

Meeting Minutes
Hightstown Borough Council
Regular Meeting
December 17, 2012

6:30 pm

The meeting was called to order by Mayor Kirson at 6:31 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 sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bibens</i>	✓	
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Doran</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Thibault</i>	✓	
<i>Councilmember Woods</i>	✓	
<i>Mayor Kirson</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Michael Theokas, Borough Administrator; and Barry Capp, Borough Attorney.

Resolution 2012-286 Authorizing a Meeting Which Excludes the Public

Councilmember Woods moved resolution 2012-286, Councilmember Doran seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault, and Woods voted yes.

Resolution adopted, 6-0

Resolution 2012-286

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 December 3, 2012 at approximately 6:30 pm in the First Aid Building located on Bank Street, Hightstown 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:

Personnel – Tax Collector

Litigation – Gomez

Contract Negotiations – Shared Services

Contract Negotiations – Various Temporary Locations for Borough Offices

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Contract Negotiations – Professional Services

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: March 3, 2013 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 public meeting was called to order by Mayor Kirson at 7:33 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call. James LeTellier, Police Director had joined the meeting during executive session and was now present. Carmela Roberts, Borough Engineer joined the meeting at this time.

Mayor Kirson commented that the shooting of 20 people, including young children, at a school in Newtown Connecticut is a sad event and he hopes that the ban on assault weapons is reinstated; he encouraged residents to contact their legislators. He then called for a moment of silence in remembrance of those who lost their lives in the massacre.

Councilmember Woods requested that resolution 2012-289 be moved to follow the Borough Hall/Temporary Administrative Offices discussion.

Council President Quattrone moved the agenda as amended for approval, Councilmember Bibens seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Agenda approved as amended.

Council President Quattrone moved the October 17, 2012 workshop session minutes for approval, Councilmember Bibens seconded.

There were various concerns expressed by Council members Woods and Thibault regarding these minutes. Council President Quattrone and Councilmember Bibens withdrew their motions for approval. The minutes were tabled to a future meeting.

Council President Quattrone moved the October 22, 2012 special session minutes for approval, Councilmember Woods seconded.

Roll Call Vote: Council members Bluth, Doran, Quattrone, and Woods voted yes; Council members Bibens and Thibault abstained.

Minutes approved.

Council President Quattrone moved the October 22, 2012 executive session minutes for approval, Councilmember Woods seconded.

Roll Call Vote: Council members Bluth, Doran, Quattrone, and Woods voted yes; Council members Bibens and Thibault abstained.

Minutes approved.

Presentation - Greenway Walking Bridge

Darek Hahn, the Chair of the Greenway Walking Bridge Committee thanked the Committee for their commitment and hard work regarding the bridge and he gave a brief history of the committee's work and past presentations. He noted that in 2011 the rules changed on the project in regards to ADA compliance, the abutment design and additional inspections due to Hurricane Irene which is causing a considerable cost increase to the project. The current estimate for the project with engineering, design, drawings and site construction is \$176,000.00; the bridge and abutment drawings are signed and sealed and the site plans are almost complete. Mr. Hahn then reviewed the drawings and changes, the 100 year flood plain, and noted that new ADA compliant sidewalks are required; the Environmental Commission has concerns with adding additional sidewalks to the park. He noted the importance of the project to the history of Hightstown and the park, noting that the project is bigger than ever imagined.

Mr. Hahn then advised Council that the committee has raised \$75,000; they spent \$7,278 on fundraising efforts and \$42,750 on inspections, engineering and design. At this time, he is asking Council to bond for \$150,000 so the project can be completed. After all this time and hard work, it is essential for the project to be done and he estimated that this bond would mean approximately \$8.00 - \$10.00 per household over the next nine years, or approximately \$90 per household in taxes.

There was discussion regarding fundraising efforts, the potential of putting the project on hold, and the availability of funding through grants. Pat Duncan, the Parks and Recreation Chair and a member of the Walking Bridge Committee, noted that they had applied for grant funding, but were denied. Council expressed their support for the project, however would like to research possible available funding. It was decided that Darek Hahn, Mayor Kirson and Councilmember Thibault would research funding opportunities and report back to Council.

Mayor Kirson allowed for public comments/questions at this time, but only for the Greenway Walking Bridge project. The following members of the public came forward:

Scott Caster, 12 Clover Lane – inquired that if the Borough bonded for the project, would that hurt their possibilities to acquire grant money.

The Borough Engineer responded that it would not, the State actually wants to see that the project is important and that the applicant is willing to fund the project.

Eugene Sarafin, 628 S. Main Street – commented that there are more important things for the state to do with their money now because of Superstorm Sandy, just bond the project and get it done.

Phyllis Deal, 305 Stockton Street – inquired whether money is available due to Hurricane Irene damage.

The Borough Engineer stated that loans only become available periodically.

Mayor Kirson thanked the committee for all their hard work and stated that from this discussion it appears Council is supportive of the project. This subject will be re-visited as soon as funding availability can be researched.

Resolution 2012-287 Authorizing Change Order #1 – Liberty Construction & Development, Inc. (Water Treatment Filter)

Councilmember Woods moved resolution 2012-287, Council President Quattrone seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolution adopted, 6-0

Resolution 2012-287

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

**AUTHORIZING CHANGE ORDER #1 – LIBERTY CONSTRUCTION & DEVELOPMENT,
INC. (WATER TREATMENT PLANT FILTER)**

WHEREAS, resolution 2012-114 adopted on April 16, 2012 awarded the contract for the Water Treatment Filter to Liberty Construction & Development, Inc. of Belle Mead, New Jersey in the amount of \$497,000.00; and

WHEREAS, the Contractor has requested change order #1 which consists of soil excavation and removal in the amount of \$6,703.00, valves replacements in the amount of \$9,963.00, hardware, attic and roof alterations in the amount of \$4,316.00 and wall replacement due to termite damage in the amount of \$4,250.00 resulting in a change order in the amount of a \$25,232.00 increase to the current contract resulting in a revised contract amount of \$522,232.00; and

WHEREAS, the Borough Engineer has recommended approval of this change order; and

WHEREAS, this project is funded by the New Jersey Environmental Infrastructure Trust, the approval of this change order is conditional upon approval by the New Jersey Department of Environmental Protection; and,

WHEREAS, the Borough Engineer has recommended approval of change order #1; and

WHEREAS, the Treasurer has certified that funds are available for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that change order #1 to the contract with Liberty Construction & Development, Inc. of Belle Mead, New Jersey for an increase in the amount of \$25,232.00 is hereby approved and the contract price revised to \$522,232.00, upon approval by the New Jersey Department of Environmental Protection.

Resolution 2012-288 Authorizing Payment #4 to Liberty Construction & Development, Inc. (Water Treatment Filter)

Councilmember Bibens moved resolution 2012-288, Councilmember Bluth seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault, and Woods voted yes.

Resolution adopted 6-0.

Resolution 2012-288

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

**AUTHORIZING PAYMENT #4 TO LIBERTY CONSTRUCTION & DEVELOPMENT, INC.
(WATER TREATMENT PLANT FILTER)**

WHEREAS, resolution 2012-114 adopted on April 16, 2012 awarded the contract for the Water Treatment Filter to Liberty Construction & Development, Inc. of Belle Mead, New Jersey in the amount of \$497,000.00; and

WHEREAS, the contractor has submitted payment request #4 for work performed in the total amount of \$14,469.70; and

WHEREAS, the Borough Engineer has recommended approval of payment #4 to Liberty Construction & Development, Inc in the amount of \$14,469.70; and

WHEREAS, the required certified payrolls have been submitted; and

WHEREAS, the Treasurer has certified that funds are available for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Payment Request No. 4 from Liberty Construction & Development, Inc. of Belle Mead, New Jersey in the amount of \$14,469.70 is hereby approved as detailed herein, and the Treasurer is authorized to issue same.

Resolutions 2012-290, 2012-291, 2012-292, 2012-293, 2012-294, 2012-295, 2012-296, 2012-297, 2012-298, 2012-299, 2012-300, 2012-301 and 2012-302 Awarding Contracts for Various Chemical Purchases

Council President Quattrone moved resolutions 2012-290, 2012-291, 2012-292, 2012-293, 2012-294, 2012-295, 2012-296, 2012-297, 2012-298, 2012-299, 2012-300, 2012-301 and 2012-302 as a consent agenda, Councilmember Bibens seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolutions adopted 6-0.

Resolution 2012-290

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

December 17, 2012

AWARDING CONTRACT FOR LIQUID CHLORINE – JCI JONES CHEMICALS, INC.

WHEREAS, three (3) bids were received on December 4, 2012 for liquid chlorine for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the liquid chlorine be awarded to the low bidder, JCI Jones Chemicals, Inc. of Warwick, New York at a per unit price of \$0.6933 per pound with a total contract price of \$21,838.95; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by JCI Jones Chemicals, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for liquid chlorine is hereby awarded to JCI Jones chemicals, Inc. of Warwick, New York effective January 1, 2013.

Resolution 2012-291

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

AWARDING CONTRACT FOR SULFUR DIOXIDE – UNIVAR USA, INC.

WHEREAS, four (4) bids were received on December 4, 2012 for Sulfur Dioxide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Sulfur Dioxide be awarded to the low bidder, Univar USA, Inc. of Middletown, Pennsylvania at a per unit price of \$0.75 per pound with a total contract price of \$13,500.00; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Sulfur Dioxide is hereby awarded to Univar USA, Inc. of Middletown, Pennsylvania effective January 1, 2013.

Resolution 2012-292

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

AWARDING CONTRACT FOR FLUROSILICIC ACID (FLUORIDE) – MAIN POOL &

December 17, 2012

CHEMICAL COMPANY, INC.

WHEREAS, three (3) bids were received on December 4, 2012 for Fluorosilicic Acid (Fluoride) for the Water Treatment Plant in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Fluorosilicic Acid (Fluoride) be awarded to the low bidder, Main Pool & Chemical Company, Inc. of Dupont, Pennsylvania at a per unit price of \$6.74 per gallon with a total contract price of \$24,938.00; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Company, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Fluorosilicic Acid (Fluoride) is hereby awarded to Main Pool & Chemical Company, Inc. of Dupont, Pennsylvania effective January 1, 2013.

Resolution 2012-293

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

**AWARDING CONTRACT FOR ALUMINUM SULFATE – USALCO BALTIMORE PLANT,
LLC**

WHEREAS, two (2) bids were received on December 4, 2012 for Aluminum Sulfate for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Aluminum Sulfate be awarded to the low bidder, Usalco Baltimore Plant, LLC of Baltimore, Maryland at a per unit price of \$1.029 per gallon with a total contract price of \$41,674.50; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bid and has determined that the bid submitted by Usalco Baltimore Plant, LLC is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Aluminum Sulfate is hereby awarded to Usalco Baltimore Plant, LLC of Baltimore, Maryland effective January 1, 2013.

Resolution 2012-294

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

**AWARDING CONTRACT FOR CALCIUM HYDROXIDE (HYDRATED LIME) – UNIVAR
USA, INC.**

WHEREAS, three (3) bids were received on December 4, 2012 for Calcium Hydroxide (Hydrated Lime) for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Calcium Hydroxide (Hydrated Lime) be awarded to the low bidder, Univar USA, Inc. of Middletown, Pennsylvania at a per unit price of \$0.1559 per gallon with a total contract price of \$35,389.30; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Calcium Hydroxide (Hydrated Lime) is hereby awarded to Univar USA, Inc. of Middletown, Pennsylvania effective January 1, 2013.

Resolution 2012-295

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

AWARDING CONTRACT FOR MAGNESIUM HYDROXIDE – PREMIERE MAGNESIA, LLC.

WHEREAS, three (3) bids were received on December 4, 2012 for Magnesium Hydroxide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Magnesium Hydroxide be awarded to the low bidder, Premiere Magnesia, LLC of Pittsburgh, Pennsylvania at a per unit price of \$541.80 per ton with a total contract price of \$63,390.60; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bid and has determined that the bid submitted by Premiere Magnesia, LLC is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Magnesium Hydroxide is hereby awarded to Premiere Magnesia, LLC of Pittsburgh, Pennsylvania effective January 1, 2013.

Resolution 2012-296

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

**AWARDING CONTRACT FOR SODIUM BICARBONATE – MAIN POOL & CHEMICAL
COMPANY, INC.**

WHEREAS, three (3) bids were received on December 4, 2012 for Sodium Bicarbonate for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Sodium Bicarbonate be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$0.294 per pound with a total contract price of \$66,267.60; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Co., Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Sodium Bicarbonate is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective January 1, 2013.

Resolution 2012-297

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

**AWARDING CONTRACT FOR CALCIUM HYPOCHLORITE – GEORGE S. COYNE
CHEMICAL CO., INC.**

WHEREAS, three (3) bids were received on December 4, 2012 for Calcium Hypochlorite for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Calcium Hypochlorite be awarded to the low bidder, George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania at a per unit price of \$2.0889 per pound with a total contract price of \$2,506.68; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Co., Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Calcium Hypochlorite is hereby awarded to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania effective January 1, 2013.

Resolution 2012-298

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

December 17, 2012

**AWARDING CONTRACT FOR SODIUM BISULFITE – MAIN POOL & CHEMICAL
COMPANY, INC.**

WHEREAS, three (3) bids were received on December 4, 2012 for Sodium Bisulfite for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Sodium Bisulfite be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of 1.24 per pound with a total contract price of \$2,455.20; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Co., Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Sodium Bisulfite is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective January 1, 2013.

Resolution 2012-299

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

**AWARDING CONTRACT FOR GRANULAR ALGAECIDE/FUNGICIDE – BIOSAFE
SYSTEMS, LLC**

WHEREAS, three (3) bids were received on December 4, 2012 for Granular Algaecide/Fungicide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Granular Algaecide/Fungicide be awarded to the low bidder, BioSafe Systems, LLC of East Hartford, Connecticut at a per unit price of \$1.75 per pound with a total contract price of \$5,250.00; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bid and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Granular Algaecide/Fungicide is hereby awarded to BioSafe Systems, LLC of East Hartford, Connecticut effective January 1, 2013.

Resolution 2012-300

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

**AWARDING CONTRACT FOR ALKALINE DRAIN OPENER – MAIN POOL & CHEMICAL
CO., INC.**

WHEREAS, one (1) bid was received on December 4, 2012 for Alkaline Drain Opener for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bid has been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Alkaline Drain Opener be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$2.85 per pound with a total contract price of \$5,472.00; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Alkaline Drain Opener is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective January 1, 2013.

Resolution 2012-301

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

AWARDING CONTRACT FOR BACTERICIDE – MAIN POOL & CHEMICAL CO., INC.

WHEREAS, two (2) bids were received on December 4, 2012 for Bactericide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Bactericide be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$3.45 per pound with a total contract price of \$4,140.00; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Bactericide is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective January 1, 2013.

Resolution 2012-302

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

AWARDING CONTRACT FOR ICE MELT – MAIN POOL & CHEMICAL CO., INC.

WHEREAS, two (2) bids were received on December 4, 2012 for Ice Melt for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Ice Melt be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$0.42 per pound with a total contract price of \$420.00; and

WHEREAS, said contract shall be effective January 1, 2013; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2013 and 2014 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Ice Melt is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective January 1, 2013.

Borough Hall/Temporary Administrative Offices

Mr. Theokas advised that he has spoken with the rug mill property owners regarding leasing the property behind the Ely House. It is his recommendation that a triple-wide trailer be leased for the Administrative Offices and an additional trailer be leased for storage and files; the Police Department can be left at the Lucas site. If Council agrees, we can solidify the land lease and move forward.

There was discussion regarding the possibility of utilizing the Borough property for the trailers; the Borough Engineer did not recommend this as it will be serving as a construction site and that property is more likely to flood than the property behind the Ely House.

Discussion then continued regarding hiring a Project Manager, moving the Police Department to this site, Administration and Police needs, costs, functionality, timeframe, and codes and standards for the Police Department.

The Borough Engineer advised that there will be additional site needs for this project to move forward such as paving, sewer and water hook-ups, which could increase the project cost by 20%. She recommended putting out two bids, one for the site work and the other for trailers with the site work as an alternate; once the bids are received a decision could be made.

It was decided that the bid would contain triple-wide, storage and Police Department trailers. The site work should be listed as an option.

Resolution 2012-289 Authorizing Receipt of Bids for the Lease of Trailers for Temporary Office Space

Discussion took place regarding the verbiage used in the resolution and the resolution was revised to change to include the Police Department and site work associated with the temporary facilities. The Borough Engineer was instructed to work with the Police Director to clarify exactly what the Police Department needs are.

Councilmember Woods moved resolution 2012-289 as amended, Councilmember Doran seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolution adopted 6-0.

Resolution 2012-289

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

**AUTHORIZING RECEIPT OF BIDS FOR THE LEASE OF TEMPORARY FACILITIES AND
ASSOCIATED SITE WORK**

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Engineer is hereby authorized to prepare specifications and advertise for bids for the lease of temporary facilities for use as temporary office space for the Borough's Administrative Offices and Police Department, and the associated site work, and that the Borough is authorized to receive same after proper advertisement.

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

Phyllis Deal, 305 Stockton Street – reported that school bus #27 is speeding on Stockton Street.

Pat Duncan, 158 Grant Street and Parks and Recreation Commission Chair – advised Council that phase I of the Eagle Scout project is complete except for the railings; Beverly Asselstine's term with the Commission is coming to an end and she has been the driving force for various projects and acquiring volunteers to complete them.

Councilmember Doran expressed concern that the swings at Association Park are roped off and enticing to children. Mr. Duncan advised her that the safety surface of mulch has not yet been applied because Public Works has been busy due to clean-up from the storm.

Eugene Sarafin, 628 S. Main Street – inquired as to what happened to discussions regarding leasing other properties such as Lucas and Minute Maid; it appears Council discussed this in closed session without bringing the decision out to the public, he does not like the trailer idea.

The Borough Attorney advised Mr. Sarafin that contract negotiations are discussed in executive session.

Mr. Sarafin then commented on the Newtown Connecticut catastrophe and gun regulations.

Scott Caster, 12 Clover Lane – has concern with bicycles riding on the sidewalks, there is an ordinance but no enforcement.

Mayor Kirson stated that he and the Police Director will meet with Mr. Caster in the near future to address his concern.

Melanie Alio, 158 Grant Street – commented that leaving Borough Hall downtown negatively affects commercial development and is a barrier to enhancing downtown, Council should not confuse value with price; suggested that Council check into agreements with other municipalities for police facilities.

Bill Gilmore, 219 Greeley Street – commented that shared services are ultimately needed and Council is missing the opportunity of a vision for the future of Hightstown; trailers are not conducive to improving downtown and the opportunity of purchasing the Lucas property is being missed again.

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

Resolution 2012-303 Payment of Bills

Councilmember Woods requested that item E0576 be pulled and voted separately.

Councilmember Bluth requested that item W1122 be pulled and voted separately.

Councilmember Bibens moved Resolution 2012-303 without items E0576 and W1122, Councilmember Doran seconded.

Councilmember Thibault inquired as to why we are paying two companies each for auto and mower parts. Mr. Theokas advised that the Public Works Department goes where the price for that item is least expensive.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Council President Quattrone moved item E0576, Councilmember Bibens seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, and Thibault voted yes; Councilmember Woods abstained.

Councilmember Bibens moved item W1122, Councilmember Woods seconded.

Roll Call Vote: Council members Bibens, Doran, Quattrone, Thibault, and Woods voted yes; Councilmember Bluth abstained.

Resolution adopted 4-0, with two abstentions.

Resolution 2012-303

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 Borough Administrator, appropriate Department Head and the Treasurer in the amount of \$ 257,713.54 from the following accounts

Current	\$147,942.43	
W/S Operating	41,420.12	
General Capital	9,156.00	
Water/Sewer Capital	3,977.50	
Grant	33,342.39	
Trust	4,693.75	
Housing Trust	149.00	
Animal Control		
Law Enforcement Trust	11,252.50	
Housing Rehab Loans		
Unemployment Trust		
Escrow	5,779.85	
Federal Forfeiture		
Total	\$257,713.54	\$ 257,713.54

Resolution 2012-304 Authorizing a Transfer of Funds in the 2012 Budget

Council President Quattrone moved Resolution 304, Councilmember Woods seconded.

George Lang, CFO, explained regulations pertaining to transfers.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

December 17, 2012

Resolutions adopted 6-0.

Resolution 2012-304

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

AUTHORIZING A TRANSFER OF FUNDS IN THE 2012 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 2012 budget are hereby authorized:

Current:	<u>From</u>	<u>To</u>
Financial Administration		
Salaries and Wages	\$ 7,000.00	
Municipal Court		
Salaries and Wages	\$ 6,000.00	
Streets and Roads		
Other Expenses	\$ 1,500.00	
Solid Waste		
Other Expenses	\$ 1,500.00	
Recycling		
Other Expenses	\$ 2,000.00	
Parks & Recreation		
Other Expenses		\$ 5,000.00
Planning Board		
Other Expenses		\$ 5,000.00
Social Security		
		\$ 8,000.00

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TOTALS \$ 18,000.00 \$ 18,000.00

Resolution 2012-305 Authorizing Reimbursement for Cell Phone Usage

Councilmember Woods moved Resolution 2012-305, Councilmember Bibens seconded.

Councilmember Thibault inquired as to why it is required that Court personnel have cell phones. Police director LeTellier explained that they must be on call 24 hours a day for Court business. Borough Clerk Sopronyi explained that this reimbursement process is less expensive than supplying them with Borough owned cell phones.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolutions adopted 6-0.

Resolution 2012-305

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

AUTHORIZING REIMBURSEMENTS FOR CELL PHONE USAGE

WHEREAS, the Borough finds it cost effective to permit certain employees to utilize their private cell phone for Borough business throughout the year; and

WHEREAS, the Borough wishes to authorize reimbursements for private cell phone usage during 2011 to the following individuals at the rate listed:

Kristy Gilsonan - Municipal Court Administrator	\$150.00
Linda J. Mann - Deputy Municipal Court Administrator	\$ 35.00
Sonia Salinas - Deputy Municipal Court Administrator	\$ 32.50
James M. Newman - Municipal Judge	\$150.00
Sharon Lane - Borough Nurse	\$150.00

WHEREAS, the funds for these reimbursements are available and the Treasurer has so certified in writing.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Treasurer is authorized to issue reimbursements as listed above for private cell phone usage during 2012.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be given to the Treasurer and each employee named above.

Resolution 2012-306 Appointing Class I Special Officer – Tyler Jefferis-Bender

Councilmember Bibens moved Resolution 2012-306, Council President Quattrone seconded.

Police Director LeTellier endorsed the hire of this Special Officer and commented that using Class I Officers will reduce costs when covering various events in the Borough.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolutions adopted 6-0.

Resolution 2012-306

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

APPOINTING A CLASS I SPECIAL OFFICER – TYLER JEFFERIS-BENDER

WHEREAS, the Mayor and Borough Council recognize that there is a need to hire a Class I Special Officer to assist the Police Department with various duties; and,

WHEREAS, James LeTellier, Police Director, has recommended that Tyler Jefferis-Bender be appointed as a Class I Special Officer for the Borough of Hightstown Police Department; and

WHEREAS, Tyler Jefferis-Bender is already employed by Hightstown Borough; and,

WHEREAS, the Borough Council finds it in the best interest of the health, safety and welfare of the residents to appoint Tyler Jefferis-Bender as a Class I Special Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Tyler Jefferis-Bender is hereby appointed as a Class I Special Officer to assist the Hightstown Police Department effective January 1, 2013.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Police Director, Police Lieutenant, Tyler Jefferis-Bender, Personnel File and Payroll.

Resolution 2012-307 Renewing a Contract for Curbside Recycling Collection – Waste Management of New Jersey, Inc.

Council President Quattrone moved Resolution 2012-307, Councilmember Woods seconded.

Roll Call Vote: Council members Bibens, Bluth, Doran, Quattrone, Thibault and Woods voted yes.

Resolutions adopted 6-0.

Resolution 2012-307

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

**RENEWING A CONTRACT FOR CURBSIDE RECYCLING COLLECTION – WASTE
MANAGEMENT OF NEW JERSEY, INC.**

WHEREAS, Resolution 2012-35 awarded a contract for Curbside Recycling Collection to Waste Management of New Jersey, Inc. of Ewing, New Jersey; and,

WHEREAS, pursuant to N.J.S. A. 40A:11 – 15 (3) the bid was for a period of five (5) years, said contract being awarded for a period of one (1) year with the Borough reserving the right to renew at the end of each one-year contract period for a total aggregate contract period of five (5) years; and,

WHEREAS, the cost for this contract for year two is \$29,556.00 with the monthly cost per unit for added units to be at the rate of \$2.00 throughout the period.

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WHEREAS, the Purchasing Agent and Public Works Superintendent have reviewed the services provided and recommend that the contract be renewed for an additional one year period; and,

WHEREAS, funds for this expenditure will be made available in the 2013 and 2014 budgets; and

WHEREAS, funds for the continuation of this contract for the three subsequent years, should the Council decide to renew, shall be made available in the appropriate year's budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Curbside Recycling Collection in Hightstown Borough is hereby renewed with Waste Management of New Jersey, Inc. of Ewing, New Jersey for a one year period in the amount of \$29,556.00 with the Borough reserving the right to renew each year for a total aggregate contract period of five (5) years.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that a one-year contract for Curbside Recycling Collection Service in Hightstown Borough is hereby renewed with Waste Management of New Jersey, Inc. of Ewing, New Jersey in the amount of \$29,556.00.

The Mayor opened the public comment period II and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that being on Council is a learning process and hard work. Council does a good job with the exception of Borough Hall; Council is arrogant on this matter and should take the advice of the public and their professionals. Happy Holidays.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Bibens – commented that the park project at Association Park is moving along with the assistance of 50-70 volunteers who put in over 850 hours, Beverly Asselstine is amazing; thank you to the volunteers who give their time and talent to the Borough. Things at the Fire Department are going smoothly; the trailers are overdue; the bicycle issue will be addressed at the meeting. Merry Christmas everyone.

Councilmember Bluth – commented that she would like to see the Greenway Walking Bridge project completed and we need to bond, going to Legislators now is futile; expressed her sympathies to the community of Newtown Connecticut; Happy Holidays.

Councilmember Thibault – commented that disagreeing with the public does not mean Council is ignoring them; Happy Holidays.

Councilmember Doran – commented that a lot has been accomplished tonight. She had a few questions on matters for which there was no update this evening. She inquired as whether the Lucas electric was being paid.

Mayor Kirson responded that he was going to cover that during his comments.

She then asked whether there is an update on the communications move to Public Works?

Borough Clerk Sopronyi responded that this item will not have to be bid and she is acquiring quotes at this time.

Councilmember Doran inquired about moving the tower to which Ms. Sopronyi responded that there is no need to move the tower at this time because there is nothing on it. The Police Director advised that he is working with a communications company regarding the possibility of needing a tower for their equipment if the Police Department relocates to that area for temporary facilities. The Borough Clerk advised that she has spoken with the Public Works Superintendent and he does believe that the present will need to be moved, and if it does the move would be part of the temporary facility project. There was brief discussion.

Councilmember Doran then addressed the matter of hiring a Project Manager and inquired whether the Project Manager would handle the temporary facilities, Borough Hall, or both. She noted that the Project Manager may be able to be hired through the Borough Engineer's office, but one is definitely needed. Borough Clerk Sopronyi advised that this is a Professional Service which can be appointed through a fair and open process by acquiring proposals, or through an alternative method. Councilmember Doran asked that this subject be discussed at the next meeting.

Councilmember Doran then asked if there could be an executive session following this meeting to discuss a public safety issue. It was determined that the subject matter was the purchase of equipment lost due to Hurricane Irene, therefore it was not an executive session matter. Discussion ensued regarding the purchase of replacement Police Department equipment and reference was made to an e-mail previously sent by the Police Director to the Borough Council. The Police Director advised that the equipment must be replaced for public safety and the purchase was authorized provided it was submitted on the initial claim for Hurricane Irene.

Councilmember Woods – noted that last week there was an odor in the air due to an issue with odor control but it is being addressed by the Waste Water Treatment Plant; this was a good meeting tonight.

Council President Quattrone – requested that the Police Director address the issue regarding bus #27 speeding on Stockton Street; commented that a list of events should be made by the Police Department so it can be established who pays for police coverage costs; he is happy about the bridge project and supports its completion; Happy Holidays.

Mayor Kirson – noted that the electric bill at the Lucas facility cannot be acquired by the Borough because it is in Lucas' name, but the matter is being addressed. He then commented that the staff took a picture with Officer Chenoweth as Santa and a school bus went by with children who got very excited, it is very sad that the children in Newtown will not have the opportunity to experience such things; Beverly Asselstine is very involved with the Parks and Recreation Commission and will be missed, thank you. Happy Holidays.

Administrator Theokas – advised Council that the re-paving of Route 33 is scheduled for overnight on Tuesday and Wednesday; a detour has been put into effect.

Councilmember Bibens moved to adjourn at 10:25 pm, Councilmember Thibault, seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk