

Meeting Minutes
Hightstown Borough Council
Regular Meeting
March 1, 2010 6:30 pm

The meeting was called to order by Mayor Robert Patten at 6:30 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; James Eufemia, Chief of Police; and Richard Shaklee, Labor Counsel.

Council President Quattrone motioned to accept executive session agenda, Councilmember Sikorski seconded, all approved.

Resolution 2010-58 Authorizing a Meeting Which Excludes the Public

Councilmember Theokas moved resolution 2010-58, Councilmember Sikorski seconded.

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

Resolution adopted, 6-0

Resolution 2010-58

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 March 1, 2010 at approximately 6:30 p.m. at the Historical Society Building 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:

Pending Litigation –Patrolman Glenn Moore

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: June 1, 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.

The Council convened into Executive Session. After re-convening into Open Session at 7:40 pm, the Council moved to the Council meeting room in Borough Hall to hold the public portion of the meeting.

The meeting was called to order by Mayor Robert Patten at 7:45 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 again 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; James Eufemia, Chief of Police; and George Lang, CFO.

Council President Quattrone motioned to amend the agenda to pull resolution 2010-70 from the agenda; and that all resolutions be done individually with no consent agenda; and to move the Administrators comments to before the Council comments. Councilmember Sikorski seconded; all approved.

Approval of Minutes

Council President Quattrone moved the minutes of the November 16, 2009 Open Session for approval, Council Councilmember Sikorski seconded. Councilmember Musing abstained, the remainder of Council approved. Minutes approved 5 – 0.

Council President Quattrone moved the minutes of February 1, 2010 Executive Session for approval, Council Councilmember Sikorski seconded. Council President Quattrone abstained, the remainder of Council approved. Minutes approved 5 – 0.

Budget Presentation

George Lang and Borough Administrator Massa gave a budget presentation which reviewed revenues, surplus and a proposed schedule for the adoption of the budget for 2010.

Public Comment I

Mayor Patten opened the floor for public comment.

Phyllis Deal – 305 Stockton St., presented information concerning a new phone service that is available and was wondering if the Borough could cut their phone expenses by using the new service.

Torry Watkins - 68 Meadow Dr, he thanked George and Herb for the budget presentation and was sorry that the Mayor did not appoint a Budge sub-committee this year. He thinks a committee should be formed to talk to Peddie about their contribution to the Borough.

Rochelle St. Phard – CBSI Benefits, 123 Railroad Ave, spoke about the area businesses and their need for the placement of the UPS drop box in the Borough lot.

Eugene Sarafin – 628 S. Main St., objected to LOSAP and thinks it should be eliminated or at least limited to active members.

Janice Mastriano – 15 Leshin Lane, agreed with Tory Watkins regarding Peddie School.

Marcia Satterthwaite 140 Stockton St., stated that she has been complaining about the condition of the Bethany Gospel Mission property for years and it is getting worse. Something needs to be done.

Resolution 2010-59 Authorizing Change Order #2 for Peddie Lake Dam – B & B Construction

Council President Quattrone and Council member Bond gave a review of this project and the additional costs.

Council President Quattrone moved resolution 2010-59, Councilmember Sikorski seconded.

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

Resolution adopted, 6-0

Resolution 2010-59

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

**AUTHORIZING CHANGE ORDER NO. 2 – B & B CONSTRUCTION, CO., LLC
(PEDDIE LAKE DAM IMPROVEMENTS)**

WHEREAS, on August 3, 2009, the Borough Council awarded a contract for Peddie Lake Dam improvements to B & B Construction Co., LLC of Howell, New Jersey in the amount of \$143,000.00; and

WHEREAS, the contractor submitted Change Order No. 1 for a supplemental in the amount of \$853.53 due to the Borough's request for additional circuit breakers to be installed for use at Community Events, bringing the total contract amount to \$143,853.53 and the Council approved said change order on November 2, 2009; and

WHEREAS, the contractor has requested change order #2 in the amount of \$2,166.63, which amount was omitted from the previous change order for the required upgrade in electrical service from 100 amps to 200 amps to accommodate the outlets requested by the Borough, bringing the total contract amount to \$146,020.16; and

WHEREAS, the contractor has also requested an extension on the deadline for completion of the project to April 15, 2010; and,

WHEREAS the Borough Engineer and Public Works Director have recommended approval of this change order and a project completion deadline extension to April 15, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Change Order No. 2 from B & B Construction Co., LLC of Howell, New Jersey in the amount of \$2,166.63 and extending the completion date to April 15, 2010 is hereby approved.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to B & B Construction, Borough Engineer, contract file and Borough Treasurer.

Ordinance 2010-04 Public Hearing and Final Reading: An Ordinance Amending Chapter 28 "Zoning" of the Revised General Ordinances of the Borough of Hightstown Regarding Portable Toilets

Steve Misiura, Planning Board Chairperson, gave a review of the ordinance.

The Mayor opened the public hearing on Ordinance 2010-04

Eugene Sarafin - 628 S. Main St, thinks the ordinance is an excellent idea.

Phyllis Deal - 305 Stockton St., wondered how this would affect the event in October.

There being no further comments, the Mayor closed the public hearing.

Council President Quattrone moved ordinance 2010-04 for adoption, Councilmember Sikorski seconded.

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

Ordinance adopted, 6-0

Ordinance 2010-04

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

**AMENDING CHAPTER 28 “ZONING” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN REGARDING PORTABLE TOILETS**

WHEREAS, the Zoning Officer has made certain recommendations to revisions to Chapter 28 of the Borough Revised General Ordinances of the Borough of Hightstown; and

WHEREAS, the Planning Board has reviewed and concurs with these recommendations;

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

Section 1. Chapter 28 “Zoning” is hereby amended by adding the following:

A. Subsection 28-2-2 “Definitions” is amended to add the following definition:

“Portable Toilet” shall mean a toilet facility that is fixed on a movable stand; self-supporting without being firmly embedded in the ground; supported by other objects; mounted on wheels or movable vehicles, or made easily movable in some other manner.

B. Subsection 28-10-15 is added as follows:

Subsection 28-10-15 Portable Toilets.

a. PROHIBITED LOCATIONS:

1. It shall be unlawful and specifically in violation of this article for an owner, agent, contractor in charge of a construction or demolition site, both jointly and severally, to permit a portable toilet facility to be located in an area in violation of the minimum setback requirements for the zone in which the property is located.

2. Subject to the exceptions listed below, portable toilets shall be permitted to be located only on property where construction activity or demolition is taking place.

b. PERMITTED LOCATION:

Where practicable, the portable toilet shall be located on property so as to minimize visibility to a street or adjacent properties.

c. REMOVAL:

It shall be unlawful and specifically in violation of this article for any owner, agent, contractor in charge of a construction or demolition site, both jointly and severally, to permit any portable toilet facility to remain on the property site after completion of any construction or demolition project, or for a period of three (3) months, whichever shall first occur, unless extended, in writing, by the Zoning Officer.

d. EXCEPTIONS:

1. This article is not intended to restrict the use of portable toilet facilities on public property within the Borough if utilized in connection with a Borough-sponsored event.

2. Any portable toilet facilities utilized to accommodate the general public at a Borough event or utilized by a private resident for a private event, or utilized because a resident’s toilet facilities are deemed inoperable, shall be removed from the property within seventy-two (72) hours of the conclusion of the event or a resident’s facilities are restored to working order.

e. PERMITS:

1. A Zoning Permit shall be obtained from the Zoning Office prior to the placement of portable toilet facilities on any

property located in the Borough.

f. ENFORCEMENT AND PENALTIES:

1. This Ordinance may be enforced by the Zoning Officer, Housing Inspector or Police Department of the Borough of Hightstown.

2. Any person found to be in violation of this Ordinance shall be subject to the penalty provided in Chapter 1, Section 5 of the *Revised General Ordinances of the Borough of Hightstown*.

Section 2. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Resolution 2010-60 Authorizing the Payment of Bills

There was a brief discussion regarding vehicle and equipment maintenance costs.

Councilmember Sikorski moved resolution 2010-34, Council President Quattrone seconded.

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

Resolution adopted, 6-0

Resolution 2010-60

*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 \$ 1,069,394.23 from the following
accounts

Current	\$	999,041.28
W/S Operating		39,131.84
General Capital		17,469.20
W/S Capital		7,015.00
Trust Account		368.81
Escrow		6,368.10

Total

\$ 1,069,394.23

Resolution 2010-61 Authorizing Temporary Emergency Appropriations

Councilmember Theokas moved resolution 2010-61, Councilmember Sikorski seconded.

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

Resolution adopted, 6-0

Resolution 2010-61

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2010 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2010 temporary budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes above mentioned; and

WHEREAS, it is the desire of the Mayor and Council to create emergency temporary appropriations as set forth on Schedule "A," attached; and

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	64,160.00	245,769.00	309,929.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	0.00	252,663.00	252,663.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	64,160.00	498.432.00	562,592.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof.
2. Each emergency appropriation listed will be provided for in the 2010 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Treasurer.

Resolution 2010-62 Authorizing Change Order #1 – Hunter Technologies

Council President Quattrone moved resolution 2010-62, Councilmember Sikorski seconded.

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

2010-03-01 Open

Resolution adopted, 6-0

Resolution 2010-62

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

AUTHORIZING CHANGE ORDER NO. 1 – HUNTER TECHNOLOGIES

WHEREAS, on September 8, 2009, the Borough Council awarded a contract for the Lease-Purchase of a Telephone System to Hunter Technologies of Eatontown, New Jersey in the amount of \$35,484.44.00; and

WHEREAS, the contractor has submitted Change Order No. 1 for a supplemental in the amount of \$1,660.16 to include additional equipment necessary to include the replacement of the Sewer Authorities phones as their equipment was not counted in the initial proposal; and

WHEREAS, this change order will bring the total amount to \$37,144.60 for Contract #30401-1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Change Order No. 1 from Hunter Technologies of Eatontown, New Jersey in the amount of \$1,660.16 is hereby approved.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Hunter Technologies of Eatontown, New Jersey, contract file and Borough Treasurer.

Resolution 2010-50 Authorizing a UPS Drop Box Agreement

Council President Quattrone moved resolution 2010-50, Councilmember Sikorski seconded.

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

Resolution adopted, 6-0

Resolution 2010-50

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

AUTHORIZING THE INSTALLATION OF A UNITED PARCEL SERVICE (UPS) DROP BOX

WHEREAS, the businesses in Hightstown Borough have requested that a drop box for United Parcel Service (UPS) be installed next to the mailboxes in the Old York Commons parking lot; and

WHEREAS, the Council of the Borough of Hightstown is agreeable to having this drop box installed for the convenience of the businesses in town; and

WHEREAS, it is the desire of the Borough Council to enter into an agreement with the United Parcel Service for provision of these services; and

WHEREAS, the drop box shall be installed and maintained at the sole expense of UPS and they agree to indemnify, defend and hold harmless the borough against any loss or damage to third persons and property resulting from the installation and use of the drop box; and

WHEREAS, UPS agrees to maintain the proper liability insurance showing coverage of \$1,000,000.00 and provide said certificate of insurance to the Borough Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor

and Clerk are hereby authorized to execute an agreement with UPS for a drop box installation in the Old York Commons parking lot.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to United Parcel Service.

Resolutions 2010-63 through 2010-66 Authorizing the Issuance of Taxi Licenses

Discussion ensued regarding the issuance of Taxi Licenses. Councilmember McGinty questioned the Police Department on their process of investigation for the issuance of taxi licenses. Chief Eufemia gave a review of the process. Councilmember Theokas motioned Council move resolutions 2010-63 through 2010-66 as a group. Councilmember McGinty requested that resolutions 2010-63 through 2010-66 be postponed until the next meeting so she could review the files. Councilmember Theokas withdrew his motion.

Council President Quattrone motioned that resolutions 2010-63 through 2010-66 be postponed until the next meeting. Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Musing, Quattrone, and Sikorski voted yes; Councilmember Theokas voted no.

Motion Passed, 5-1

Resolution 2010-67 Authorizing an Extension of the Webmaster Agreement – Candace Gallagher

The Clerk explained that this resolution is needed for continuity during the transition to the new website.

Council President Quattrone moved resolution 2010-67, Councilmember Sikorski seconded.

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

Resolution adopted 6-0.

Resolution 2010-67

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

AUTHORIZING AN EXTENSION TO THE AGREEMENT FOR WEBMASTER SERVICES

WHEREAS, Resolution 2009-214 authorized an agreement with Candace Gallagher for Website Services for the maintenance of the Borough's website at www.hightstownborough.com; and,

WHEREAS, the Borough Council extended said contract until February 28, 2010 on December 21, 2009; and,

WHEREAS, there is a need to extend this contract until March 31, 2010 to permit a transition period for the new Webmaster to assume these duties; and,

WHEREAS, the terms in the original agreement shall be in effect during this extension.

NOW THEREFORE BE IT REOSOLVED by the Mayor and Council of Hightstown Borough that the agreement with Candace Gallagher for website maintenance shall be extended to March 31, 2010 at the terms in the original agreement.

Resolution 2010-68 Authorizing an Agreement for Webmaster Agreement – Gary Stevens

Council President Quattrone moved resolution 2010-68, Councilmember Sikorski seconded.

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

Resolution adopted 6-0.

Resolution 2010-68

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

AWARDING CONTRACT FOR WEBMASTER SERVICES – 231 STUDIOS

WHEREAS, it is the desire of the Borough Council to update and re-design the website and acquire a Webmaster for the maintenance and updating of the borough website at www.hightstownborough.com ; and,

WHEREAS, eight (8) proposals were received on or before February 19, 2010 for Webmaster Services and the re-design of the website; and,

WHEREAS, the proposals have been reviewed by the Purchasing Agent and it is the Purchasing Agent's recommendation that a one year contract for the services of Webmaster be awarded to Gary Stevens of 231 Studios of Hightstown Borough at a cost of \$200.00 per month with said agreement to include the re-design of the website at a cost \$500.00 with a total contract price of \$2,900.00; and,

WHEREAS, the Chief Financial Officer 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 a one year contract for Webmaster is hereby awarded to 231 Studios of Hightstown Borough at a cost of \$2,900.00 and the Purchasing Agent is hereby authorized to execute same.

Resolution 2010-69 Authorizing a Raffle License for Hightstown High School Music Boosters

Councilmember Theokas moved resolution 2010-69, Councilmember Sikorski seconded.

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

Resolution adopted 6-0.

Resolution 2010-69

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-217 TO
HIGHTSTOWN HIGH SCHOOL MUSIC BOOSTERS ASSOCIATION**

WHEREAS, the Hightstown High School Music Boosters Association wishes to hold an on-premise 50/50 raffle at the Hightstown High School, 25 Leshin Lane, on March 24, 2010, May 13, 2010 and June 2, 2010; and

WHEREAS, the group has submitted application number RA-217 for these raffles, 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 Raffle License No. RL-217 to Hightstown High School Music Boosters Association for their on-premise 50/50 raffle to be held on March 24, 2010, May 13, 2010 and June 2, 2010.

Public Comment II

Eugene Sarafin – 628 S. Main St., commented that the Council should discuss the budget with Peddie and that he found the discussion regarding the licensing of taxis interesting.

Torry Watkins – 68 Meadow Dr., commented that the resolutions for the taxi licenses read a Pontiac Mountaineer, but there is no such vehicle.

Janice Mastriano – 15 Leshin Lane, reported that the students are speeding on Leshin Lane and police presence is needed when school is dismissed.

Stacey Judge – 307 Morrison Ave., reviewed the skatepark process that had been undertaken and commented that the kids are waiting to hear something about it; the Council is sending negative messages on the matter.

Administrator Comments

Mr. Massa reviewed the need for clerical support in the Clerk's and Administrator's offices. He informed Council that he would be hiring Susan Jackson, who has experience in Municipal Government.

Council Comments

Councilmember Musing – thanked the public for their comments regarding the Peddie School and agreed that the Borough should begin talks with them.

Councilmember Sikorski – read an editorial regarding medical benefits and salaries of government employees being out of control. He also informed Council that he was willing to meet with Peddie regarding the budget issues.

Council President Quattrone – despite the storms in the recent past, Public Works has done a great job of keeping their vehicles and equipment running.

Councilmember Bond – there was a study regarding private school donations a couple years ago. Peddie gives \$100,000.00 in in-kind services to the Borough which is more than other private schools in Mercer County. He also stated that it is not the Mayor's duty to appoint a budget sub-committee, they hired an Administrator to handle the budget.

Councilmember McGinty – the Ordinance Committee has met and had good attendance and participation from the public; they meet the last Wednesday of each month at 7:30 in the First Aid building. She would like the executive session agenda to be on the regular meeting agenda. She feels that Council benefits from the public opinions at budget meetings and would like to hold meetings that pertain strictly to the budget. She also commented that all resolutions are important and that a consent agenda trivializes the issues. The skatepark was never formally approved by Council, and she would like more information in advance of the Administrator hiring personnel.

Councilmember Theokas – apologized to the public for the meeting starting late. He attended the Ordinance Committee meeting and finds it very productive and the EDC will meet next week. He commented that the argumentative and combative discussion with the Police Department regarding taxi license investigations is embarrassing and that there should be a level of respect for their work.

Administrator Massa – None

Borough Clerk – None

Borough Attorney – None

Mayor Patten – thinks the Council needs to learn to be good respectful speakers and talk to one another so they can set a good example for the public.

Councilmember Sikorski commented that he does not feel the consent agenda trivializes anything.

Resolution 2010-70 Authorizing a Meeting Which Excludes the Public

Council President Quattrone moved resolution 2010-70, Councilmember Sikorski seconded.

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

Resolution adopted, 6-0

Resolution 2010-70

*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 March 1, 2010 at approximately 9:50 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:

Pending Litigation –Patrolman Glenn Moore

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: June 1, 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.

Resolution 2010-71 Authorizing the Mayor to Execute a Settlement and General Release Agreement with Officer Glen Moore

After reconvening into open session, Councilmember Theokas moved to resolution 2010-71, Council President Quattrone seconded.

Roll Call Vote: Council members Bond, Quattrone, Sikorski and Theokas voted yes. Council members McGinty and Musing voted no.

Resolution adopted, 4-2

Resolution 2010-71

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

A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AND GENERAL RELEASE AGREEMENT WITH GLEN MOORE.

WHEREAS, the Borough filed certain charges (hereinafter “the charges”) against Moore on November 26, 2007; and,

WHEREAS, the parties having discussed the matter and wishing to amicably settle the charges and all other matters related to Moore’s employment in order to avoid the time, expense and inconvenience attendant upon continuation of the matter and without admission of liability or wrongdoing; and,

WHEREAS, the Borough and Moore have reached accord on a form of agreement.

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

1. The Mayor is authorized to execute the Settlement and General Release Agreement on behalf of the Borough and the Clerk is authorized to attest.
2. An authorized copy of this resolution be delivered to James Mets, Esq. and Richard J. Shaklee, Esq.

Council President Quattrone motioned to adjourn the meeting at 10:16pm and Councilmember Sikorski seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk