

**Meeting Minutes
Hightstown Borough Council
Regular Meeting
June 3, 2013
6:30 pm**

The meeting was called to order by Mayor Kirson at 6:34 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; and Frederick Raffetto, Borough Attorney.

Resolution 2013-127 Authorizing a Meeting Which Excludes the Public

Councilmember Woods requested that Public Safety be added to resolution 2013-127.

Council President Quattrone moved resolution 2013-127 as amended, Councilmember Bibens seconded.

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

Resolution adopted, 6-0

Resolution 2013-127
*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 June 3, 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:

Litigation – Enchantment @ Hightstown

Contract Negotiations – Insurance & Shared Services

Public Safety

June 3, 2013

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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: September 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 7:38 pm and he again read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call. George Lang, CFO and James LeTellier Police Director joined the meeting at this time.

Mayor Kirson noted that Senator Lautenberg, the last Senator to serve our country in World War II, passed away this morning.

Council President Quattrone requested that resolution 2013-134, a resolution authorizing Attorney action with the insurance company, be added to the agenda.

Councilmember Bibens requested that resolution 2013-135, a resolution limiting each public comment to three minutes during each public comment period, be added to the agenda prior to the public comment period.

Councilmember Doran requested that a Notice of Tort Claim, and the Borough Administrator be added to the agenda under discussion. It was requested that the Borough Administrator discussion include the process for hiring, placing an ad and a sub-committee to review the applications.

Councilmember Woods requested that obtaining information from the Planning Board be added to discussion; the Borough Attorney responded that this discussion should be held in executive session.

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.

Resolution 2013-128 Amending the 2013 Budget

Councilmember Bibens moved resolution 2013-128, Council President Quattrone seconded.

Mayor Kirson gave an explanation of the budget amendment.

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

Resolution adopted 6-0.

Resolution 2013-128

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AMENDING THE 2013 BUDGET

WHEREAS, the local municipal budget for the year 2013 was approved on the 1st day of April 2013; and amended on May 6, 2013; and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved and amended budget, now

THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Hightstown, County of Mercer, that the following amendments to the approved budget of 2013 be made:

Recorded Vote	<i>Ayes</i>	(Bibens	<i>Nays</i>	(<i>Abstained</i>	(
		(Bluth		(
		(Doran		(
		(Quattrone		(
		(Thibault		(
		(Woods		(

From

To

CURRENT FUND - ANTICIPATED REVENUES

GENERAL REVENUES

3. Miscellaneous Revenues:

**Section F: Special Items of General Revenue Anticipated with
Prior Written Consent of Director of Local Government Services
- Public and Private Revenues Offset with Appropriations:**

Clean Communities Program	\$	-	\$	8,685.49
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**Total Section F: Special Items of General Revenue
Anticipated with Prior Written Consent of Director of Local**

Government Services - Public and Private Revenues	\$	-	\$	8,685.49
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From

To

GENERAL REVENUES (Continued)

Summary of Revenues

3. Miscellaneous Revenues:

**Total Section F: Special Items of General Revenue Anticipated
With Prior Written Consent of Director of Local Government**

Services - Public and Private Revenues	\$	-	\$	8,685.49
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Total Miscellaneous Revenues	\$1,394,653.00	\$ 1,403,338.49
4. Receipts from Delinquent Taxes	\$275,000.00	\$ 285,000.00
5. Subtotal General Revenues (Items 1, 2, 3, and 4)	\$2,149,653.00	\$ 2,168,338.49
7. Total General Revenues	\$6,566,227.00	\$ 6,584,912.49

CURRENT FUND APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations - Within "CAPS"

GENERAL GOVERNMENT

General Administration

Salaries and Wages	\$35,750.00	\$ 70,750.00
Police Department		

Salaries and Wages	\$1,291,685.00	1,271,685.00
Police and Fire Communications		

Salaries and Wages	\$162,028.00	163,788.00
Uniform Fire Safety Act		

Salaries and Wages	\$21,000.00	18,000.00
Landfill Disposal Costs		

Other Expenses	\$205,000.00	200,000.00
State Uniform Construction Code		

Salaries and Wages	\$106,160.00	109,160.00
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Total Operations (Items 8(A)) Within "CAPS"	\$4,657,563.00	\$ 4,669,323.00
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Total Operations Including Contingent - Within "CAPS"	\$4,657,563.00	\$ 4,669,323.00
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Detail:

Salaries and Wages	\$2,489,645.00	\$ 2,506,405.00
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Other Expenses (Including Contingent)	\$2,167,918.00	\$ 2,162,918.00
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(H-1)	Total General Appropriations for Municipal Purposes		
	Within "CAPS"	\$5,202,726.00	\$ 5,214,486.00
		<u>From</u>	<u>To</u>
(A)	Operations - Excluded from "CAPS"		
	Shared Service Agreements		
	Implementation of 911		
	Salaries and Wages	\$64,171.00	\$ 62,411.00
	Total Shared Service Agreements	\$274,421.00	\$ 272,661.00
	Public and Private Programs Offset by Revenues:		
	Clean Communities Program	\$ -	\$ 8,685.49
		-	
	Total Public and Private Programs Offset by Revenues	\$ -	\$ 8,685.49
	Total Operations - Excluded from "CAPS"	\$338,039.00	\$ 344,964.49
	Detail:		
	Salaries and Wages	\$90,510.00	\$ 88,750.00
	Other Expenses	\$247,529.00	\$ 256,214.49
(H-2)	Total General Appropriations for Municipal Purposes		
	Excluded From "CAPS"	\$933,501.00	\$ 940,426.49
(O)	Total General Appropriations - Excluded from "CAPS"	\$933,501.00	\$ 940,426.49
(L)	Subtotal General Appropriations (Items (h-1) and (O))	\$6,136,227.00	\$ 6,154,912.49
9.	Total General Appropriations	\$6,566,227.00	\$ 6,584,912.49

SUMMARY OF APPROPRIATIONS

(H-1)	Total General Appropriations for Municipal Purposes Within "CAPS"	\$5,202,726.00	5,214,486.00
(A)	Operations - Excluded From "CAPS"		
	Shared Service Agreements	\$274,421.00	\$ 272,661.00

Public and Private Programs Offset by Revenues	\$	-	\$	8,685.49
Total Operations - Excluded From "CAPS"	\$338,039.00		\$	344,964.49
Total General Appropriations	\$6,566,227.00		\$	6,584,912.49

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in Trenton Times in the issue of June 12, 2013 and that said publication contain notice of public hearing on said amendment to be held at the First Aid Building, 168 Bank Street, Hightstown, NJ on June 17, 2013, at 7:30 o'clock P.M.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 3rd day of June, 2013.

SO RESOLVED, as aforesaid.

Temporary Administrative Offices

Council President Quattrone noted that nothing can be done for the Administrative Offices until the budget is adopted; and Attorney bills are increasing and Council must be careful with these costs.

George Lang, CFO, noted that the budget can be adopted at the next meeting and the purpose of an emergency appropriation.

Notice of Tort Claim

The Borough Attorney reviewed a notice of tort filed against the Borough, Police Director and Councilmember Thibault by Mayor Kirson, noting that the Clerk has forwarded the information to the JIF. Police Director LeTellier formally requested legal counsel to which the Borough Attorney advised that the claim will be reviewed by the JIF and they will respond as to whether there is coverage and legal counsel will be appointed.

Councilmember Doran advised that the Mayor has filed a tort claim and reviewed the information contained therein; and noted that she feels that a conflict of interest exists for the Mayor to participate in any Borough business. The Borough Attorney responded that he is not in a position to find a conflict but will investigate the matter and report back to Council.

Borough Administrator

Mayor Kirson noted that the ad for an Administrator has been placed on the League website.

Councilmember Doran questioned the process for hiring an Administrator and why the Council was not consulted before an ad was placed. Mayor Kirson advised that the advertisement was given to Council two weeks ago, there were no comments so the ad was placed. It was noted that Councilmember Doran had suggestions for the ad that were not addressed.

The Borough Attorney advised that pursuant to Borough code, the Mayor nominates a candidate within 30 days, and an Administrator is hired with the advise and consent of Council. He noted that past practice has been for resumes to be solicited and then reviewed by a sub-committee of Council.

It was decided that Council members Doran and Bluth would review the resumes and come back to Council with the final three candidates, who would then be interviewed by the entire Council.

Ordinance 2013-11 Adoption and Public Hearing - An Ordinance Amending and Supplementing Section 19-2, Sub-Section 19-2-4, Entitled "Sewer Charges", of Chapter 19, "Water and Sewer" of the "Revised General Ordinances of the Borough of Hightstown, New Jersey"

Mayor Kirson opened the public hearing on ordinance 2013-11 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – inquired as to whether the revenues derived from septic intake was credited to the utility budget and whether a study has been performed to establish if the benefits outweigh the cost.

He was advised by George Lang, CFO, that the funds were allocated toward the utility budget.

Mr. Sarafin noted that he supports the ordinance.

Councilmember Woods moved ordinance 2013-11 for adoption, Councilmember Bluth seconded.

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

Resolution adopted 6-0.

Ordinance 2013-11

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

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 19-2, SUB-SECTION 19-2-3, ENTITLED "SEWER CHARGES," OF CHAPTER 19, "WATER AND SEWER," OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY"

WHEREAS, the Hightstown Advanced Wastewater Treatment Plant Superintendent, has recommended changes and additions to the rates charged for the processing of gray water, septic and grease and/or fats ; and

WHEREAS, the Hightstown Borough Council has agreed with the Hightstown Advanced Wastewater Treatment Plant Superintendent recommendations, and wishes to amend and supplement the "Revised General Ordinances of the Borough of Hightstown, New Jersey" accordingly.

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

Section 1. Section 19-2, Subsection 19-2-3, entitled "Sewer Charges," of Chapter 19, "Water and Sewer" of the "Revised General Ordinances of the Borough of Hightstown, New Jersey" is hereby amended and supplemented in order to establish the following new provisions:

Subsection 19-2-3 Sewer Charges.

The following charges and rents shall be charged for use of the sewer system. For premises connected with the water mains of the public water and sewer system owned by the Borough, a sum shall be charged in accordance with the following rates and be computed from the amount and use of water taken from the water mains during the most recently billed quarter of the calendar year as evidenced by the reading of the water meter for the premises. Sewer charges shall be based upon the following:

- | | |
|--|------------------|
| a. Quarterly base charge for sewage connections (per connection unit)
whether or not any water is used during the quarter | \$60.00 per unit |
| b. Sewage usage charge per each 100 cubic feet of metered water usage
(all account types) | \$3.85 |

c. For processing of grey water delivered via tank truck by commercial entities:

- | | |
|---|--|
| (1) For the first 1,500,000 gallons delivered by a commercial entity within a calendar year | \$ 30 <u>3</u> .00 per
1,000 gallons |
| (2) For volume in excess of 1,500,000 gallons delivered by a commercial entity within a calendar year | \$26.00 per
1,000 gallons |
| (3) The contents of each tanker will be tested so as to determine the pH level of the material. | |
| For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed | \$ 5.00 per
1,000 gallons |
| For material with a measured pH found to be below 5.0, an additional surcharge will be assessed | \$10.00 per
1,000 gallons |

d. For processing of septic tank waste delivered via tank truck by commercial entities:

- | | |
|---|---|
| (1) Septic containing less than 3% total solids: | |
| (1.1) For the first 1,500,000 gallons delivered by a commercial entity within a calendar year | \$ 48 <u>5</u> <u>3</u> .00 per
1,000 gallons |
| (1.2) For volume in excess of 1,500,000 gallons delivered by a commercial entity within a calendar year | \$45.00 per
1,000 gallons |
| (1.3) The contents of each tanker will be tested so as to determine the pH level of the material. | |
| For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed | \$ 5.00 per
1,000 gallons |
| For material with a measured pH found to be below 5.0, an additional surcharge will be assessed | \$10.00 per
1,000 gallons |
| (2) Septic containing greater than 3% total solids but less than 4% total solids: | |
| (2.1) Per 1,000 gallons | \$ 58 <u>6</u> <u>3</u> .00 |
| (2.2) The contents of each tanker will be tested so as to determine the pH level of the material. | |
| For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed | \$ 5.00 per
1,000 gallons |

For material with a measured pH found to be below 5.0, an additional surcharge will be assessed	\$10.00 per 1,000 gallons
(3) Septic containing greater than 4% total solids but less than 5% total solids:	
(3.1) Per 1,000 gallons	\$68 73.00
(3.2) The contents of each tanker will be tested so as to determine the pH level of the material.	
For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed	\$ 5.00 per 1,000 gallons
For material with a measured pH found to be below 5.0, an additional surcharge will be assessed	\$10.00 per 1,000 gallons
(4) Septic containing greater than 5% total solids:	
(4.1) Per 1,000 gallons	\$78 83.00
(4.2) The contents of each tanker will be tested so as to determine the pH level of the material.	
For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed	\$ 5.00 per 1,000 gallons
For material with a measured pH found to be below 5.0, an additional surcharge will be assessed	\$10.00 per 1,000 gallons
(5) Septic (Jugglers): Per 1,000 gallons or any portion thereof	\$78 83.00
(5.2) The contents of each tanker will be tested so as to determine the pH level of the material.	
For material with a measured pH found to be between 5.0 and 5.5, an additional surcharge will be assessed	\$ 5.00 per 1,000 gallons
For material with a measured pH found to be below 5.0, an additional surcharge will be assessed	\$10.00 per 1,000 gallons
(6) Car Wash: Per 1,000 gallons or any portion thereof	\$58 63.00
(6.1) The contents of each tanker will be tested so as to determine the pH level of the material.	

For material with a measured pH
found to be between 5.0 and 5.5, an additional surcharge will be
assessed \$ 5.00 per
1,000 gallons

For material with a measured pH
found to be below 5.0, an additional surcharge
will be assessed \$10.00 per
1,000 gallons

e. Septic from Recreational Vehicles (RV): Per 1,000 gallons or any portion thereof \$10.00

f. For processing of fats and grease derived solely from animal,
and/or vegetable sources delivered via tank truck by
commercial entities, BY APPOINTMENT ONLY: \$105 per
1,000 gallons

g. No petroleum oil or grease from mineral sources will be accepted at the Advanced Wastewater Treatment Plant.

h. The term "calendar year" as used in this Section shall be the period between January 1 and December 31.

Section 2. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. 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.

Section 4. This Ordinance shall take effect following final passage and publication in accordance with the law.

Resolution 2013-135 Establishing a Three-Minute Limit per Individual During Public Comment Period(s) at Borough Council Meetings

Councilmember Bibens moved resolution 2013-135, Councilmember Woods seconded.

During discussion, Council members Doran, Woods and Thibault voiced their opposition to this resolution and a time limit on the public comment period.

Roll Call Vote: Council members, Bibens, Bluth, and Quattrone voted yes; Council members Doran, Thibault, and Woods voted no. Mayor Kirson broke the tie vote with a yes.

Resolution adopted 4-3.

Resolution 2013-135

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

ESTABLISHING A THREE-MINUTE TIME LIMIT PER INDIVIDUAL DURING PUBLIC COMMENT PERIOD(S) AT BOROUGH COUNCIL MEETINGS

WHEREAS, the Borough Council of the Borough of Hightstown embraces the Constitutions of the United States and of the State of New Jersey, and all of the rights, duties, and privileges entailed therein; and

WHEREAS, the Hightstown Borough Council seeks to ensure that the residents of Hightstown will be accorded all of the rights

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and privileges to which they are entitled under those Constitutions, specifically the freedom of speech and of expression; and

WHEREAS, the Hightstown Borough Council recognizes that the United States is founded on the right of the individual to have and to give individual voice to opinions, whether popularly-held or not, and on the right of every individual to freedom of expression, and freedom to petition the Government; and

WHEREAS, the Hightstown Borough Council recognizes that establishing procedural rules for the public comment period(s) of Borough Council meetings would enhance the protections of our residents and all who attend our Council meetings to voice their opinions at such meetings, and to be reassured that their views are, and will continue to be, heard and considered by their elected representatives; and

WHEREAS, the Hightstown Borough Council welcomes comment from the public at Borough Council meetings, and seeks to encourage participation of the public in the segment(s) of Borough Council meetings dedicated to public comment; and

WHEREAS, the members of the Hightstown Borough Council recognize that this is their duty as elected representatives serving the public to hear the individual voices of their constituents, and of all our residents, and to consider those voices in formulating public policy and making such decisions as the elected members of the Borough Council may be required by their office.

NOW, THEREFORE, BE IT RESOLVED that the Hightstown Borough Council establishes a time limit for public comment to three minutes per individual for the public comment period(s) of Borough Council meetings.

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

Walter Sikorski, 326 N. Main Street – commented regarding the quality of life on North Main Street, procedures and transparency, past Administrator hiring procedures, and objected to summer hours for the administrative staff.

Eugene Sarafin, 628 S. Main Street – commented that the Council members are not a friendly lot of people, they are nasty.

Frank Rivera, 110 Broad Street – noted that he is disappointed in the three-minute rule and commented on Frank Lautenberg as an example of civil discourse.

Scott Caster, 12 Clover Lane – commented that name plates should be used for Council; agreed with Frank Rivera regarding Frank Lautenberg; commented on the three-minute rule; suggested that a committee be established to investigate a merger with East Windsor; commented that Council does not listen to the advice of the public; suggested that Council shoot for the moon in their search for an Administrator.

Bill Gilmore, 219 Greeley Street – commented that nobody comes to Council meetings because Council does not listen to the public and the meetings are an embarrassment to the community; noted the value of the previous Administrator; commented that he understands the stance of the Mayor regarding his tort claim.

Councilmember Woods commented that if the public has real concerns regarding their comments and whether Council is listening, they should stay for Council comments when responses to their concerns are made.

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

Resolution 2013-129 Payment of Bills

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

Councilmember Bibens moved Resolution 2013-129 without item #E0576, Councilmember Thibault seconded.

There was discussion.

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

Councilmember Bibens moved item #E0576, Councilmember Doran seconded.

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

Resolution adopted, 5-0 with one abstention.

Resolution 2013-129

*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, the appropriate Department Head and the Treasurer in the amount of \$179,425.00 from the following accounts:

Current		\$75,102.75
W/S Operating		86,180.75
General Capital		0.00
Water/Sewer Capital		9,873.25
Grant		0.00
Trust		5,690.50
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>2,577.75</u>
Total		<u>\$179,425.00</u>

Resolution 2013-134 Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2013 Budget

Council President Quattrone moved Resolution 2013-134, Councilmember Thibault seconded.

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

June 3, 2013

Resolution adopted 6-0.

Resolution 2013-134

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2013 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2013 temporary budget; and

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

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

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2013 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	90,000.00	1,228,405.00	1,318,405.00
Capital Outlay – Current	0.00	25,000.00	25,000.00
Debt Service - Current	0.00	19,000.00	19,000.00
Water/Sewer	70,000.00	667,500.00	737,500.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	160,000.00	1,939,905.00	2,099,905.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof.
2. Each emergency appropriation listed will be provided for in the 2013 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Treasurer.

Resolution 2013-130 Authorizing Renewal of Alcohol Beverage License #1104-44-002-010 – Family Wine & Liquors LLC (t/a Hightstown Liquors)

Councilmember Thibault moved Resolution 2013-130, Council President Quattrone seconded.

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

Resolution adopted 6-0.

Resolution 2013-130

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

June 3, 2013

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-44-002-010 –
FAMILY WINES AND LIQUORS, INC. (T/A HIGHTSTOWN LIQUORS)**

WHEREAS, Family Wines and Liquors, Inc. has made application to the Borough for renewal of their Plenary Retail Distribution License #1104-44-002-010, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Family Wines and Liquors, LLC, is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to renewal of said license; and

WHEREAS, the Police Director has been consulted and has no objections to renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Family Wines and Liquors, Inc. doing business as Hightstown Liquor at 107 Stockton Street:

2013-2014 Plenary Retail Distribution License
License #1104-44-002-010
Fee: \$2,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

Resolution 2013-131 Authorizing Renewal of Alcohol Beverage License #1104-32-001-006 – Wine Depot Corporation (t/a Hedy's Liquors and Joe Canal's Discount Liquor Outlet)

Councilmember Bibens moved Resolution 2013-131, Council President Quattrone seconded.

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

Resolution adopted 6-0.

Resolution 2013-131
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-32-001-006 –
WINE DEPOT CORPORATION, T/A HEDY'S LIQUORS AND JOE CANAL'S DISCOUNT
LIQUOR OUTLET**

WHEREAS, Wine Depot Corporation has made application to the Borough for renewal of their Plenary Retail Consumption License with Broad Package Privilege License #1104-32-001-006, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Wine Depot Corporation is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

WHEREAS, the Police Director has been consulted and has no objections to renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Wine Depot Corporation, doing business as Hedy's Liquors and Joe Canal's Discount Liquor Outlet at 500 Mercer Street:

June 3, 2013

- 14 -

2013-14 Plenary Retail Consumption License with Broad Package Privilege
License #1104-32-001-006
Fee: \$2,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

Resolution 2013-132 Authorizing Summer Hours

Councilmember Bluth moved Resolution 2013-132, Councilmember Bibens seconded.

After discussion Councilmember Doran moved to table resolution 2013-132 until a new Administrator is hired, Councilmember Woods seconded.

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

Motion to table Resolution is defeated 4-2.

Mayor Kirson called for a roll call vote on resolution 2013-132.

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

Resolution adopted 4-2.

Resolution 2013-132
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

ESTABLISHING SUMMER HOURS FOR BOROUGH HALL EMPLOYEES

WHEREAS, resolution 2013-23 adopted on January 7, 2013 established the schedule of Holiday and Borough business hours for the year 2013; and

WHEREAS, it is the desire of the employees of Borough Hall to revert to a summer schedule as has been done in past years; and

WHEREAS, the Mayor and Borough Council wishes to accommodate the residents of the Borough with longer hours during the summer months.

BE IT RESOLVED by the Mayor and Council of Hightstown Borough that the official summer business hours for Borough offices will be as set forth below:

1. During the period running from June 27, 2013 thru September 5, 2013, offices at Borough Hall will be open according to the following schedule:

Monday, Tuesday and Wednesday8:00 a.m. to 5:30 p.m.
Thursday8:00 a.m. to 4:30 p.m.
FridayClosed

2. The affected Borough office Employees shall be entitled to a half-hour lunch hour during the period that this summer schedule is in effect.
3. This arrangement shall not impact essential personnel including police officers, dispatchers, public works employees, water plant employees and sewer plant employees.

Resolution 2013-133 Appointing a Member to Fill a Vacancy on the Housing Authority Commission – Yolanda Swiney

Councilmember Bluth moved Resolution 2013-133, Councilmember Bibens seconded.

There was discussion.

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

Resolution adopted 6-0.

Resolution 2013-133

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

APPOINTING A MEMBER TO FILL A VACANCY ON THE HOUSING AUTHORITY

WHEREAS, there is a need to fill a vacancy for a Commissioner on the Housing Authority; and

WHEREAS, the term for this position is ending December 31, 2015; and

WHEREAS, Yolanda Swiney has volunteered to fill the position of Commissioner on the Housing Authority for the term ending December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Ms. Yolanda Swiney is hereby appointed to the Housing Authority of Hightstown Borough as Commissioner for the term ending December 31, 2015.

Councilmember Bibens left the meeting at this time.

Resolution 2013-136 Authorizing the Borough Attorney to Undertake all Necessary Actions to Resolve Insurance Coverage Disputes Related to the Former Borough Hall Site

Council President Quattrone moved Resolution 2013-136, Councilmember Woods seconded.

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

Resolution adopted 5-0.

Resolution 2013-136

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

**A RESOLUTION AUTHORIZING THE BOROUGH ATTORNEY TO UNDERTAKE ALL NECESSARY
ACTIONS TO RESOLVE INSURANCE COVERAGE DISPUTES RELATED TO THE FORMER BOROUGH
HALL SITE.**

WHEREAS, the municipal offices of the Borough of Hightstown (the “Borough”), including the Borough’s Municipal Court, had been situated for many years at certain Borough-owned real property located at 148 North Main Street, and designated as Block 30, Lots 10, 11 and 12 on the Hightstown Borough Tax Map (collectively, the “property”); and

WHEREAS, the property suffered a significant amount of flooding and damage as a result of Hurricane Irene (the “Hurricane”), which occurred in August 2011 and caused the former Borough Hall building, as well as all adjacent and accessory structures located on the property, to become uninhabitable and otherwise unable to be occupied; and

WHEREAS, since the Hurricane, the Borough has been forced to temporarily relocate all of its offices, including the Police Department, the Municipal Court, the Department of Public Works and the Borough’s administrative offices, from the property to other locations; and

WHEREAS, from August 2011 to the present, the Borough has had dealings with its insurance carriers and the Federal Emergency Management Agency concerning the potential restoration of the property and/or the payment of compensation to the Borough for losses sustained as a result of the Hurricane; and

WHEREAS, the Borough has become dissatisfied with and disputes the responses of its insurance carriers concerning their interpretation of the applicable insurance policies and their efforts to provide timely compensation to the Borough for losses sustained as a result of the Hurricane; and

WHEREAS, as a result, the Borough wishes to authorize and direct the Borough Attorney to pursue all appropriate actions on behalf of the Borough, including litigation, if necessary, in order to ensure that the Borough is adequately protected and compensated for losses sustained to the property as a result of the Hurricane.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that the Borough hereby authorizes and directs the Borough Attorney to pursue all actions appropriate and necessary, on behalf of the Borough, including but not limited to the institution of litigation against the applicable insurance carriers, in order to ensure that the interests of the Borough are adequately protected and the Borough is compensated for losses sustained to the property as a result of the Hurricane.

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

Walter Sikorski, 326 N. Main Street - commented that the amendments of the agenda give a negative impression.

Eugene Sarafin, 628 S. Main Street – noted that he would like to read something positive about Hightstown in the media; commented that staff should be rotated for summer hours and that Council and the public should work together to solve Hightstown’s problems.

Scott Caster, 12 Clover Lane – commented that he would like to see new faces at the meetings and suggested that invites be printed on the water bills, and that the ads being run by the state on Sandy recovery reinforces that victims do re-build in a flood zone.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Woods – explained the difference between leadership and management; commented that the Borough Hall decision contains a vision and that she is also tired of reading negative things in the media about Hightstown; expressed congratulations to Dan Buriak for his receipt of a resolution for his work on the memorial; noted that the three minute rule resolution was a split vote; she distributed a copy of the water and sewer monthly report.

Councilmember Doran – commented that the public comments were civil, Council does listen to the public, and that the three minute rule should not be selectively enforced; noted that if Council is an embarrassment, the public should look in the mirror.

Councilmember Thibault – requested reports regarding code enforcement and reviewed the enforcement performed by Class I Officers; noted his goal is taxes; Hightstown needs to improve its image, there are a lot of issues besides Borough Hall.

Councilmember Bluth – reminded everyone to vote tomorrow.

Council President Quattrone – thanked everyone for their assistance with making the Memorial Day Parade a success; reminded Council that the Financial Disclosure forms are due tomorrow; noted that Public Works is working hard; thanked the Police Director for the monthly police report; reminded everyone that the budget should be adopted at the next meeting and that the state is reducing aid to municipalities.

Police Director LeTellier – noted that the police are taking proactive measures and it is being reported in the media; encouraged the public to utilize the tip line on their website, the police do follow-up on tips.

Municipal Clerk Sopronyi – reminded everyone that the polls have moved and all voting will now take place at the firehouse.

Mayor Kirson – noted an article in the League of Municipalities magazine regarding the success of the Princeton merger, but this is a home rule state.

Councilmember Woods – noted that the article plays into the vision to make Hightstown the gem in the center of East Windsor.

Council President Quattrone moved to adjourn at 9:12 pm, Councilmember Bluth seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk