

Meeting Minutes
Hightstown Borough Council
Regular Meeting
February 4, 2013

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; James LeTellier, Police Director; and Frederick Raffetto, Borough Attorney.

Resolution 2013-37 Authorizing a Meeting Which Excludes the Public

Councilmember Woods moved resolution 2013-37, Councilmember Bibens seconded.

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

Resolution adopted, 6-0

Resolution 2013-37

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 February 4, 2013 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 – Superintendent of Public Works

Disciplinary Hearing Agreement

Litigation – Local 321 Grievance

Contract Negotiations – Lease of Greystone Property

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Shared 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: May 4, 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 7:34 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call. Carmela Roberts, Borough Engineer and Dawson Bloom, Project Manager joined the meeting at this time.

Mayor Kirson requested that the agenda be amended by removing ordinance 2013-03 and adding resolution 2013-44 regarding the authorization to execute a settlement agreement and general release with Sgt. Glen Runge.

Councilmember Woods moved the agenda as amended for approval, Councilmember Doran seconded.

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

Agenda approved as amended.

Greenway Walking Bridge Presentation

Mayor Kirson explained that he, Councilmember Thibault, Pat Duncan and Darek Hahn met and tried to find additional grant funding opportunities for this project. While they are applying for a grant, this will take a considerable amount of time. Darek Hahn is requesting that the Borough bond for completion of the project so it can move forward. He noted that members of the committee are losing interest due to the amount of time spent on the project with little results.

Councilmember Thibault moved the November 14, 2012 executive session minutes for approval, Council President Quattrone seconded.

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

Minutes approved.

Borough Hall and Temporary Facilities

The Borough Engineer reviewed the bid results for the temporary modular facilities and site work and noted that the low bidder neglected to include their bid bond which means their bid is non-responsive and not valid. She recommended that an award of the contract for Administrative facilities could be awarded, but that the Borough should have a lease for the property in place first. There was discussion regarding the time limitations to award the bid, length of time that the facilities are needed, and waiting for a lease before taking action.

Dawson Bloom, Project Manager, then reviewed his status reports of January 25th and 31st, 2013:

The following is a progress update of the Borough Hall Project through Friday, January 25, 2013.

Temporary Administrative and Police Facilities

- As directed at the January 7th Council meeting, Roberts Engineering prepared bid documents for Site Plan Option # 3 which included the expanded parking area. The project was advertised on January 11th, 2013.
- Due to the expedited advertisement schedule, planning board review of the proposed Site Plan occurred after advertisement at their January 14th meeting. Plans were also provided to Bob Patten, Director, of the Historical Society to coordinate relocation of the existing sleeper stones adjacent to the parking lot. The formal site plan was provided to Tamara Lee on January 11, 2013 and the Planning Board on January 15, 2013.
- Carmela Roberts and I toured the existing temporary police facility at Mercer Street to obtain a better understanding of how the police department currently operates, especially in handling both victims and detainees and to begin to develop a relocation plan to the new Temporary Modular Facility, once it is completed.

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- I met with George Chin on January 16th to review the project. He provided comments which would be later incorporated into Addendum #1 following the Pre-Bid meeting on Friday, January 18, 2013.
- A Pre-Bid Meeting was held at the Public Works building on January 18, 2013. After a brief project description, I answered bidders' questions regarding the bid documents. We concluded the pre-bid meeting with a site walk-through. Eight prospective bidders attended the pre-bid meeting.
- Addendum #1 and Bid Clarification # 1 was issued on Tuesday, January 22, 2013 addressing both George Chin's comments and bidder's inquiries from the Pre-Bid meeting. George Chin's comments were regarding the requirements for exterior walls to be 1-hr fire rated due to the buildings proximity to one another.
- Due to the complexity of the Modular Police Facility, additional bidder inquiries have been addressed in a 2nd Bid Clarification issued on January 25, 2013.
- Bids are due January 30, 2013.

Borough Communications

- On January 15, 2013 Carmela Roberts and I attended a meeting with Michael Theokas, Ken Lewis, Debra Sopronyi, Jim LeTellier, Frank Gendron and a representative from Allen-Hunter Technologies to discuss the Borough's communications systems.
- The existing telephone system is unreliable, largely due to the fact that the existing telephone service box is located at the Borough Hall Building and all of the Borough departments are working via a wireless connection between Borough Hall and the Public Works building. This is especially difficult for the Police Department because they currently operate on a backup system which was not designed for 24/7 use and their recording systems do not function properly on that backup system. Additionally, all of the Boroughs alarm systems are run to the police department through the existing phone lines and it is not known which circuits are currently alarm circuits because many of those circuits date back to Bell Telephone and Verizon does not have records of them.
- A 2 step plan was developed to address the Borough's immediate communications issues.
 1. Relocate the existing phone box from Borough Hall to a new permanent location at the Public Works Building to be coordinated with Ken Lewis.
 2. Install a T1 line from Public Works to the temporary Police facility at Mercer Street.
This work can be completed in 30-45 days and should immediately improve the Boroughs communications system.
- The above steps will improve the current Borough's communications systems and provide a stable communications platform for the future.

Once the Administrative offices relocate into the modular units they can be connected directly to public works via a black-fiber connection.

Moving the Police Department to a T1 will reduce their current monthly phone service cost from \$1000 to \$600. There will be a one-time Verizon cost of about \$1,200 - \$1,400.

The Police Department will be able to record calls properly via their current AVAYA system once the T1 is active.

Because the Police Department is currently running in a backup system, there will be no down time when switching over to the T1 and they will not lose their connection to Cranbury. There will also be no disruption of the existing radio or alarm systems.

- Once the telephone box is moved over to Public Works and the Police T1 line is installed, the next step will be to have Verizon perform a line assessment to have a full understanding of all of the Borough's telephone and alarm circuits. Once the assessment is complete, Allen-Hunter Technologies can determine a strategy for re-organizing the Borough's telephone and alarm circuits.

Action Items

- Bids for the Temporary Administrative and Police Facilities will be received on January 30, 2013. Bids will be evaluated and a recommendation will be provided to the Council for the February 4, 2013 Council meeting.
- A draft Master Schedule is being developed for the project and will be provided for the next Progress Update prior to the February 4, 2013 Council meeting.
- I will be meeting with Michael Theokas on Monday, January 28, 2013 to review the status of the insurance claim. I will work with him to develop a schedule and milestones for a resolution of this item.

The following progress update provides supplemental information to the previous update issued on Friday, January 25, 2013.

Temporary Administrative and Police Facilities

- Bids for the Temporary Administrative and Police Facilities were received on Wednesday, January 30, 2013 at 11 a.m. at 156 Bank Street.
- There were two (2) bidders, Modular Genius and Mobilease. Both bid on all of the modular facilities, while only Mobilease bid on the sitework.
- We are currently evaluating the bid documents and will provide recommendations to the Council for the Monday, February 4, 2013 meeting.
- As per Borough Attorney, Frederick C. Raffetto, he is currently awaiting comments on the proposed Lease from the owner, Greystone Capital Partners (or its attorneys) as well as from TD Bank, which is currently foreclosing on the property. He is awaiting either proposed revisions or an indication that the document is acceptable as-is.

Borough IT and Communications

- A purchase order for Allen-Hunter to complete the relocation of the telephone service and coordinate the installation of a T1 line between the Public Works building and the temporary Police Station at Mercer Street was issued on January 15, 2013. This work is expected to be completed by March 1, 2013.
- As of January 30, 2013:
 - The Public Works building has been prepared for the relocation of the existing telephone equipment from Borough Hall.
 - The Borough submitted a request for the T1 installation to Verizon. On Wednesday, January 30, 2013 Borough Clerk, Debra Sopronyi, was contacted by Verizon to indicate that the paperwork was in order and that they would contact her on Monday, February 4, 2013 with an install date.
 - The order to move the phone service has been placed with Broadview and Verizon. Order commencement will begin once Verizon has inspected the new location at the Public Works building (estimated at 3 weeks).
 - All work is expected to be completed by March 1, 2013.

Project Schedule

- On Monday, January 28, 2013 I met with Michael Theokas to review the status of insurance claim for scheduling purposes.

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- I have provided a draft Project Schedule showing the Major Milestones for Council review, attached.
- I will begin adding all of the project sub-tasks to develop the Baseline Project Master Schedule.

Action Items

- Provide bid recommendation to Council at February 4, 2013 Council Meeting. (Roberts Engineering Group, LLC)
- Follow up with Greystone Capital Partners (or its attorneys) and TD Bank to finalize lease of property for Temporary Administrative and Police Facilities. (Borough Attorney)
- Inspect wall field at Public Works for new phone service. (Verizon)

He continued that he has not yet spoken with the insurance company, but he has met with Mr. Theokas regarding the status of the claim because an insurance settlement must be established for the project to move forward. He noted that he will only be involved with the insurance as far as making sure that the negotiations are moving ahead so the project can move forward, his job is not to carry out the actual negotiations with the insurance. He requested guidance on how Council would like to move forward on the project.

Mayor Kirson noted that Council needs to know what they are doing before settling with the insurance. Mr. Dawson agreed, noting that the insurance has presented to the Borough an estimate by their professional for renovating Borough Hall and bringing it up to code, now they are going to be looking to the Borough for their estimate on what it will cost. This discussion should then take place so that a budget can be developed; the Borough should not design the building and then begin the discussion. We need to have some sort of understanding from the insurance company as to what they expect to pay, this will allow the Borough to start planning what spatial components are going to look like. This process should run parallel to the temporary facilities phase. Mr. Dawson stated that a schedule, or order in which things are going to happen, must be developed for both the temporary facilities as well as the Borough Hall portion of the project, because one is dependent upon the other.

Carmela Roberts, Borough Engineer noted that while the firm is willing to talk to the insurance company, it is not recommended that they perform negotiations with the insurance company. Decisions such as whether the Borough is going to demolish the entire building and re-build, or if the back portion of the building is going to be re-built and the front portion renovated, need to be made by the Borough. Councilmember Thibault inquired as to what information needs to be gathered and what steps should be taken to proceed. Councilmember Doran noted that some sort of structure needs to be put into place so the insurance negotiations can take place. Councilmember Woods noted that mitigation (raising the building) also needs to be considered because if that is taking place at the same time, it is her assumption, the entire building should be taken down and re-built with the mitigation process occurring at the same time. There was additional discussion regarding the options for Borough Hall and prior talks with the insurance company. Mr. Dawson noted that the insurance company's position at this point is to take down the back 2/3 of the building and re-build it at a higher level for mitigation purposes, and to renovate the front portion of the building.

There was discussion regarding have a special workshop meeting to address these matters and give Council an understanding of what the process will be and provide guidance to Mr. Dawson as to how the project will move forward. Borough Council instructed the Borough Clerk to notice a workshop meeting for Friday, February 15, 2013 at 7:00 pm and find a location for same; the agenda will be set by the Project Manager.

Councilmember Thibault noted that the Environmental Commission has submitted a memo regarding stormwater management at the temporary facility location and that their concerns should be addressed in the plan.

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

Phyllis Deal, 305 Stockton Street – noted that she would appreciate it if the Animal Welfare Committee could be recognized at the reorganization meeting; they meet at the First Aid on the third Tuesday of the month.

Frank Rivera, 11- Broad Street – commented on the workshop meetings and stated that the Engineer needs direction.

Eugene Sarafin, 628 S. Main Street – noted that his observations of this evening's meeting regarding insurance, trailers, location of Borough Hall and opportunities has split the Council 3 to 3; and that the Engineer should not be used to negotiate with the insurance company. Mr. Sarafin was being loud, disorderly and used foul language during his comments.

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The Mayor told Mr. Sarafin to speak civilly and that the public objects to his comments.

Mr. Sarafin continued with comments on how he thinks the Borough Hall project at its present location should cease.

J P Gibbons, 602 N. Main Street – cited Robert’s Rules of Order and asked the Borough Attorney to identify a point of order when someone is out of control with their comments. He then continued that a professional should be hired to negotiate with the insurance and that he will pay for the service and to advise Council. He then commented on trailers, insurance and ADA compliance.

Keith LePrevost, 13 Greeley Street – noted that the Environmental Commission has reviewed the temporary trailer plans and submitted suggestions; it is time to move forward.

Scott Caster, 12 Clover Lane – commented that he missed the spirit of Hightstown at the reorganization meeting.

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

Ordinance 2013-01 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 2 Entitled “Administration”, Section 2-55, Entitled “Fees for Municipal Services”, of the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Mayor Kirson opened the public hearing for ordinance 2013-01 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – announced that he was present.

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

Council President Quattrone moved ordinance 2013-01 for adoption, Councilmember Bibens seconded.

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

Ordinance adopted, 6-0.

Ordinance 2013-01

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 ENTITLED “ADMINISTRATION”, SECTION 2-55, ENTITLED “FEES FOR MUNICIPAL SERVICES,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”

WHEREAS, the Mayor and Council wish to amend certain provisions contained within Chapter 2, Section 2-55 of the Borough Code relating to enforcement and penalties as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 2, Section 2-55 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

Section 2-55

FEES FOR MUNICIPAL SERVICES

Subsections:

2-55.1 Inspection of Public Records.

2-55.2	Fees for Copies.
2-55.3	Copying by Person Requesting Documents.
2-55.4	Denial of Examination of Records.
2-55.5	Firearms Applications and Permits.
2-55.6	Returned Check Charge.
2-55.7	Fees for Notary Services.
2-55.8	<u>Fees for Tax Redemption Calculation</u>

Subsection 2-55.1 Inspection of Public Records.

In accordance with the provisions of N.J.S.A. 47:1A-2, all records which are required by law to be made, maintained or kept on file by any board, body, agency, department, commission, authority or official of the Borough shall be deemed to be public records. Every citizen of the State shall have the right to inspect such records during regular business hours maintained by the custodian thereof. Every citizen of the State shall also have the right, during regular business hours and under the supervision of the representative of the custodian, to copy such records by hand and to purchase copies of the records. Copies of records shall be made available upon the payment of the price established by law. (Ord. No. 19-1994)

Subsection 2-55.2 Fees for Copies.

The following fees shall be charged for copies of public documents:

- a. For copies of public documents on letter-size or legal-size paper, fees shall be charged in accordance with those listed in N.J.S.A. 47:1A-5(b).
- b. For oversized copies of public documents, the actual cost incurred in making the copy shall be charged. If the document must be copied by another source, e.g. a printer, for duplication, the actual cost paid by the Borough shall be paid by the requestor.
- c. There shall be no charge for electronic transmission of documents via fax or e-mail.
- d. For certified copies of birth certificates, marriage certificates, death certificates, domestic partnership certificates, or depositions, twenty (\$20.00) dollars per certified copy.
- e. Municipal Court discovery and police accident reports
 1. All requests for discovery in matters pending in the Hightstown Municipal Court shall be submitted through the Municipal Prosecutor.
 2. The following fees shall be payable by the requestor to the Borough of Hightstown for the discovery or accident report provided:
 - i. For documents on letter-size or legal-size paper, fees shall be charged in accordance with those listed in N.J.S.A. 47:1A-5(b)
 - ii. Actual postage for any discovery or accident report sent by mail
 - iii. \$.25 for the envelope for any discovery or accident report sent by mail
 - iv. Photographs will be photocopied at the rates established herein. If requests are made for duplicate photographs, the actual cost of making the photographs shall be charged.

- v. Duplication of video tapes constitutes an extraordinary duplication process and will be charged at the rate of \$5.00 per video tape.
 - vi. For any item that cannot be photocopied on the Borough's copy machine or for any item not otherwise provided for in this schedule, the actual cost incurred in making the copy shall be charged.
 - vii. Where the discovery must be obtained from an entity other than the Borough of Hightstown, e.g. another police department, the actual costs paid to the other entity shall be paid by the requestor.
 - viii. There shall be no charge to persons over the age of 65 for discoveries or police accident reports.
- f. For duplicate tax, water and sewer bills, five (\$5.00) dollars each.
- g. For a certificate as to approval of subdivisions, as follows:
- 1. When the property described in the application is shown on the Assessment Map subdivided into Borough lots and does not exceed five thousand (5,000) square feet in area, three (\$3.00) dollars, and for each additional five thousand (5,000) square feet in area or fraction thereof, an additional fifty (\$0.50) cents.
 - 2. When the property is shown on the Assessment Map as acreage or is so assessed and lies wholly within the limits of a single block, three (\$3.00) dollars, and if within the limits of two (2) or more blocks, an additional one (\$1.00) dollar for each block.
 - 3. When the property described in the application is or has been subdivided and assessed as more than one (1) item, an additional fee of one (\$1.00) dollar shall be allowed for each subdivision separately assessed.
 - 4. Five (\$5.00) dollars shall be the maximum charge for a certificate covering lands lying wholly within one (1) block as shown on the Assessment Map of the Borough, unless there is a subdivision of proprietorship indicated by the assessment.
- h. For a certificate as to approval of subdivision within three (3) years from the date of the original search, one (\$1.00) dollar per year.
- i. For official searches for municipal liens (tax searches) or for improvements authorized but not assessed, ten (\$10.00) dollars.
- j. For a continuation of an official search for municipal liens or for a continuation of an official search for improvements authorized but not assessed, two (\$2.00) dollars per year.
- k. For a duplicate tax sale certificate, one hundred (\$100.00) dollars.
- l. For a full copy of the Revised General Ordinances of the Borough of Hightstown, one hundred (\$100.00) dollars.
- m. For a full copy of the Borough's Master Plan, one hundred and ninety-five (\$195.00) dollars.
- n. For a copy of an audio or video tape, the actual cost of the media and duplication thereof.

(Ord. No. 19-1994; Ord. No. 1998-12 § 1(A)–(E); Ord. No. 2003-32; Ord. No. 2004-03; Ord. No. 2004-13; Ord. No. 2005-09; Ord. No. 2008-09; Ord. No. 2010-17)

Subsection 2-55.3 Copying by Person Requesting Documents.

Where the document in question is more than one hundred (100) pages in length, the Clerk may permit the person requesting copies to use his own copying machine, provided that there is no risk of damage or mutilation of the document and it would not be compatible with the

transaction of public business. Such determination shall be completely within the discretion of the Clerk. The fee in such case shall be fifteen (\$15.00) dollars per day. (Ord. No. 19-1994)

Subsection 2-55.4 Denial of Examination of Records.

Notwithstanding the provisions of subsection 2-33.1, where it appears that the records which are sought to be examined pertain to an investigation in progress by any body, agency, commission, board, authority or official, the right of examination may be denied if the inspection, copying or publication of the records would be inimical to the public interest, provided that this provision shall not be construed to prohibit any body, agency, commission board, authority or official from opening such records to public examination if not otherwise prohibited by law. (Ord. No. 19-1994)

Subsection 2-55.5 Firearms Applications and Permits.

The following fees will be charged as determined by the State of New Jersey:

Federal and State Applicant Card

Mental Health

Firearms purchaser identification card

Permit to purchase a pistol or revolver

SBI Names Check

(Ord. No. 2012-11)

Subsection 2-55.6 Returned Check Charge.

A fee will be charged for any check returned to the Borough for insufficient funds at the maximum allowable rate in accordance with N.J.S.A. 40:5-18. (Ord. No. 1998-12 § 1(F); Ord. No. 2008-09; Ord. No. 2012-11)

Subsection 2-55.7 Fees for Notary Services.

A fee of two dollars and fifty cents (\$2.50) will be charged per signature notarized for each of the following services:

- a. Administering an oath/affirmation
- b. Executing a jurat
- c. Taking proof of a deed (proof of execution)
- d. Taking an acknowledgement

(Ord. No. 2012-11)

2-55.8 Fees for Tax Lien Redemption Calculation

The Tax Collector shall provide any party entitled to redeem a certificate pursuant to N. J. S. A. 54:5-54 two calculations of the amount required for redemption within a calendar year at no cost. There shall be a fee charged in the maximum allowable amount pursuant to N. J. S. A. 54:5-54 for each subsequent calculation requested of the Tax Collector. All requests for a redemption calculation shall be made in writing to the Tax Collector.

BE IT FURTHER ORDAINED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies; and

BE IT FURTHER ORDAINED, that in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to

be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect on upon final passage and publication in accordance with the law.

Ordinance 2013-02 Final Reading and Public Hearing – An Ordinance to Establish Salary Ranges for Certain Officers and Employees of the Borough of Hightstown

Mayor Kirson opened the public hearing for ordinance 2013-02 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – noted that he approves of this ordinance.

J P Gibbons, 602 N. Main Street – stated that Council needs to adjust the ordinance for the budget cap.

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

Councilmember Bibens moved ordinance 2013-02 for adoption, Council President Quattrone seconded.

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

Ordinance adopted, 6-0.

Ordinance 2013-02

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

AN ORDINANCE TO ESTABLISH SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN

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

Section 1. The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, excluding longevity, whose compensation shall be on an annual basis, is:

	RANGING FROM:	TO:
Mayor	\$4,800.00	\$4,800.00
Councilmember	\$3,600.00	\$3,600.00
Borough Clerk	\$40,000.00	\$70,000.00
Treasurer	\$40,000.00	\$60,000.00
Tax/Water/Sewer Collector	\$20,000.00	55,000 \$30,000.00
Deputy Tax/Water/Sewer Collector	\$8,000.00	\$18,400.00
Tax/Utility/Payroll Clerk	\$28,000.00	\$35,000.00
Tax Assessor	\$7,500.00	18,000 \$14,375.00
Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Deputy Registrar of Vital Statistics	\$1,000.00	\$4,600.00

	RANGING FROM:	TO:
Municipal Court Administrator	\$40,000.00	\$65,000.00
Deputy Municipal Court Administrator	\$28,000.00	37,000 \$35,000.00
Administrative Assistant/Secretary	\$22,000.00	47,000 \$44,000.00
Planning Board Secretary	\$1,000.00	\$16,000.00
Technical Assistant	\$28,000.00	\$40,000.00
Construction Code Official	\$18,000.00	\$35,000.00
Fire Subcode Official	\$3,500.00	8,000 \$6,000.00
Building Subcode Official	\$3,500.00	8,000 \$6,000.00
Superintendent of Public Works	\$50,000.00	90,000 \$85,000.00
Assistant Superintendent of Public Works	\$50,000.00	\$66,000.00
Water Plant Operator	\$35,000.00	\$70,000.00
Superintendent of AWWTP	\$50,000.00	84,000 \$80,000.00
Lab Manager – AWWTP	\$35,000.00	65,000 \$60,000.00
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Secretary Board of Health	\$500.00	\$1,500.00
Computer Systems Administrator	\$3,000.00	\$6,000.00
Chief Financial Officer	\$2,000.00	\$50,000.00
Building Inspector	\$3,500.00	\$4,500.00
Health Officer	\$8,000.00	\$13,000.00
Borough Administrator	\$40,000.00	\$75,000.00
Police Director	\$50,000.00	\$85,000.00

Section 2. The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, whose compensation shall be on an hourly basis, is:

	RANGING FROM:	TO:
Part-time clerical	\$8.00	\$30.00
Violations Clerk (part-time)	\$10.00	\$15.00
Disposition Clerk (part-time)	\$12.50	\$25.00
Special Officer – Municipal Court	\$25.00	\$35.00
Public Health Nurse	\$25.00	\$45.00

	RANGING FROM:	TO:
School Crossing Guard	\$15.00	\$25.00
Radio Dispatcher	\$8.00	\$25.00
Special Officer I	\$8.00	\$18.00
Special Officer II	\$18.00	\$30.00
Administrative Assistant/Secretary	\$10.50	\$20.00
Administrative Assistant – Floater	\$13.50	\$21.00
Public Works Foreman	\$16.00	\$27.00
Public Works Heavy Equipment Operator	\$14.00	\$25.00
Public Works Automated Vehicle Operator	\$14.00	\$25.00
Public Works Driver/Laborer	\$10.00	25.00 \$20.00
Public Works Laborer	\$8.00	\$18.00
Public Works Municipal Building Maintenance	\$8.00	\$16.00
Public Works Mechanic	\$10.00	\$25.00
Seasonal/Temporary Labor	\$8.00	\$16.00
Assistant Water Plant Operator	\$14.00	\$23.00
Water Plant Lead Operator	\$40.00	\$49.00
AWWTP Maintenance	\$15.00	\$25.00
AWWTP Operator Trainee (up to 1 year exp)	\$12.00	\$15.50
AWWTP Operator – Class I (min. 1 year exp)	\$14.50	\$17.00
AWWTP Operator – Class II (min. 2 years exp)	\$15.25	\$18.50
AWWTP Operator – Class III (min. 3 years exp)	\$16.50	\$21.00
AWWTP Operator – Class IV (min. 4 years exp)	\$17.25	\$25.00
Recreation Director (part-time)	\$20.00	\$40.00
Assistant Recreation Director (part-time)	\$8.00	\$20.00
Junior Recreation Counselor (part-time)	\$6.00	\$12.00
Housing Inspector	\$14.00	\$35.00
Fire Inspector	\$14.00	\$35.00
Building Inspector	\$14.00	\$35.00

	RANGING FROM:	TO:
Fire Official	\$14.00	\$35.00
Zoning Officer	\$14.00	\$30.00
Electric Subcode Official	\$14.00	\$40.00
Plumbing Subcode Official	\$14.00	\$40.00

Section 3. Supplemental Longevity Pay for regular full-time employees except police shall be as follows:

After five (5) years of service	\$650.00
After ten (10) years of service	\$1,000.00
After fifteen (15) years of service	\$1,350.00
After twenty (20) years of service	\$1,700.00
After twenty-five (25) years of service	\$2,100.00

Section 4. This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2013.

Section 5. The salary ranges established in this ordinance supersede any established for the same positions in previous salary ordinances, and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

Ordinance 2013-04 First Reading and Introduction – Bond Ordinance providing for Various Road Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$485,000 Therefor and Authorizing the Issuance \$485,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Councilmember Bibens moved ordinance 2013-04 for introduction, Councilmember Bluth seconded.

Council requested a better understanding of the Borough's debt and there was discussion. Mayor Kirson explained the bonding process and noted that most of the Borough's infrastructure projects are started because of the receipt of grant funds. He then referenced that consideration should be given regarding long term infrastructure maintenance and there was discussion regarding grants applications and bonding, water and sewer department debt, and road maintenance priorities.

Mr. Theokas then explained the process of bonding and the receipt of grant funds to offset the bond.

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

Ordinance introduced, 6-0.

Ordinance 2013-04

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

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$485,000 THEREFOR AND AUTHORIZING THE ISSUANCE \$485,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$485,000, including a Municipal Aid Grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$220,000 (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

In order to finance the cost of the improvement or purpose and in anticipation of the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount \$485,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for various road improvements, consisting of Grape Run Road and Pershing Avenue, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$485,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$70,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such additional funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Resolution 2013-38 Payment of Bills

Councilmember Woods moved Resolution 2013-38, Councilmember Bibens seconded.

There was discussion and clarification of several payments on the bills list.

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

Resolution adopted, 6-0.

Resolution 2013-38

*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
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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, the appropriate Department Head and the Treasurer in the amount of \$83,419.90 from the following accounts:

Current		\$54,092.42	
W/S Operating		9,129.53	
General Capital		11,894.00	
Water/Sewer Capital		5,888.75	
Grant			
Trust		2,186.00	
Housing Trust			
Animal Control		229.20	
Law Enforcement Trust			
Housing Rehab Loans			
Unemployment Trust			
Escrow			
Total		<u>\$83,419.90</u>	

Resolution 2013-39 Authorizing the Borough of Hightstown to Enter into a Shared Services Agreement for Solid Waste Collection with the Borough of Roosevelt

Council President Quattrone moved Resolution 2013-39, Councilmember Bibens seconded.

Mayor Kirson explained that the amount of the agreement is the only change in terms from the previous agreement.

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

Resolutions adopted 6-0.

Resolution 2013-39

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

**AUTHORIZING THE BOROUGH OF HIGHTSTOWN TO ENTER INTO A SHARED SERVICES AGREEMENT
FOR SOLID WASTE COLLECTION WITH THE BOROUGH OF ROOSEVELT**

WHEREAS, the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 et seq. (the “Act”), authorizes local units of this State to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, the Borough of Roosevelt (“Roosevelt”) is in need of the provision of solid waste collection services (also referenced as the “services”) for properties located within Roosevelt’s jurisdiction; and

WHEREAS, the Borough of Hightstown (“Hightstown”) is willing to assist Roosevelt by providing the services to Roosevelt, under certain terms and conditions; and

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WHEREAS, in the spirit of inter-municipal cooperation, and in furtherance of the principles underlying the Act, Hightstown and Roosevelt (collectively, the “parties”) have negotiated an Agreement for the shared provision of the services within their respective jurisdictions; and

WHEREAS, the terms and conditions of this undertaking are set forth in a Shared Services Agreement; and

WHEREAS, pursuant to the Shared Services Agreement, Hightstown shall perform the services for Roosevelt for a period commencing on January 1, 2013 and continuing until December 31, 2015; and

WHEREAS, the Shared Services Agreement shall become effective once the parties have each duly authorized their proper officials to execute the Agreement, and the Agreement has been so executed.

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

1. A shared services agreement between the Borough of Hightstown and the Borough of Roosevelt for the provision of Solid Waste Collection for the period January 1, 2013 through December 31, 2015 is hereby authorized and accepted.
2. The Mayor and Clerk are authorized and directed to execute said agreement.

Resolution 2013-40 Supporting the Read Across America Program

Councilmember Woods moved Resolution 2013-40, Council President Quattrone seconded.

Mayor Kirson noted that with the fall of education standards, it is important for students to read.

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

Resolutions adopted 6-0.

Resolution 2013-40

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

SUPPORTING THE READ ACROSS AMERICA PROGRAM

WHEREAS, the citizens of Hightstown Borough stand firmly committed to promoting reading as the catalyst for our students’ future academic success, their preparation for America’s jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Mayor and Borough Council has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community’s well-being and long-term quality of life; and

WHEREAS, NEA’s Read Across America, a national celebration of reading, will be conducted on March 1, 2013, the day before what would have been the 109th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, *Read Across America-NJ* is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in the education of our community’s students.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of Hightstown Borough calls on the citizens of Hightstown to assure that every child is in a safe place reading together with a caring adult on March 1, 2013; and

BE IT FURTHER RESOLVED that this body enthusiastically endorses NEA’S Read Across America and Read Across America-NJ and recommits our community to engage in programs and activities to make America’s children the best

readers in the world.

Resolution 2013-41 Supporting Sustainable State Funding for Preservation and Stewardship of Open Space, Parks, Farmland and Historic Sites in New Jersey

Council President Quattrone moved Resolution 2013-41, Councilmember Bibens seconded.

Councilmember Thibault stated that this is sustainable funding and a dedication of a tax; if you vote for this, you are voting for the tax.

Roll Call Vote: Council members Bibens, Bluth, Doran, and Quattrone, voted yes; Council members Thibault and Woods voted no.

Resolutions adopted 4-2.

Resolution 2013-41

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

SUPPORTING SUSTAINABLE STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, PARKS, FARMLAND AND HISTORIC SITES IN NEW JERSEY

WHEREAS, New Jersey has a long and successful history of preserving open space, parks, farmland, and historic sites ; and

WHEREAS, the Green Acres Program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years; the State Agricultural Development Committee has preserved 200,000 acres of farmland over the past 30 years; and the Historic Trust has preserved 477 historic sites over the past 45 years; and

WHEREAS, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 will be fully allocated by the end of 2012; and

WHEREAS, Hightstown Borough has been a direct beneficiary of, and partner to, these critical state preservation programs; and

WHEREAS, substantial unmet needs remain for additional land and water protection, park development, and farmland and historic preservation, for the health and welfare of our communities and residents; and

WHEREAS, it is imperative that a long-term, dedicated source of funding be established in order to:

- Sustain open space, farmland, and historic preservation programs beyond the 2009 Board action
- Improve and ensure proper stewardship of parks, preserved lands, and historic sites
- Provide equitable access to quality parks and recreation in urban, suburban, and rural areas
- Match and leverage local, county, and private funds for these purposes
- Protect drinking water supplies, water quality, and alleviate costly flood damages
- Preserve fish and wildlife habitat and provide public access for hunting and fishing
- Revitalize cities and towns
- Protect our quality of life and economic prosperity.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of Hightstown Borough supports establishment of a long-term dedicated source of state funding for these purposes.

Resolution 2013-42 Authorizing an Auction License – United Methodist Church

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Councilmember Bibens moved Resolution 2013-42, Council President Quattrone seconded.

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

Resolutions adopted 6-0.

Resolution 2013-42

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

**AUTHORIZING THE ISSUANCE OF AUCTION LICENSES – FIRST UNITED METHODIST
CHURCH OF HIGHTSTOWN**

WHEREAS, applications for licenses to hold auctions on Saturday, April 6, 2013 at 140 North Main Street in the Borough of Hightstown have been submitted by the First Methodist Church of Hightstown, together with the required fees; and

WHEREAS, the applications have been reviewed and approved by the Police Director; and

WHEREAS, it is the desire of the Mayor and Council that licenses be issued to the First Methodist Church of Hightstown for these events.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue licenses to the First Methodist Church of Hightstown for their auctions to be held on Saturday, April 6, 2013 at 140 North Main Street.

Resolution 2013-43 Making and Confirming Appointments for the Board of Health

Councilmember Thibault moved Resolution 2013-43, Council President Quattrone seconded.

Mayor Kirson explained that these appointments will fill vacancies on the Board of Health; he then thanked the volunteers of the Borough and noted that they are appreciated.

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

Resolutions adopted 6-0.

Resolution 2013-43

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

MAKING AND CONFIRMING APPOINTMENTS FOR BOARD OF HEALTH

BE IT RESOLVED that the following appointments are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

**Jean Ray
Elizabeth Morley**

**Unexpired 3 yrs.
2 yrs.**

**December 31, 2014
December 31, 2014**

Resolution 2013-44 Authorizing the Execution of a Settlement Agreement and General Release with Glen Runge

Council President Quattrone moved Resolution 2013-44, Councilmember Doran seconded.

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

Resolutions adopted 5-0, with one abstention.

Resolution 2013-44

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

**RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND
GENERAL RELEASE WITH GLEN RUNGE**

WHEREAS, the Borough of Hightstown (the “Borough”) and Glen Runge have reached an amicable agreement concerning Sgt. Runge’s separation from employment with the Borough; and

WHEREAS, the terms and conditions associated with said undertaking are set forth in the attached Settlement Agreement and General Release.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

1. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, the attached Settlement Agreement and General Release with Glen Runge, on behalf of the Borough.
2. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Eric M. Bernstein, Esq., Borough Labor Counsel;
 - b. Frederick C. Raffetto, Esq., Borough Attorney;
 - c. James K. LeTellier, Borough Police Director; and
 - d. Michael Theokas, Borough Administrator.

Code Enforcement Update

Police Director LeTellier reviewed the monthly report as distributed to Council. He noted that there is positive feedback from business owners regarding officer presence when they close and that officers are being proactive.

Code of Conduct Resolution

Councilmember Woods noted that the basis of this resolution is to acknowledge respect between Council members and the Council and public; cell phone texting during a meeting is of concern, Council members should excuse themselves from the dais for any conversations they must have.

Councilmember Thibault commented regarding verbiage suggesting the use of disrupts rather than disturbs, he uses his phone for the calculator feature during meetings, and does not like the time limit for public comment.

The Borough Attorney addressed Council citing the Open Public Meetings Act and noted that the Mayor already has the power to remove someone from the meeting for being disruptive.

Police Director LeTellier gave an explanation of how and when law enforcement would step in to remove a disruptive individual at the request of the person presiding over the meeting.

Councilmember Bibens suggested that the first public comment period be set for agenda items and the second could be open comment.

There was further discussion regarding public comment periods and texting on cell phones. The Borough Attorney was directed to revise the resolution in accordance with Council's discussion and bring the revised resolution back to Council at the next meeting.

Wind Turbine Ordinance

Council reviewed and discussed the proposed wind turbine ordinance. There was concern regarding set-backs from neighboring properties, noise from the turbine, and possible television reception interruption. Council requested that a Planning Board member attend the next Council meeting to address their concerns.

Clothing Bin Ordinance

Councilmember Doran stated that the Planning Board worked on this ordinance for a considerable amount of time when she was the Liaison, and set limits on the location and number of bins in the Borough. There was discussion and the Council had concerns with the number of bins permitted and the locations in which they were going to be placed. Council again requested that a Planning Board member attend the next Council meeting to address their concerns on this ordinance as well.

Councilmember Doran moved that the agenda be amended to discuss J P Gibbons offer of hiring a professional to assist the Borough with insurance negotiations, Councilmember Bibens seconded. All Ayes, amendment approved.

Discussion then ensued regarding the process to hire and requirements for use of a professional to evaluate the Borough's insurance claim. Mr. Raffetto, Borough Attorney, then addressed Council and noted that a professional hired by a resident can review documentation and make a report to Council, however cannot negotiate with the insurance company as an agent of the Borough. Employees of the Borough can be instructed to provide the necessary documentation and information for the review, but the professional cannot represent the Borough unless hired by the Borough. Council can review the report as submitted, and can then appoint a professional to represent the Borough if they so chose.

Council directed the staff of the Borough to provide the required information to the professional to be hired by Mr. Gibbons.

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

Scott Caster, 12 Clover Lane – thanked the Mayor and Councilmember Woods for bringing forward the information on debt service. He then commented that newspaper reporters are not present; the discussion regarding water, sewer and street maintenance deters East Windsor from wanting to consolidate with Hightstown; Peddie School does not pay taxes; he has approached the Board of Health regarding the pigeon situation downtown; the First Aid needs outside lighting and sidewalk repair; and the code of conduct resolution. He then thanked the police for enforcing the bicycle ordinance but noted signs should be posted and that the location of taxi stands should be reconsidered.

Eugene Sarafin, 628 S. Main Street – commented that he prefers that the insurance adjuster be hired by the Borough, he has a problem with people paying for things for the Borough; Council does not understand respect if the first public comment period is for agenda items only; the Borough needs an infrastructure maintenance schedule and must bond the funds needed.

J P Gibbons, 602 N. Main Street – applauded the Mayor and Council on the re-assessment, but noted that it needs to be explained to the public; commented on the Obama health care plan; if downtown needs assistance, where is GHWP, businesses should pay for what is needed downtown.

Scott Caster, 12 Clover Lane – noted that it would not work for businesses to pay.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Bibens – noted that Harvest Fair committee meetings start this week.

Councilmember Woods – commented that she attended the Water/Sewer Department meeting and the sludge press is running, the water plant has a new roof, an ordinance regarding billing is forthcoming, and they are going to enforce water fire service line fees.

Councilmember Bibens – commented that she was unable to attend the Parks and Recreation reorganization meeting, but she did attend the Fire Department meeting and dinner which was a nice affair; this is going to be a busy year; recommended that the turnpike notice be placed on the website. The Borough Clerk advised that it has already been put on the website and copies are available at the meeting this evening.

Councilmember Thibault – commented that budget meetings are forthcoming; salaries and benefits are a big part of the budget and the budget is tight.

Councilmember Doran – commented that she attended the Sustainable Jersey awards and the Environmental Commission was recognized; maybe the first public comment period should be for items for which the Council has control, and the second for anything; the Environmental Commission had a receptacle for fluorescent bulbs at Borough Hall, but it has disappeared, we need to provide this service. She then thanked Mr. Gibbons for his offer.

Council President Quattrone – noted that he thinks Dawson Bloom should be seated at the professionals table; the Public Works salting and sanding procedure is being reviewed; the new police officers are out writing tickets; the Memorial Day Parade committee will meet tomorrow; he agrees with maintaining the Borough infrastructure; bikes on the sidewalks is also an issue in New York; the First Aid is in need of volunteers; he will address the ice on the sidewalk of the First Aid building issue.

Mayor Kirson –congratulated the Police Director on celebrating his one year anniversary with the Borough today.

Administrator Theokas – advised that budget meetings are scheduled for February 13th and 25th beginning 6:30pm at the Ely House.

Councilmember Bibens moved to adjourn at 10:49 pm, Council President Quattrone, seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk