

Meeting Minutes
Hightstown Borough Council
Regular Meeting
September 28, 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."

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>Mayor Patten</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Herbert Massa, Borough Administrator; and Frederick Raffetto, Borough Attorney;

Resolution 2010-211 Executive Session

Council President Quattrone moved resolution 2010-211, Councilmember Sikorski seconded.

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

Resolution adopted, 5-0

Resolution 2010-211

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 September 28, 2010 at approximately 6:30 p.m. 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:

Litigation – Minute Maid

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: December 28, 2010, 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.

Council re-convened into open session at 7:30pm.

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

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

The Mayor recused himself from the interviews being held for the vacant Councilmember seat and announced that the Council President Quattrone will run the meeting until after the adoption of the resolution appointing the new Councilmember. The individuals that were nominated by the Republican Party to replace Mr. Theokas were John W. Archer III, 131 Bennett Place; Skye Gilmartin, 41 Powell Court; and Katherine J. Patten, 135 South Street. All Nominees had submitted their resume for review by Council.

Council President Quattrone then explained that he was going to moderate the interview process and that each candidate would be asked a question in rotation. The questions asked included, but were not limited to:

- Why are you interested in the vacant council seat?
- Do you have, and are you willing to put in the time needed for this position?
- Have you ever run for, or been elected to, a paid public office?
- In what areas would you recommend changes in Hightstown Borough?
- What would your position be if police outsourcing meant zero savings to the Borough?
- What source of information, and how much time, would you need to make a decision on police matters?
- Give your experience and what committees you have served on that help you understand Hightstown.
- What is your budget experience?
- If successful in this appointment, would you seek re-election when the term is up?
- How important to you is strict and unilateral enforcement of Borough ordinances?
- Make a pitch as to why we should choose you.
- Do you think the Borough has sufficient manpower or are there vacancies that should be filled?
- Do you see potential conflicts of interest that may affect your decision-making?
- Where would you like to see Hightstown in 3 to 5 years and what would you change?
- How important do you see civility as Hightstown addresses issues with East Windsor and Peddie?

Council President Quattrone thanked the Nominees and closed the interviews. Council then deliberated the matter and it was commented that there were three very qualified candidates, but there was concern that two candidates may have conflicts that could affect their position on Council; Kathy Patten as she is married to the present Mayor and serves on the Housing Authority, and John Archer because he is employed by Robbinsville.

Council President Quattrone opened the floor for Public Comment Period I. The following individuals spoke during the public comment period: J. P. Gibbons, 602 S. Main Street; Bill Gilmore, 19 Greeley Street; Esther Velazquez, 178 Grant Avenue; Paul Byrne, 320 Stockton Street; Rob Thibault, 504 S. Main Street; Chris Emigholz, 148 South Street; and Walt Conner, 9 Spruce Court.

There being no further comments, Council President Quattrone closed the public comment period.

Resolution 2010-212 Appointing a Member to a Vacant Council Seat for an Unexpired Term Ending December 31, 2011

Councilmember McGinty motioned that the first part of the last “whereas” paragraph of resolution 2010-212 be amended to read “By vote of Borough Council, Council has decided to appoint _____ ...”, Councilmember Musing seconded. All agreed.

Councilmember Sikorski then motioned to amend the resolution to include the name of Skye Gilmartin in the resolution, Councilmember McGinty seconded.

There was discussion.

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

Resolution amended, 5-0.

Councilmember Sikorski moved resolution 2010-212 as amended, Councilmember McGinty seconded.

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

Resolution adopted, 5-0.

Resolution 2010-212

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

APPOINTING COUNCILMEMBER TO FILL A VACANCY

WHEREAS, there exists a vacancy in the office of Councilmember due to the resignation of Michael Theokas effective September 8, 2010; and

WHEREAS, the Municipal Vacancy Law (N.J.S.A. 40A:16-1 *et seq.*), provides that the Municipal Committee of the party that previously filled the seat shall submit within fifteen (15) days three (3) names for Council’s consideration in filling the vacancy; and

WHEREAS, the Republican Municipal Committee submitted the names of three (3) Nominees on September 21, 2010; and

WHEREAS, pursuant to the Municipal Vacancy Law, the Borough Council must, fill the vacancy by the appointment of a successor from the same political party which had nominated the incumbent whose office had become vacant; and

WHEREAS, the Borough Council has publicly interviewed the nominees presented by the Republican Municipal Committee and deliberated to fill the vacancy with a member who would best serve the residents of the Borough; and

WHEREAS, by vote of Borough Council, the Council has decided to appoint Skye Gilmartin to fill the position of Councilmember for the unexpired term ending December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Skye Gilmartin is hereby appointed to serve in the position of Councilmember to fill the unexpired term of resigned Councilmember Michael Theokas, said term ending December 31, 2011

The Mayor returned to his seat at the dais and proceeded to swear in Skye Gilmartin as Councilmember. Councilmember Gilmartin then thanked Council and made remarks before taking her seat at the dais.

Resolution 2010-213 Authorizing Emergency Well Repair to Well #2

Mr. Massa, Borough Administrator, gave an explanation of the emergent need for repair to well #2.

Council President Quattrone moved resolution 2010-213, Councilmember Sikorski seconded.

There was discussion.

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

Resolution adopted, 5-0.

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

**AUTHORIZING AN EMERGENCY REPAIR OF WELL #2 AT THE HIGHTSTOWN
BOROUGH WATER TREATMENT FACILITY**

WHEREAS, N.J.S.A. 40A:11-6 provides that purchases may be authorized and contracts awarded without public advertising for bids when an emergency affecting the public health, safety or welfare and requires immediate action; and

WHEREAS, the Superintendent of Public Works has found that the immediate repair of well #2 at the Water Plant is needed, and has provided a written statement of the nature of this emergency and the need for immediate action, in accordance with the requirements of N.J.S.A. 40A:11-6; and

WHEREAS, the Purchasing Agent has agreed that this repair effects the public health, safety or welfare and requires immediate action and has provided a written statement of the need for immediate action in accordance with the requirements of N.J.S.A. 40A:11-6; and

WHEREAS, Layne Christensen Company of Beverly, New Jersey pulled the well and found that the need for repair was so extensive, it could not be re-installed and will make said repairs for a cost not to exceed \$42,000.00; and

WHEREAS, Hights Electric of Hightstown, New Jersey will repair the electric motor for a cost not to exceed \$6,000.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the well #2 be repaired as outlined herein for a total price not to exceed \$48,000.00 is hereby approved.

The Mayor then opened Public Comment Period II. The following residents spoke during the public comment period: Torry Watkins, 68 Meadow Drive; Scott Caster, 12 Clover Lane; Kathy Patten, 135 South Street; and Esther Velazquez, 178 Grant Avenue.

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

Council/Mayor/Administrative Comments

Councilmember Gilmartin – commented that she appreciated the open process taken regarding her appointment to Council.

Councilmember McGinty – discussed the Environmental Commission's Sustainable New Jersey application for certification and the issues raised about water quality by the Watershed Assessment. She then requested that Council receive a copy of the Governor's Best Practices Checklist as prepared by the Borough and welcomed Councilmember Gilmartin.

Councilmember Bond – in response to an inquiry, reviewed the process regarding the removal of trees.

Council President Quattrone – advised that if there are any wires above a tree that needs to be removed, an outside contractor needs to be called. He then congratulated Councilmember Gilmartin and commented that he believes the process worked well.

Councilmember Sikorski – congratulated and welcomed Councilmember Gilmartin.

Councilmember Musing - welcomed Councilmember Gilmartin.

Borough Clerk Sopronyi - welcomed Councilmember Gilmartin.

Borough Administrator Massa - welcomed Councilmember Gilmartin.

Borough Attorney Raffetto - welcomed Councilmember Gilmartin.

Mayor Patten – welcomed Councilmember Gilmartin and commented that he thinks the interview forum was a positive event. He then thanked Council for their comments and gave a review of the upcoming events.

Councilmember Sikorski moved to adjourn the meeting at 10:35 pm and Council President Quattrone seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk