

Meeting Minutes
Hightstown Borough Council
Regular Meeting
July 18, 2011
6:30 pm

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

The Mayor called for a Roll Call.

ROLL CALL

	PRESENT	ABSENT
<i>Councilmember Bibens</i>		✓
<i>Councilmember Gilmartin</i>	✓	
<i>Councilmember McGinty</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Woods</i>	✓	
<i>Councilmember Vanderbeck</i>	✓	
<i>Mayor Kirson</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; and Frederick Raffetto, Borough Attorney.

Resolution 2011-187

Council President Quattrone moved resolution 2011-187. Councilmember Gilmartin seconded.

Roll Call Vote: Council members Gilmartin, McGinty, Quattrone, Vanderbeck, and Woods voted yes.

Resolution adopted, 6-0

Resolution 2011-187

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 July 18, 2011 at approximately 6:30 pm in 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

Personnel – Borough Administrator

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: October 18, 2011, 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 7:35 pm.

The meeting was called to order by Mayor Kirson at 7:35 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed the Roll call which has remained the same: George Lang, Chief Financial Officer; Richard Shaklee, Labor Counsel and Ken Lewis, Public Works Superintendent had also joined the public meeting.

Council President Quattrone moved the agenda as presented. Councilmember Gilmartin seconded.

Roll Call Vote: Council members Gilmartin, McGinty, Quattrone, Vanderbeck, and Woods voted yes.
Agenda approved, 5-0.

Councilmember McGinty moved the June 6, 2011 executive session minutes, Council President Quattrone, all ayes.

Minutes approved, 5-0

Presentations

Rick Pratt, Chairperson of the Historic Preservation Commission, advised that the Commission, in conjunction with the Parks & Recreation Commission and Greenway Walking Bridge Committee, would like to establish uniform sign standards which would include styles and fonts for signs containing historic information. He went on to review locations in Memorial Park where specific signs would be located and requested the approval of Council to have the plan implemented and made a part of the Master Plan of the Borough. He went on to state that they would like to develop a historic marker program with a unified theme for a walking tour through the Borough. Mr. Pratt distributed copies of the types of signs being reviewed and the plan for where they would be placed in Memorial Park. There was discussion. Dan Buriak then addressed Council and advised that they have applied for a grant that may cover three of the signs and that the Parks & Recreation Commission is willing to pay for the other two.

There was additional discussion and a consensus of Council that they should continue with the project.

Derek Hahn, Chairperson of the Walking Bridge Committee, along with member Ryan Rosenberg, addressed Council to give a progress update on the bridge. Mr. Hahn reviewed the goals of the committee and stated that they had raised close to \$50,000.00 to-date (including funds dedicated but not yet received), with approximately \$75,000.00 needed for completion. He went on to review their fundraising efforts and projected timeline. The medallions for the bridge were presented by Mr. Rosenberg and everyone was very impressed. Mr. Hahn then advised Council that they would need financial assistance with the platforms and ADA compliance ramps which are estimated to cost from \$25,000.00 to \$50,000.00. There was discussion regarding the cash flow plan for the project.

Mayor Kirson opened the Public Comment Period and the following individuals spoke during the period:

Phyllis Deal, 305 Stockton Street; Raymond Hduka, Member of Police Chiefs Association; Gail Doran, 201 Hutchinson Street; Georgwe Meyer; President of the Police Chief's Association; Eugene Sarafin, 628 S. Main Street; Herbert Smith, 150 S. Main Street; J P Gibbons, 602 N. Main Street; and Rob Thibault, 504 S. Main Street.

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

Discussion

Police Director Ordinance

The draft ordinance, as presented by the committee consisting of Council President/Police Commissioner Quattrone and Councilmember McGinty was distributed to, and reviewed by, all Councilmembers prior to this meeting. Council was advised that Attorney Raffetto also participated in the drafting of the ordinance. Councilmember Woods expressed that it was her understanding that the revisions to the code would only pertain to the Police Director position, but there have been more changes made in this draft. She stated that she believes it is important for Council to deal with just the subject of Police Director now and make other revisions after receiving the advice of the Police Director that is to be appointed. Mr. Raffetto noted that the committee thought it would be advantageous to revise the entire section of the code rather than just a portion. Councilmember McGinty stated that the re-draft covers connectivity to other ordinances as the power and duties of the Police Director affects the entire chapter. She continued that she compared ordinances throughout Mercer County regarding the parameters and duties of the Police Director. Councilmember Gilmartin noted that timeliness is essential and that these changes are too much information to cover at this time; Council should await the advice of the new Director before making all the changes that are in the draft. Councilmembers Woods and Gilmartin also noted that they would like the ordinance to read Police Chief and/or Police Director. The Mayor inquired of Richard Shaklee, Labor Counsel, as to whether they can leave both titles in the ordinance. Mr. Shaklee advised that it is possible, however not recommended as it could create challenges to the ordinance and end up in litigation. There was further discussion regarding leaving both titles in the ordinance and addressing the items dealing only with the Police Director title at this time. Mr. Shaklee advised Council that the Police Director can perform the administrative duties of the day-to-day operations of the Police Department, however the Director cannot perform the duties of a sworn officer.

Attorney Raffetto suggested that the Composition and Chain of Command be updated and there was discussion on this recommendation. Council then went on to review the draft ordinance section by section and suggest specific changes that

the Committee would review and implement into a revised draft for the next meeting.

115 Reed Street Curb

Pursuant to the last meeting, Mrs. Harley of 115 Reed Street was present to continue discussion regarding the curb she would like to install as part of a landscaping project to improve her property. Council advised Mrs. Harley that pursuant to a July 6th letter from the Zoning Officer, she should be going to the Planning Board, not Borough Council. The resident expressed upset that she had been left to sit through hours of presentations and ordinance discussion then been told to go to the Planning Board.

Bond Ordinance

Council President Quattrone and Ken Lewis, DPW Superintendent, presented Public Works Capital needs and current vehicle inventory; they commented regarding the priority of the items needed. George Lang, CFO, recommended establishing a \$300,000.00 Bond ordinance for this department.

Police Chief Eufemia advised Council that the Police Department is in need of hardware and software equipment to record radio communications as the current equipment is not operational. He added that they are also in need of hardware and software to write electronic tickets in their vehicles. These tickets would transmit directly to the court system, eliminating the need for computer input and the possibility of error. He went on to say that they have a grant which would be used toward the e-ticket program and only a portion of the funds would be needed in the bond ordinance.

George Lang advised Council that one bond ordinance should be done for both departments and he then gave an explanation of rates and the life expectancy of the items to be included. Council directed Mr. Lang to contact Bond Counsel and have a bond ordinance drafted which would include \$300,000.00 for Public Works and \$20,000.00 for the Police Department.

Resolution 2011-188 Authorizing Payment of Bills

Councilmember Gilmartin requested that item G0015 on the bills list be removed and voted on separately.

Council President Quattrone moved resolution 2011-188 as amended, Councilmember McGinty seconded.

Roll Call Vote: Council members Bibens, Gilmartin, McGinty, Quattrone, Vanderbeck, and Woods voted yes.

Resolution adopted as amended, 5-0.

Council President Quattrone moved to pay item G0015, Councilmember McGinty seconded.

Roll Call Vote: Council members Bibens, McGinty, Quattrone, Vanderbeck, and Woods voted yes; Councilmember Gilmartin abstained.

Payment of item 0015 authorized 4-0, with one abstention.

Resolution 2011-188

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 \$ 255,782.93 from the following accounts

Current	\$	140,518.19
W/S Operating		101,126.04
General Capital		4,343.20
Water/Sewer Capital		-
Grant		-
Trust		6,330.00
Housing Trust		-
Animal Control		-
Law Enforcement Trust	-	
Housing Rehab Loans		-
Unemployment Trust		-
Escrow		3,465.50
Total	\$	255,782.93

Resolution 2011-189 Authorizing Issuance of a License for Auction - Empire Auctions

Council President Quattrone moved resolution 2011-189, Councilmember Gilmartin seconded.

Roll Call Vote: Council members Gilmartin, McGinty Quattrone, Vanderbeck and Woods voted yes.

Resolution adopted, 5-0.

Resolution 2011-189

*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, July 30, 2011 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, July 30, 2011 at 278 Monmouth Street.

Mayor Kirson opened the Public Comment Period and the following individuals spoke during the period: street Phyllis Deal, 305 Stockton Street; Raymond Hduka, Member of Police Chiefs Association; Stacey Harley, 115 Reed;

July 18, 2011

Eugene Sarafin, 628 S. Main Street; and Dan Buriak, 194 Stockton Street.

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

Mayor/Council/Administrative Comments

Councilmember Vanderbeck – commented that the Police Director position, pursuant to public comment, may be a failed experiment but it is Council's experiment and should proceed.

Councilmember Gilmartin – Thanked the Historic Preservation Commission, Park & Recreation Commission and the bridge Committee for their presentation and working together to make Hightstown a better place. She also commented that she attended the Housing Authority meeting and there will be an announcement regarding the new Director soon.

Council President Quattrone – thanked Councilmember McGinty for all her work on the Police Director ordinance and commented that the Board of Education met with East Windsor Township without including Hightstown; there should be a liaison to the Board of Education from the Council. He and Councilmember Bibens met with the fire Department and they are pleased that she will assume the duties of liaison to the Fire Department; he expressed concern regarding the mud in Peddie Lake from the Turnpike widening project. Council President Quattrone mentioned that the Public Works Department is short-handed and he encouraged recycling by the residents and businesses.

Councilmember McGinty – apologized to Mrs. Harley for the delay in addressing her matter and stated that the presentations were well done. Regarding the Police Director Ordinance, she commented that it reads he/she so there are no exclusions as to who can fill the position; she appreciated the attention given by the Police Chief Association and continued that it will be very important for the new Director to communicate with Council, the Borough cannot afford any more police. She advised that the Ordinance Committee will be looking at the rules and regulations as well as Code of Conduct for the Police Department. Councilmember McGinty then indicated that there was no code enforcement update on the agenda and that it is needed; there was also some confusion with the agenda as posted on the website.

Councilmember Woods – thanked the Bridge Committee and Historic Preservation Commission for their presentations and commented that it was great to see the committees working together. She stated that there was comment at the Water/Sewer meeting that there may be a need to raise rates for septic and they are moving forward to start planning the capital projects; it is also necessary that the Borough enforce the water shut-off policy for those who are not paying their bill.

Mayor Kirson – announced that Darek Hahn has been appointed to the Planning Board to fill the position left by a resignation and that the salary resolution will soon be coming back to Council for adoption.

Councilmember Vanderbeck moved to adjourn the meeting at 11:45 PM and Councilmember Woods seconded; the motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi
Borough Clerk