

Meeting Minutes
Hightstown Borough Council
Emergency Meeting
December 22, 2010 1:00 pm

The Borough Attorney gave a review of emergency meeting requirements and the basis for this meeting. He informed Council that they must adopt resolution 2010-309 with five votes in order for this emergency meeting to be held.

Resolution 2010-309 Authorizing Hightstown Borough Council to conduct an Emergency Meeting on December 22, 2010.

Council President Quattrone moved resolution 2010-309, Councilmember Gilmartin seconded.

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

Resolution adopted, 6-0

Resolution 2010-309

RESOLUTION AUTHORIZING THE HIGHTSTOWN BOROUGH COUNCIL TO CONDUCT AN EMERGENCY MEETING ON DECEMBER 22, 2010.

WHEREAS, pursuant to the New Jersey "Open Public Meetings Act," N.J.S.A. 10:4-6, et seq. (the "Act"), upon the affirmative vote of three-quarters of the members present, a public body may hold a meeting notwithstanding the failure to provide adequate notice (as defined under the Act) if:

1. Such meeting is required in order to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; and
2. The meeting is limited to discussion of and acting with respect to such matters of urgency and importance; and
3. Notice of such meeting is provided as soon as possible following the calling of such meeting by posting written notice of the same in the public place described in [N.J.S.A. 10:4-8], and also by notifying the two newspapers described in [N.J.S.A. 10:4-8] by telephone, telegram, or by delivering a written notice of same to such newspapers; and
4. Either (a) the public body could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or (b) although the public body could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so. [N.J.S.A. 10:4-9(b)]

WHEREAS, the Hightstown Borough Council believes that it is necessary to conduct an emergency meeting on December 22, 2010, in accordance with the criteria listed above, in order to consider the renewal of a Motion concerning a Resolution which authorizes certain transfer(s) within the 2010 municipal budget; and

WHEREAS, it is hereby determined that a delay in acting upon this measure for the purpose of providing adequate notice (as defined under the Act) would likely result in substantial harm to the public interest, in that the Borough would not be able to meet its payroll obligations in a timely manner, as required pursuant to collective bargaining agreements with employees, which could lead to costly litigation against the Borough, as well as result in negative impacts upon the Borough's 2011 municipal budget.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, by the affirmative vote of at least three-quarters (3/4) of the members present, as follows:

1. That an emergency meeting is hereby authorized to be held on December 22, 2010, in order to permit the Borough to consider the renewal of a Motion concerning a Resolution which authorizes certain transfer(s) in the Borough's 2010 municipal budget.
2. That a delay in conducting the said meeting in order to provide for adequate notice under the Act would likely result in substantial harm to the public interest, in that the Borough would not be able to meet its payroll obligations in a timely manner, as required pursuant to collective bargaining agreements with employees, which could lead to costly litigation against the Borough, as well as result in negative impacts upon the Borough's 2011 municipal budget.

3. That the emergency meeting on December 22, 2010 shall be limited to discussion of and acting with respect to the above referenced matter.
4. That notice of the emergency meeting has been or shall be provided as soon as possible following the calling of such meeting in the manner provided pursuant to N.J.S.A. 10:4-9(b)(3).
5. That the Hightstown Borough Council hereby declares that it could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, or although the Borough Council could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so.
6. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Debra L. Sopronyi, Borough Clerk
 - b. Herbert C. Massa, Borough Administrator
 - b. Frederick C. Raffetto, Esquire, Borough Attorney

The meeting was called to order by Mayor Patten at 1:05 pm.

ROLL CALL

	PRESENT	ABSENT
<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; Frederick Raffetto, Borough Attorney; and George Lang, Chief Finance Officer.

Flag Salute was held.

Council President Quattrone moved for approval of the agenda, Councilmember Sikorski seconded. All approved.

The Mayor opened Public Comment Period I and the following individuals spoke during the period: Eugene Sarafin, 628 S. Main Street and Dan Buriak, 194 Stockton Street.

Resolution 2010-310 Authorizing a Transfer in the 2010 Budget

Council President Quattrone moved resolution 2010-310, Councilmember Sikorski seconded.

The Borough Administrator gave a review of the informational meeting which was held the day before which included himself, Mr. Lang, Chief Eufemia, Councilmember Musing, Councilmember McGinty and Council President Quattrone. There was discussion.

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

Resolution adopted, 6-0.

Resolution 2010-310

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

AUTHORIZING A TRANSFER OF FUNDS IN THE 2010 BUDGET

Whereas, N.J.S.A. 40A:4-58 provides that the governing body may authorize a transfer of funds in the budget during the last two months of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2010 budget are hereby authorized:

Current:	<u>From</u>	<u>To</u>
Municipal Clerk		
Salaries		\$ 3,500.00
Other Expense		\$ 700.00
Financial Administration		
Salaries		\$ 4,500.00
Grant Writing & Administration		
Other Expense	\$ 1,000.00	
Data Processing/Info Tech		
Other Expense		\$ 700.00
Collection of Taxes		
Salaries	\$ 2,501.00	
Assessment of Taxes		
Salaries		\$ 1.00
Other Expense	\$ 4,500.00	
Legal Services & Costs		
Other Expense	\$ 4,000.00	
Municipal Court		
Salaries		\$ 4,000.00
Planning/Zoning Board		
Other Expense		\$ 416.00

Police Department

Salaries	\$	42,000.00
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Fire Department

Other Expense	\$	700.00
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Uniform Fire Safety Act

Other Expense	\$	1,000.00
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Salaries	\$	2,500.00
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Emergency Medical Services

Other Expense	\$	491.00
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Street & Road Maintenance

Salaries	\$	5,000.00
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Other Expense	\$	4,000.00
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Sanitation/Solid Waste Collection

Salaries	\$	4,300.00
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Public Buildings & Grounds

Salaries	\$	2,600.00
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Recycling

Salaries	\$	3,200.00
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Vehicle Maintenance

Other Expense	\$	491.00
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State Uniform Construction Code

Salaries	\$	3,000.00
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Board of Health

Salaries	\$	2,700.00
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Maintenance of Parks

Salaries	\$	3,606.00		
Electric				
Other Expense	\$	4,210.00		
Gas/Heating Oil	\$	7,000.00		
Other Expense				
TOTALS	\$	56,308.00	\$	56,308.00

Council/Mayor/Administrative Comments

Councilmember Gilmartin – expressed relief that the matter of the budget transfer was resolved and invited everyone to attend the re-organization meeting on January 1, 2011 at 12 Noon.

Councilmember McGinty – commended Walter Sikorski and Jeff Bond for their service to the Borough.

Councilmember Sikorski – wished everyone Merry Christmas and Happy New Year.

Councilmember Musing - wished everyone Merry Christmas and Happy New Year.

Council President Quattrone – thanked Council for adopting the transfer resolution and stated that he has never had a problem getting information or records from Borough Hall and suggested that Council go to the Department Head or Borough Administrator for information needed in the future. He also suggested that a review of Attorney fees for extra meetings be conducted.

Borough Administrator Massa – wished everyone Happy Holidays.

Council President Quattrone moved to adjourn the meeting at 1:30 pm and Councilmember Sikorski seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk