from the court. Discussion followed.

Councilmember Theokas moved that resolution 2009-289 be amended to read a rate increase to \$15.00 per hour, Councilmember McGinty seconded; all ayes.

Councilmember Bond moved the amended resolution 2009-289, Councilmember Theokas seconded.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Resolution adopted, 5-0

Resolution 2009-289

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

AUTHORIZING A RATE CHANGE FOR THE MUNICIPAL COURT ASSISTANT – ASHLEIE GORDY

WHEREAS, Ashleie Gordy serves as the Municipal Court Assistant; and,

WHEREAS, she currently is paid at a rate of \$10.00 per hour; and,

WHEREAS, it is the desire of Hightstown Borough to adjust the rate of pay to for these services at the recommendation of the Court Administrator and Judge; and,

WHEREAS, the rate for these services shall be adjusted to \$15.00 per hour effective January 1, 2010.

NOW THEREFORE LET IT BE RESOLVED by the Mayor and Council of Hightstown Borough that effective January 1, 2010, Ashleie Gordy, Municipal Court Assistant shall be paid at the rate of \$15.00 per hour.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Treasurer, Court Administrator, and Ashleie Gordy.

Resolution 2010-21 Authorizing the Payment of Bills

Councilmember Sikorski moved resolution 2010-21, Councilmember Theokas seconded.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Resolution adopted, 5-0

Resolution 2010-21

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

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 \$ 23,523.16 from the following accounts

Current	\$	6,471.92
W/S Operating		16,151.36
General Capital		400.00
Trust Account		499.88
 Total	 \$	 23,523.16

Resolution 2010-22 Amending the Temporary Operating Budgets – Current Fund and Water/Sewer

Councilmember Sikorski moved resolution 2010-22, Councilmember Theokas seconded.

Gorge Lang gave an brief review of the resolution and an overview of the temporary budget process.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Resolution adopted, 5-0

Resolution 2010-22

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

AMENDING THE 2010 TEMPORARY OPERATING BUDGETS – CURRENT FUND AND WATER/SEWER

WHEREAS, the Borough Council adopted the 2010 temporary current fund budget on January 1, 2010; and
whereas, the Borough Council adopted the 2010 temporary Water and Sewer Operating Budget on January 6, 2010;
and

WHEREAS it is necessary to amend the budgets in order to provide funding for certain expenditures; and,

WHEREAS said amendments will neither increase nor decrease the total appropriations.

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

The following changes are made to the 2010 Temporary Current Fund Budget as adopted on January 1, 2010:

		From:	To:
Landfill/Solid Waste	Other Expense	\$13,834.00	
Financial Administration	Other Expense		1,032.00
Uniform Fire Safety Act	Other Expense		1,300.00
Snow Removal	Other Expense		4,652.00
Public Buildings & Grounds	Other Expense		2,500.00
Subtotal			9,484.00
Excluded from Cap:			
Recycling Tax	Other Expense		4,350.00
CURRENT TOTAL		13,834.00	13,834.00

1. The following changes are made to the 2010 Temporary Water/Sewer Operating Budget as adopted on January 6, 2010:

		From:	To:
Other Expenses		2,500.00	
Capital Improvement Fund			2,500.00
WATER/SEWER TOTAL		2,500.00	2,500.00

BE IT FURTHER RESOLVED that Certified copies of this Resolution shall be forwarded to the Chief Financial Officer and Borough Auditor.

Consent Agenda

Councilmember Sikorski moved the consent agenda for adoption, Councilmember Bond seconded.

Roll Call Vote: Council members Bond, McGinty, Musing, Sikorski and Theokas voted yes.

Resolutions on Consent Agenda adopted 5-0.

Resolution 2010-23

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

AMENDING RESOLUTION 2010-04

WHEREAS, Resolution 2010-04 was adopted by the Borough Council at their meeting of January 1, 2010; and

WHEREAS, said resolution made and confirmed appointments of Borough Officials for 2010, including Alternate Prosecutors.; and

WHEREAS, it is the desire of the Municipal Court Administrator to amend the Alternate Prosecutor appointments to

Alternate Prosecutors

#1 – Al Vuocolo, Esq.	1 yr.	December 31, 2010
#2 - Lenore N. Hannah, Esq.	1 yr.	December 31, 2010
#3 - Renee La Marre-Summers, Esq.	1 yr.	December 31, 2010
#4 – Lyle Hugh, Esq.	1 yr.	December 31, 2010

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the appointments for Alternate Prosecutor for the Municipal Court of Hightstown Borough are amended as requested by

the Municipal Court Administrator.

Resolution 2010-24

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

AUTHORIZING ISSUANCE OF LICENSE FOR AUCTION - EMPIRE ANTIQUES

WHEREAS, an application for a license to hold an auction on Saturday, January 30, 2010 (snow date Saturday, February 6, 2010) at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Antiques, together with the required fee; and

WHEREAS, the application has been reviewed and approved by the Chief of Police; and

WHEREAS, it is the desire of the Mayor and Council that a license be issued to Empire Antiques for this event;

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 license to Empire Antiques for their auction to be held on Saturday, January 30, 2010 (snow date Saturday, February 6, 2010) at 278 Monmouth Street.

Resolution 2010-25

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

APPOINTING A HOUSING INSPECTOR

WHEREAS, There is a need to hire a Housing Inspector to assist with property maintenance issues; and,

WHEREAS, Mr. George Chin, Construction Official, has requested that Annely Gomez be appointed a Housing Inspector for the Borough of Hightstown; and

WHEREAS, Annely Gomez is already employed by Hightstown Borough and would not receive additional compensation for this position; and,

WHEREAS, the Borough Council finds it in the best interest of the health, safety and welfare of the residents to appoint Annely Gomez as Housing Inspector.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the designation of Annely Gomez is hereby ratified and confirmed as Housing Inspector to assist with property maintenance issues, without additional compensation.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Construction Official, Annely Gomez, Personnel File and Finance.

Resolution 2010-26

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

AUTHORIZING AN AGREEMENT FOR SPANISH INTERPRETER/TRANSLATOR SERVICES FOR THE MUNICIPAL COURT – OLGA L. RAMIREZ

WHEREAS, There is a need to hire a Spanish Interpreter/Translator for the Municipal Court; and,

WHEREAS, Olga Ramirez has worked in this capacity with the Borough of Hightstown in the past as an employee; and

WHEREAS, the previously held employee status cannot be maintained by the Borough because the Auditor has advised that these are services that require an agreement; and,

WHEREAS, she will continue to be paid at the rate of \$75.00 per hour with a \$25.00 travel stipend, with mileage being paid at the IRS rate, for each court session where her services are required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hightstown that the Mayor and Clerk are hereby authorized to execute an agreement with Olga Ramirez for Spanish Interpreter/Translator for the Municipal Court at the rates as stated above.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Municipal Court Administrator, Olga Ramirez, Personnel File and Finance.

Resolution 2010-27

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

AUTHORIZING AN AGREEMENT FOR PROFESSIONAL AUDITING SERVICES – WILLIAM E. ANTONIDES AND COMPANY

WHEREAS, there exists a need for municipal auditing services during 2010 pertaining to the 2009 financial records of the Borough of Hightstown; and,

WHEREAS, Hightstown Borough solicited Proposals for these services on December 2, 2009 for Professional Services for 2010 and five (5) proposals were received for Borough Engineering Services; and,

WHEREAS, the Borough Council has appointed William E. Antonides, C.P.A., of the firm William E. Antonides and Company, Wall, New Jersey, as Borough Auditor by resolution adopted by the Borough Council on January 1, 2009; and

WHEREAS, the maximum cost for the proposed services will be \$28,000.00; and,

WHEREAS, this contract is being awarded through a Fair and Open Process in compliance with the Local Public Contracts Law; and

WHEREAS, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, the Borough Attorney shall review and approve said agreement prior to execution by the Borough; and,

WHEREAS, the Treasurer has certified that funds will be made available in the 2010 budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey that the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and William E. Antonides and Company regarding the above-referenced professional auditing services for 2010.

BE IT FURTHER RESOLVED that a certified copy of the resolution shall be forwarded to William E. Antonides, Borough Auditor; George Lang, Borough Chief Financial Officer; Frederick C. Raffetto, Esquire, Borough Attorney and the contract file.

Resolution 2010-28

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

AUTHORIZING AN AGREEMENT FOR PROFESSIONAL PLANNING SERVICES – TAMARA LEE CONSULTING, LLC

WHEREAS, there exists a need for municipal planning services during 2010 for the Borough of Hightstown; and,

WHEREAS, Hightstown Borough solicited Proposals for these services on December 2, 2009 for Professional Services for 2010 and four (4) proposals were received for Borough Planning Services; and,

WHEREAS, the Borough Council has appointed Tamara Lee Consulting, LLC of Hopewell, New Jersey, as Borough Planner by resolution adopted by the Borough Council on January 1, 2009; and

WHEREAS, the cost for the proposed services shall not exceed \$10,000.00 without further approval by the Borough Council; and,

WHEREAS, this contract is being awarded through a Fair and Open Process in compliance with the Local Public Contracts Law; and

WHEREAS, the Borough Attorney shall review and approve said agreement prior to execution by the Borough; and,

WHEREAS, the Treasurer has certified that funds will be made available in the 2010 budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey that the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Tamara Lee Consulting, LLC of Hopewell, New Jersey regarding the above-referenced professional planning services for 2010.

BE IT FURTHER RESOLVED that a certified copy of the resolution shall be forwarded to Tamara Lee Consulting, LLC, Borough Planner; George Lang, Borough Chief Financial Officer; Frederick C. Raffetto, Esquire, Borough Attorney and the contract file.

Resolution 2010-29

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

AUTHORIZING AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES – FREDERICK C. RAFFETTO, ESQ.

WHEREAS, there exists the need for professional legal services for 2009 pertaining to general municipal, water and sewer, redevelopment and litigation/union matters; and

WHEREAS, Frederick C. Raffetto, Esq., of the firm Ansell Zaro Grimm & Aaron, 1500 Lawrence Avenue, Ocean, New Jersey, was appointed Borough Attorney by resolution adopted by the Borough Council on January 1, 2009; and

WHEREAS, the cost for the proposed services, with the exclusion of escrow and other funds as posted from outside sources, shall not exceed \$50,000.00 without further approval by the Borough Council; and,

WHEREAS, the Treasurer has certified that funds for this purpose will be available in the 2010 budget; and,

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

WHEREAS, it has been determined that the value of this contract (including charges to escrow posted by outside sources) may exceed \$17,500, and therefore the contract is also subject to the provisions of the State's newly enacted Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

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

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

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

That the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Frederick Raffetto, Esq. regarding the above-referenced professional legal services, as set forth herein.

That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Ansell, Zaro, Grimm & Aaron is a firm whose attorneys are authorized by law to practice a recognized profession.

That this contract is being awarded in accordance with the Local Unit Pay-to-Play Law and Section 2-59 of the Revised General Ordinances of the Borough of Hightstown, and the Business Disclosure Entity Certification, and other certifications required pursuant to same shall be placed on file with this Resolution.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to Frederick Raffetto, Esq., Borough Attorney; George Lang, Chief Financial Officer; and the Contract File.

Resolution 2010-30

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

AUTHORIZING AN AGREEMENT FOR PROFESSIONAL BOND COUNSEL SERVICES – MCMANIMON & SCOTLAND, LLC

WHEREAS, there exists the need for specialized legal services relative to bonding, financial and redevelopment matters during 2009; and

WHEREAS, Hightstown Borough solicited Proposals for these services on December 2, 2009 for Professional Services for 2010 and two (2) proposals were received for Bond Counsel Services; and,

WHEREAS, the Borough Council has appointed Edward J. McManimon III of Newark, New Jersey as Bond Counsel by resolution adopted by the Borough Council on January 1, 2009; and

WHEREAS, the cost for the proposed services shall not exceed \$5,000.00 without further approval by the Borough Council; and,

WHEREAS, this contract is being awarded through a Fair and Open Process in compliance with the Local Public Contracts Law; and

WHEREAS, the Borough Attorney shall review and approve said agreement prior to execution by the Borough; and,

WHEREAS, the Treasurer has certified that funds will be made available in the 2010 budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey that the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Edward J. McManimon III of Newark, New Jersey regarding the above-referenced Bond Counsel services for 2010.

BE IT FURTHER RESOLVED that a certified copy of the resolution shall be forwarded to Edward J. McManimon III, Bond Counsel; George Lang, Borough Chief Financial Officer; Frederick C. Raffetto, Esquire, Borough Attorney and the contract file.

Resolution 2010-31

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

AUTHORIZING AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES – MCLAUGHLIN, GELSON, D'APOLITO & STAUFFER, LLC

WHEREAS, there exists the need for specialized legal services relative to personnel matters during 2009; and

WHEREAS, Hightstown Borough solicited Proposals for these services on December 2, 2009 for Professional Services for 2010 and six (6) proposals were received for Labor Counsel Services; and,

WHEREAS, the Borough Council has appointed Richard J. Shaklee, Esq. of McLaughlin, Gelson, D'Apolito & Stauffer, LLC of Neptune, New Jersey as Labor Counsel by resolution adopted by the Borough Council on January 1, 2009; and

WHEREAS, the cost for the proposed services shall not exceed \$30,000.00 without further approval by the Borough Council; and,

WHEREAS, this contract is being awarded through a Fair and Open Process in compliance with the Local Public Contracts Law; and

WHEREAS, the Borough Attorney shall review and approve said agreement prior to execution by the Borough; and,

WHEREAS, the Treasurer has certified that funds will be made available in the 2010 budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey that the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Richard J. Shaklee, Esq. of Neptune, New Jersey regarding the above-referenced Labor Counsel services for 2010.

BE IT FURTHER RESOLVED that a certified copy of the resolution shall be forwarded to Richard J. Shaklee, Esq., Labor Counsel; George Lang, Borough Chief Financial Officer; Frederick C. Raffetto, Esquire, Borough Attorney and the contract file.

Resolution 2010-32

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

CONFIRMING APPOINTMENT OF AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES – ROBERTS ENGINEERING GROUP, LLC

WHEREAS, there exists the need for specialized legal services relative to personnel matters during 2009; and

WHEREAS, Hightstown Borough solicited Proposals for these services on December 2, 2009 for Professional Services for 2010 and five (5) proposals were received for Engineering Services; and,

WHEREAS, the Borough Council is appointing Carmela Roberts of Roberts Engineering Group, LLC of Hamilton, New Jersey as Borough Engineer; and

WHEREAS, the cost for the proposed services shall not exceed \$40,000.00 without further approval by the Borough Council; and,

WHEREAS, this contract is being awarded through a Fair and Open Process in compliance with the Local Public Contracts Law; and

WHEREAS, the Borough Attorney shall review and approve said agreement prior to execution by the Borough; and,

WHEREAS, the Treasurer has certified that funds will be made available in the 2010 budget for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey that the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Carmela Roberts of Roberts Engineering Group, LLC of Hamilton, New Jersey regarding the above-referenced engineering services for 2010.

BE IT FURTHER RESOLVED that a certified copy of the resolution shall be forwarded to Carmela Roberts, Borough Engineer; George Lang, Borough Chief Financial Officer; Frederick C. Raffetto, Esquire, Borough Attorney and the contract file.

Discussion Items

The Borough Administrator advised Council that he is reviewing the taxi applications in order to evaluate a streamlined process for their approval or denial. He hopes to have a process developed by the next meeting.

Councilmember McGinty noted that she spent a considerable amount of time reviewing the licenses. She has spoken with the Chief of Police regarding the process. Once established,, this process will be coordinated through the Administrator.

Public Comment II

Phyllis Deal – 305 Stockton St., inquired as to whether her water would begin to taste like chlorine once the tank is installed. She was advised that it should not.

Esther Valezquez – 178 Grant Ave., stated that the website is a junkyard, very unprofessional. The website needs to be brought up to date so the residents can find information.

Tory Watkins – 68 Meadow Dr., he always thought the website was good.

Council Comments

Councilmember Musing – commented Downtown Hightstown did a survey and the number one priority shown in the responses was the town's image. The website is the first thing a person interacts with for Hightstown Borough.

Councilmember Sikorski – requested that COAH and summer office hours be placed for discussion on the next agenda. He congratulated Ashley Hutchinson on her appointment as a Judge. The fire installation dinner was lovely.

Councilmember Bond – commented that the Water/Sewer Committee has a lot going on and he would like to have Biff come to a Council meeting in the future to revisit the sludge press issue. He asked that Council review the report previously distributed. He stated that he has met with the Administrator and Clerk as their liaison and union negotiations are coming up soon. Technology changes at a rapid pace, there was a time that Hightstown received awards for its website; Candace did a great job but it is time to move forward with a new Webmaster.

Councilmember McGinty – stated that she has no problem finding things on the website. Mr. Rosenberg sent a letter

commending the Public Works Staff for assisting them with a situation on Martin Luther King Day. The “Borough Ordinance” or “Quality of Life” Committee will meet on January 27th at 7:30pm and everyone is invited to attend. Ms. McGinty thinks the issue of the Clerk’s Office and staffing needs to be re-visited. She is glad to hear Walter would like COAH on the agenda for discussion, but she feels that the summer hour issue discussion is premature at this time. Councilmember McGinty stated that she thinks the Borough Council should recognize volunteers at their public meetings. The Environmental Commission will be meeting Tuesday, and it is open to the public.

Councilmember Theokas – The EDC will be meeting on January 28th. He thanked the Knights of Columbus for the very nice plaque. Congratulations to Ashley Hutchinson on her new appointment as Judge. We will soon be adding budget meetings to our calendar, and he recommended that a sub-committee be formed to move forward; in these tough economic times we will have to cut services and more time will be needed to fully evaluate the situation.

Administrator Massa – Public Works has informed the public of the change in the trash collection schedule.

Borough Clerk – None

Borough Attorney – None

Mayor Patten – informed Council that he had attended Governor Christie’s inauguration and found it to be very inspirational. The new Governor said that “Change is here now”. We need to get behind the Governor and get ready for this change. We are going to have to make some serious budget cuts. Residents are always saying Hightstown is a busy place; are we doing too much such as cat and taxi licenses? Congratulations to Ashley Hutchinson and her family.

Councilmember Sikorski moved to adjourn the meeting at 9:24 pm and Councilmember Theokas seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk