

**Meeting Minutes  
Hightstown Borough Council  
Regular Meeting  
May 5, 2014  
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 Bluth</i>	✓	
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Kurs</i>	✓	
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Thibault</i>		✓
<i>Mayor Kirson</i>	✓	

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

**Resolution 2014-96 Authorizing a Meeting Which Excludes the Public**

Mayor Kirson advised that the personnel matter regarding the Police Director has to be removed from resolution 2014-96; Police Director LeTellier has requested that the matter be discussed in public.

Councilmember Quattrone moved resolution 2014-96 as amended; Council President Bluth seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, and Quattrone voted yes.

Resolution adopted 5-0.

**Resolution 2014-96**

*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 May 5, 2014 at approximately 6:30pm 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:

Contract Negotiations – Tomco  
Shared Services  
Rug Mill Re-Development

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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: August 5, 2014 or when the need for confidentiality no longer exists. The public is excluded from said meeting, and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

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

The Flag Salute followed Roll Call. Councilmember Thibault and Carmela Roberts, Borough Engineer had joined the meeting during executive session and were now present; George Lang, CFO, and James LeTellier, Police Director, joined the meeting at this time. Dominic P. D. Yanni, Esq., of the Bernstein Associates firm was now present.

Mayor Kirson requested that Personnel - Police Director be added to the agenda after the first public comment period; he noted that this is being done because Police Director LeTellier has requested that the matter be discussed in public.

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

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Quattrone, and Thibault voted yes.

Agenda approved as amended 6-0.

Council President Bluth moved the April 7, 2014 executive session minutes for approval, Councilmember Misiura seconded.

Roll Call Vote: Council members Bluth, Hansen, Misiura, Quattrone, and Thibault voted yes; Councilmember Kurs abstained.

Agenda approved as amended 5-0, with one abstention.

Councilmember Quattrone moved the April 7, 2014 open session minutes for approval, Council President Bluth seconded.

Roll Call Vote: Council members Bluth, Hansen, Misiura, Quattrone, and Thibault voted yes; Councilmember Kurs abstained.

Agenda approved as amended 5-0, with one abstention.

### **Road Repair Discussion**

Mayor Kirson advised that the CFO is not present for this portion of the discussion due to a previous professional obligation; however he will be present during the funding discussion to be held later in the meeting. He then turned the discussion over to the Borough Engineer, Carmela Roberts.

Ms. Roberts noted that there are three projects she would like to discuss, two of which can be done together. She then explained that Morrison Avenue and Ward Street have been seriously deteriorated from this past winter, and she is coming to Council from a request from the Public Works Superintendent. She did an inspection of the roads and agrees with the Public Works recommendation that these roads need to be repaired as soon as possible. Ms. Roberts noted that the Borough must act now or the roads will get worse, and repairs will cost considerably more in the future. Ms. Roberts recommended that an overlay to Morrison Avenue will make the road last, and that Ward Street should be stabilized until the Borough can apply for DOT funding this year, for next. The estimated cost for these repairs is: \$65,000.00 for Morrison Avenue; \$45,000.00 for Ward Street; Engineering cost is \$14,000.00 for both roadways.

There was discussion regarding the condition of the roads, consequences of not repairing them at this time; and patching options.

The Borough Engineer then advised Council that the Park Avenue project, funded by DOT, has unearthed the very poor condition of water and sewer infrastructure in the area; the road should not be built over this failing infrastructure. The estimate cost for the infrastructure repair is \$317,000.00; and this cost is if doing the work while the roadway is being done. If the work is not done now, it will have to be done in the near future, costing more. These repairs can be done with funding already set in place.

There was discussion regarding essential work and prioritizing.

Carmela Roberts left the meeting at this time.

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

Phyllis Deal, 305 Stockton Street – Inquired about the status of the Greenway Walking Bridge.

Mayor Kirson advised that the Borough is in the process of applying for a grant toward the project.

Eugene Sarafin, 628 S. Main Street – welcomed Councilmember Kurs and noted that he has a good rapport with the Mayor of East Windsor; commented on his 49 year history in Hightstown; commented that taxes are higher in Hightstown than in East Windsor and recommended that Council members Kurs, Bluth and Misiura speak to Mayor Mironov about consolidation.

Walter Sikorski, 326 N. Main Street – commented that he found the process for choosing the person to fill the vacancy on Council disappointing; stated that he was being strong-armed into apologizing to Mayor Mironov for the way the negotiations for police services ended several years ago, and he was not appointed when he refused. He then reviewed the process taken during those negotiations.

John Connor, 9 Spruce Court – commented regarding cyber threats, and the CQ Program offered by Homeland Security. He then gave a hand-out to Council on the matter.

Scott Caster, 12 Clover Lane – acknowledged Mr. Sarafin's history in Hightstown and noted that there has been discussion regarding consolidation with East Windsor for those 49 years; recommended that an ad-hoc committee be appointed to address the matter and that the repairs needed to Morrison Avenue is an example of the cost of being a hole in the donut municipality. He also noted that the utilities are not needed and we should join East Windsor MUA.

Mayor Kirson noted that Hightstown had the opportunity to be a part of the East Windsor MUA, but there was no vision to the future, and the Borough is paying for it now.

Fran Palumbo, 101 Main Street – commented that the Walking Bridge is still not up and downtown looks like Harlem; after the rally this weekend, the words "Stop Deportation" was written in the entrance to the Main Street parking lot and nothing is being done about it, but if a Christmas tree was drawn there would be a problem; the Borough can't bring business to the businesses, if the businesses downtown are not the type people want to patronize.

George Lang, CFO arrived at this time.

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

#### **Personnel – Police Director**

Mayor Kirson recused himself from discussion on this matter.

Council President Bluth turned the discussion over to Mr. Underhill, Borough Administrator. Mr. Underhill confirmed that several staff members were mentioned in the investigative report, several of which have received disciplinary notices. There is one final employee who must be disciplined; it has to be determined whether he will be suspended or terminated. He noted that the final determination will most likely be found by a Hearing Officer.

Councilmember Hansen inquired as to if this is the final disciplinary step in the matter as previously discussed in executive session, to which Mr. Underhill confirmed.

Mr. Yanni noted that it is the Administrator's authority and responsibility to take these disciplinary actions, with the consult of Council; and he is advising Council of action that is being taken.

Mayor Kirson returned to the meeting at this time.

**Ordinance 2014-09 First Reading and Introduction - an Ordinance to Establish Salary Ranges for Certain Officers and Employees of the Borough of Hightstown**

Mayor Kirson noted that titles are being added.

Councilmember Thibault moved ordinance 2014-09 for introduction, Councilmember Quattrone seconded.

Fran Palumbo of 101 Main Street disrupted the meeting and inquired when the discussion regarding the Police Director will be held. Mayor Kirson explained that it had already taken place and that it was not a public discussion, but a discussion amongst Council. Mayor Kirson then continued with the business of the meeting calling for a roll call vote on the introduction of ordinance 2014-09.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Quattrone, and Thibault voted yes.

Ordinance introduced 6-0; Public Hearing to be held on May 19, 2014.

**Ordinance 2014-09**

*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:

	<b>RANGING FROM:</b>	<b>TO:</b>
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	\$57,000 .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 .00

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	<b>RANGING FROM:</b>	<b>TO:</b>
Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Deputy Registrar of Vital Statistics	\$1,000.00	\$4,600.00
Municipal Court Administrator	\$40,000.00	\$65,000.00
Deputy Municipal Court Administrator	\$28,000.00	\$41,000.00
Administrative Assistant/Secretary	\$22,000.00	\$47,000.00
Records Management and System Administrator and Administrative Assistant to the Police Director	\$32,000.00	\$53,000.00
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	\$8,000.00
Building Subcode Official	\$3,500.00	\$8,000.00
Superintendent of Public Works	\$50,000.00	\$90,000.00
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	\$84,000.00
Lab Manager – AWWTP	\$35,000.00	\$65,000.00
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
OEM Coordinator	\$2,000.00	\$ 5,000.00
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:

	<b>RANGING FROM:</b>	<b>TO:</b>
Part-time clerical	\$8.00	\$30.00

	<b>RANGING FROM:</b>	<b>TO:</b>
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
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
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

	<b>RANGING FROM:</b>	<b>TO:</b>
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
Code Enforcement Officer	\$15.00	\$25.00
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.** 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, 2014.

**Section 4.** 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 2014-10 First Reading and Introduction – An Ordinance Supplementing, Amending and Revising Chapter 2, “Administration” of the “Revised General Ordinances of the Borough of Hightstown” to establish a Cultural Arts Commission**

Council President Bluth moved ordinance 2014-10 for introduction, Councilmember Hansen seconded.

Councilmember Thibault noted his concern with the members being non-residents of the Borough and that the Board of Education and Peddie School has guaranteed seats.

Councilmember Misiura noted that he believes the membership should consist of Staff from the Board of Education and Peddie School; the best members of the community are needed and the borders of the community exceed Hightstown’s borders. Councilmember Misiura suggested that 3b be changed to read “the arts”.

There was discussion regarding non-residents as members. The Borough Attorney confirmed that the intention of the ordinance is for the commission to be strictly advisory.

Councilmember Thibault noted his concern regarding the funding of the Commission by residents, but the commission consisting of non-residents. He also commented that it is not a government or Council role to make decisions on what is good art; there are many opinions of art and Council’s interference can create controversy, this should be a private organization.

Mayor Kirson noted that according to the ordinance, Council will have the ultimate decision in how funds are spent. There will not be substantial budget and the object is not to acquire art. The Master Plan goal is to make Hightstown a walking community, and the arts can assist. He is in favor of this ordinance.

Councilmember Thibault noted that just because he is not in favor of government association of this commission, does not mean he is not in favor of the commission.

Councilmember Misiura noted that he is in favor of this ordinance with the minor changes previously noted.

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Councilmember Quattrone stated that he believes this commission will be a good thing for Hightstown and he is in favor of this ordinance.

Councilmember Hansen noted that she also has concern with Council involvement and funding; she believes the commission should be of a different structure.

Mayor Kirson invited Rick Pratt to address Council's concerns. Mr. Pratt noted that the Art Station, while located in Hightstown, has artists who are not residents but are interested in being members of the commission and it is important that they participate. He also commented that it is important for interaction with the Planning Board for the Master Plan; grants will be available if it is a government commission; points are available for Sustainable Jersey Certification as well.

There was discussion regarding placing art on private property without the owner's permission. The Borough Attorney advised that the commission is advisory based on the expertise of the members and could prove to be a valuable tool. Neither the commission, nor Council, can approve art being placed on private property; it is the decision of the property owner.

It was confirmed that the ordinance would be amended with the following changes: in 2b, remove "high"; in Biii change the wording to "the arts"; in 3G add "available to the commission".

Council President Bluth amended her motion to move the ordinance for introduction with the amendments as noted pursuant to Council comments, Councilmember Hansen seconded.

Councilmember Thibault noted that he will vote yes so a public hearing can be held.

Councilmember Kurs noted that he will vote yes so he can investigate how government involvement will affect the commission.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Quattrone and Thibault voted yes.

Ordinance introduced 6-0; public hearing to be held May 19, 2014.

#### **Ordinance 2014-10**

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

### **AN ORDINANCE AMENDING, SUPPLEMENTING AND REVISING CHAPTER 2, "ADMINISTRATION," OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY," IN ORDER TO ESTABLISH A "CULTURAL ARTS COMMISSION."**

**WHEREAS**, the Hightstown Borough Council believes that it would be in the best interests of the Borough to establish a "Cultural Arts Commission" in accordance with the provisions set forth below.

**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. Chapter 2, entitled "Administration," of the "Revised General Ordinances of the Borough of Hightstown, New Jersey," is hereby amended, supplemented and revised in order to establish the following provisions:

#### **CULTURAL ARTS COMMISSION.**

##### **1: Goals and Purposes; Establishment of Commission.**

- A. The development of artistic and cultural appreciation and expression is an important consideration in the progress and growth of our society. Its pursuit through the presentation of cultural/artistic events and programs, and establishment of

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art installation sites and venues is declared to be a significant goal benefiting Hightstown residents, both adult and child alike. In order to achieve this goal and all related purposes, the Hightstown Borough Council herewith establishes this Cultural Arts Commission.

## 2: Composition; qualifications; Chairperson; terms.

- A. Membership qualification. The Cultural Arts Commission shall be composed of nine (9) members and up to four (4) alternates, designated as "Alternate No. 1" and "Alternate No. 2," etc., who shall meet the following criteria:
  - a. Each member of the Commission shall be appointed by the Borough Council.
  - b. One member of the Commission shall be a member of the Parks & Recreation Commission; one member shall be a member of the Peddie School Staff; and one member shall be a member of the Hightstown-East Windsor Regional School Staff or Board of Education. These members shall serve one-year appointments.
- B. Chairperson and members; terms of office.
  - a. The Commission shall designate one of its members to serve as Chairperson and presiding officer of the Commission.
  - b. The Commission shall appoint a secretary and other officers as it deems necessary and appropriate.
  - c. The terms of office of the first Commissioners shall be as follows:
    - i. Three members as set forth in §2A.b. above for one year terms.
    - ii. Three members who are artists or affiliated with art organizations, but not necessarily residents of Hightstown, for two year terms.
    - iii. Three members who are residents of Hightstown and hold an appreciation for the arts for three year terms.
  - d. Up to four alternate members for one year terms with half of this number composed of youth members as defined below. The remaining alternate members shall satisfy the criteria of either §2B.c.ii. or §2B.c.iii. above.
    - i. Youth members shall be aged 15-18 and shall be students at either Hightstown-East Windsor Regional High School or the Peddie School.
  - e. The Parks & Recreation Commission member appointed to serve on this Commission shall not be appointed beyond the expiration of his/her term of office as a member of the Parks & Recreation Commission.
  - f. The successors of the first Commissioners shall be appointed by the Borough Council and shall serve for terms of three years except for those members appointed annually pursuant to §2A.b. above and except for the four alternates who shall be appointed for one-year terms.

## 3: Removal and Vacancies.

- A. The Borough Council may remove any member of the Commission for cause after written charges have been served upon the member and after a hearing on such charges.
- B. In the event of a vacancy occurring on the Commission other than by expiration of a term, such vacancy shall be filled for the unexpired term in the same manner as an original appointment.
- C. All Commissioners are expected to attend all of the meetings of the Cultural Arts Commission. Three or more unexcused absences within one calendar year may result in a recommendation by the Cultural Arts Commission to the Borough Council that the Commissioner be removed from office.

## 4: Duties, obligations and responsibilities.

The Hightstown Borough Cultural Arts Commission shall have the following duties, obligations and responsibilities:

- A. Prepare and maintain a Public Art Master Plan (PAMP), which shall consist of two sections:
  - a. *Standard Operating Procedure*. This section describes, in a step-by-step manner, the "who, what, where, how and when" of art in public places. This includes, but is not limited to, guidelines related to the selection and placement of public art within the Borough (including the acquisition of works of art by the Borough), the pooling and appropriation of available funding for public art, the conservation of artwork, and the process

b. *Plan for the Geographic Placement of Public Art.* This section grows out of the recognition that to be effective, a public art placement program must take a comprehensive, coherent view of the Borough as a whole. By so doing, high quality art that appropriately reflects the Borough's history, persona, and aspirations can be selected. This plan shall include, but not be limited to:

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- b. The Commissioners will work with the artist to coordinate all aspects of installation.

5: Records and Annual Report.

- A. The Commission shall keep records of its meetings and activities and shall make quarterly reports to the Borough Council.

6: Appropriation; limitation on appointment of Commission.

- A. The Borough Council may appropriate such funds as it deems necessary for the expenses to fund the budget prepared by the Commission.
- B. Any expenditures of the Commission shall be within the limits of the funds available to the Commission.

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 2014-97 Authorizing the Payment of Bills**

Council President Bluth moved resolution 2014-97, Councilmember Quattrone seconded.

Roll Call Vote: Council members Bluth, Hansen, Misiura, and Quattrone voted yes; Council members Kurs and Thibault abstained.

Resolution adopted 4-0, with two abstentions.

**Resolution 2014-97**

*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 \$ 184,224.07 from the following accounts:

Current		\$125,655.55
W/S Operating		20,736.28
General Capital		30,628.45
Water/Sewer Capital		0.00
Grant		0.00
Trust		6,550.29
Housing Trust		0.00
Animal Control		25.80
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		5.20
Escrow		<u>622.50</u>
Total		<u>\$184,224.07</u>

**Resolution 2014-98 Resolution of Compliance Regarding the 2012 Audit**

Council President Bluth moved resolution 2014-98, Councilmember Hansen seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Quattrone and Thibault voted yes.

Resolution adopted 6-0.

**Resolution 2014-98**

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

**RESOLUTION OF COMPLIANCE REGARDING THE 2012 AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S.* 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall,

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by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the audit entitled:

**General Comments  
Recommendations**

; and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments  
Recommendations**

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

*R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.*

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Hightstown hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**Resolution 2014-99 Approving the 2012 Annual Audit Corrective Action Plan and Authorizing the Filing of Said Plan with the Division of Local Government Services**

Councilmember Quattrone moved resolution 2014-99, Council President Bluth seconded.

George Lang, CFO, gave an explanation of the resolution and plan.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Quattrone and Thibault voted yes

Resolution adopted 6-0.

**Resolution 2014-99**

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

**RESOLUTION APPROVING THE 2012 ANNUAL AUDIT CORRECTIVE ACTION PLAN AND  
AUTHORIZING THE FILING OF SAID PLAN WITH THE DIVISION OF LOCAL  
GOVERNMENT SERVICES**

**WHEREAS**, the Borough of Hightstown is required, pursuant to the Single Audit Act Amendments of 1996, to prepare a

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Corrective Action Plan based on the findings and recommendations contained in the Annual Audit for 2012; and

**WHEREAS**, the Borough is required to submit a Corrective Action Plan to the Division of Local Government Services as part of the annual audit process, and to file a copy of said Plan with the Borough Clerk; and

**WHEREAS**, the Borough Council has received the 2012 Annual Audit – Corrective Action Plan.

**NOW, THEREFORE, BE, AND IT IS, HEREBY, RESOLVED** by the Council of the Borough of Hightstown, County of Mercer, State of New Jersey:

1. That the 2012 Annual Audit – Corrective Action Plan, a copy of which is attached hereto and incorporated herein by reference, is hereby approved.
2. That the proper Borough officials are hereby authorized and directed to file said Corrective Action Plan with the Division of Local Government Services, and to file a copy in the Borough Clerk's office.

**Resolution 2014-100 Establishing Summer Hours for Borough Hall Employees**

Council President Bluth moved resolution 2014-100, Councilmember Misiura seconded.

Mayor Kirson commented that it would not be a bad idea to consider the summer hours all year around.

Councilmember Thibault commented that the hours are not customer friendly, the hours and staff should be split so the building is open five days.

Mayor Kirson commented that the staff is minimal and they rely heavily upon one another, such a schedule would be inefficient.

Police Director LeTellier noted that there may be an issue with Dispatch receiving overtime if the Borough Hall employees are given Friday off.

Mr. Underhill noted that their hours are not being reduced, but re-scheduled. He does not believe the Dispatcher pay will be affected.

The Borough Attorney was directed to evaluate the union contract and determine if the re-scheduling of hours will cause the Dispatchers to receive overtime.

Council President Bluth moved to change her motion to table resolution 2014-100 until the Borough Attorney can check into the matter, Councilmember Misiura seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, Quattrone and Thibault voted yes

Resolution tabled 6-0.

**Resolution 2014-100**

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

**ESTABLISHING SUMMER HOURS FOR BOROUGH HALL EMPLOYEES**

**WHEREAS**, resolution 2014-21 adopted on January 2, 2014 established the schedule of Holiday and Borough business hours for May 5, 2014

the year 2014; 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 13, 2014 thru September 4, 2014, offices at Borough Hall will be open according to the following schedule:

Monday, Tuesday and Wednesday .....8:00 a.m. to 5:30 p.m.  
Thursday .....8:00 a.m. to 4:30 p.m.  
Friday .....Closed

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.

This arrangement shall not impact essential personnel including police officers, dispatchers, public works employees, water plant employees and sewer plant employees

**Consent Agenda - Resolutions 2014-101, 2014-102, 2014-103, 2014-104, 2014-105, 2014-106, 2014-107 and 2014-108**

Council President Bluth moved resolutions 2014-101, 2014-102, 2014-103, 2014-104, 2014-105, 2014-106, 2014-107 and 2014-108 for approval, Councilmember Hansen seconded.

Mayor Kirson read the title of each resolution in the consent agenda.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, and Thibault voted yes; Councilmember Quattrone abstained.

Resolutions adopted, 5-0, with one abstention.

**Resolution 2014-101**

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS  
PRIOR TO ADOPTION OF THE 2014 BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2014 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 2014 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i><b>THIS RESOLUTION</b></i>	<i><b>PREVIOUS TOTAL</b></i>	<i><b>CUMULATIVE TOTAL</b></i>
Current	205,000.00	982,527.00	<b>1,187,527.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service - Current	0.00	0.00	<b>0.00</b>
Water/Sewer	250,000.00	405,413.00	<b>655,413.00</b>
Capital Outlay – W/S	0.00	0.00	<b>0.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>455,000.00</b>	1,387,940.00	<b>1,842,940.00</b>

**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 2014 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 2014-102**

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

**SUPPORTING THE GREENWAY WALKING BRIDGE OVER PEDDIE LAKE AND THE  
TRANSPORATION ALTERNATIVES PROGRAM GRANT APPLICATION**

**WHEREAS**, the Hightstown Borough Council endorsed a "Greenway Walking Bridge Committee", appointed by the Mayor, to raise funds, design, and plan for a new walking bridge over the Peddie Lake Dam by resolution on August 16, 2010; and

**WHEREAS**, the appointed committee consisted of representation from the following Departments, Committees, Commissions, and Community Organizations: Historic Preservation Commission, Hightstown Memorial Library, Hightstown-East Windsor Historical Society, Public Works Department, Environmental Commission, Planning Board, Parks & Recreation Commission, Police Department, Masonic Lodge, Economic Development Committee and the Greater Hightstown East Windsor Improvement Project (GHEWIP); and

May 5, 2014



**WHEREAS**, the original bridge was a central part of Hightstown landscape history for almost 100 years and presented a safety hazard causing the bridge to be removed due to its unsafe condition; and

**WHEREAS**, the current pedestrian path is unsafe due to the close proximity to traffic in a heavily travelled section of Main Street (New Jersey State Highway Route 33); and

**WHEREAS**, the committee has performed their task with great enthusiasm and success, and raised funds for the design and plan for a new bridge which will exemplify the rich history of Hightstown Borough and provide a safe pedestrian path for residents and visitors; and

**WHEREAS**, the Greenway Walking Bridge is essential to provide safe pedestrian traffic in the Downtown Hightstown area connecting downtown businesses and shopping, the library, Memorial Park, and residential homes.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown offers its full support to the Greenway Walking Bridge and encourages funding for the construction of the new Greenway Walking Bridge over Peddie Lake allowing for safe pedestrian traffic by connecting downtown businesses and shopping, the library, Memorial Park, and residential homes.

**BE IT FURTHER RESOLVED** that the Hightstown Borough Mayor and officials of the Borough are hereby authorized to execute all documentation required for this grant.

**Resolution 2014-103**

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

**SUPPORTING AND AUTHORIZING THE GENERAL PLANNING SERVICES REQUEST APPLICATION**

**WHEREAS**, the Hightstown Planning Board seeks to develop context sensitive physical forms for Hightstown neighborhoods and business district; and

**WHEREAS**, the Hightstown Planning Board wishes to preserve the character of Hightstown and develop understandable design guidelines for residents and developers; and

**WHEREAS**, Hightstown Borough wishes to develop physical form standards to preserve the character of Hightstown and to restore Hightstown to its historic vibrancy, bringing people to a walkable, bicycle, pedestrian-friendly town; and

**WHEREAS**, Form Based Codes/Zoning has been incorporated into the master plan re-examination and is used to maintain the character of housing stock and to define more specifically the look of the town; and

**WHEREAS**, the New Jersey Department of Community Affairs has available a grant that will allow Hightstown to partner with them to educate, promote and develop physical form standards at no cost to the Borough; and

**WHEREAS**, the Mayor and Council of Hightstown Borough has determined that the Hightstown Planning Board should apply for the aforementioned Grant.

**NOW THEREFORE, BE IT RESOLVED**, by the Hightstown Borough Council that the Mayor is hereby authorized to execute the necessary documents associated with the implementation of this grant.

#### **Resolution 2014-104**

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

#### **AUTHORIZING APPLICATION FOR A RECYCLING TONNAGE GRANT**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection and Energy has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the 2013 tonnage grant will memorialize the commitment of this municipality to recycling, and will indicate the assent of the Mayor and Council of the Borough of Hightstown to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

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

1. The Borough of Hightstown hereby endorses the submission of a 2013 recycling tonnage grant application to the New Jersey Department of Environmental Protection.
2. Ken Lewis, Recycling Coordinator, 156 Bank Street, Hightstown, New Jersey 08520, is hereby designated and directed to ensure that the application is properly completed and timely filed;
3. Monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

#### **Resolution 2014-105**

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

#### **APPOINTING A CODE ENFORCEMENT OFFICER**

**WHEREAS**, There is a need to hire a Code Enforcement Officer to assist with property maintenance issues; and,

**WHEREAS**, Mr. George Chin, Construction Official, has requested that David Bell be appointed a Code Enforcement Officer for the Borough of Hightstown; and

**WHEREAS**, the Borough Council finds it in the best interest of the health, safety and welfare of the residents to appoint David Bell as Code Enforcement Officer; and

**WHEREAS**, the employment of David Bell as Code Enforcement Officer is to be effective April 24, 2014; and,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the designation of David Bell as Code Enforcement Officer is hereby ratified and confirmed effective April 24, 2014.

**Resolution 2014-106**

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

**TO AFFIRM HIGHTSTOWN BOROUGH'S CIVIL RIGHTS  
POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES,  
PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT  
CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO  
CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND  
VOLUNTEERS**

**WHEREAS**, it is the policy of Hightstown Borough to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of Hightstown Borough has determined that certain procedures need to be established to accomplish this policy.

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

**Section 1:** No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

**Complaint Procedure:**

Any individual who observes alleged wrongdoing on the part of officials, employees, or volunteers associated with the Borough may report such action using this procedure. This includes any action the individual believes to constitute harassment, sexual harassment, or any other wrongdoing. Employees of the (local unity type) shall follow the Employee Complaint Procedure. All other individuals including volunteers and members of the public may report the alleged wrongdoing to the head of the applicable department or volunteer organization, or, if they prefer, or do not think that the matter can be discussed with the head of the applicable department or organization, they should contact the Administrator.

Reporting of such incidents is encouraged, both when an individual feels that he or she is subject to such incidents, or observes such incidents in reference to other individuals. The report or complaint should be in writing, but individuals may make a verbal complaint at their discretion. If an individual has any questions about what constitutes harassment, sexual harassment, or any other workplace wrongdoing, they may ask their supervisor or one of the individuals listed above. All reports of harassment, sexual harassment, or other wrongdoing will be promptly investigated by a person who is not alleged to be involved in the alleged harassment or wrongdoing. No individual will be penalized in any way for reporting a complaint. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action up to and including discharge will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly. Actions taken internally to investigate and resolve harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. Any investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The complaining individual will be notified of a decision at the conclusion of the investigation within a reasonable time from the date of the report an incident.

**Resolution 2014-107**

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

**AUTHORIZING THE ISSUANCE OF AN AUCTION LICENSE – EMPIRE ANTIQUES**

**WHEREAS**, an application for a license to hold an auction on Saturday, June 28, 2014 at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Antiques, together with the required fee; and

**WHEREAS**, the application has been reviewed and approved by the Police Director; and

**WHEREAS**, it is the desire of the Mayor and Council that a license be issued to Empire Antiques for this event.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a license to Empire Antiques for their auction to be held on Saturday, June 28, 2014 at 278 Monmouth Street.

**Resolution 2014-108**

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

**AMENDING A LEASE AGREEMENT WITH KATSIFIS FAMILY, LLC, RELATING TO CERTAIN  
BOROUGH-OWNED PROPERTY LOCATED AT BLOCK 7, LOT 41 (ROUTE 130) ON THE HIGHTSTOWN  
BOROUGH TAX MAP.**

**WHEREAS**, on February 6, 2012, the Mayor and Council of the Borough of Hightstown (the "Borough") adopted Resolution No. 2012-60, which authorized the execution of a Lease Agreement (the "Lease") with Katsifis Family, LLC (the "Tenant"), whereby the Borough agreed to rent to the Tenant a portion of certain Borough-owned property located at Block 7, Lot 41 (Route 130) on the Hightstown Borough Tax Map (the "property"), which was not otherwise needed for any public purpose(s) of the Borough, for use as a parking lot for the parking of motor vehicles only; and

**WHEREAS**, this action followed a publicly advertised bidding process; and

**WHEREAS**, the portion of the property which is subject to the said Lease measures approximately 36,650 square feet, and is located along or adjacent to the municipal boundary line with the Township of East Windsor; and

**WHEREAS**, the rent for the property was \$9,500.00 for the first year, payable in monthly increments of \$791.67 each, which payments are due and payable on the first day of each month, with the rental rate to increase annually by two-and-one-half percent (2-1/2%) per year over the rate which was in effect during the prior year; and

**WHEREAS**, the term of the Lease is for a period of ten (10) years, commencing on February 6, 2012 and concluding on February 5, 2022; and

**WHEREAS**, the Lease provides the parties with the right to negotiate a renewal of the Lease for two additional terms of ten (10) years each, at a rental rate to be negotiated between the parties and with an annual escalation rate also to be determined by the parties at the time of each renewal (collectively, the "Renewal Option"); and

**WHEREAS**, all other terms and conditions associated with said undertaking are set forth in detail in the attached Lease Agreement, which includes a copy of a plan depicting the area in question; and

**WHEREAS**, the Tenant has requested that the Borough consider amending the provisions concerning the "Renewal Option," as referenced above, which are set forth in more detail in Paragraph 17 of the Lease; and

**WHEREAS**, in particular, the Tenant has requested that the language of Paragraph 17 be revised to provide the Tenant with the unilateral right to exercise the "Renewal Option" at the time of each renewal, pursuant to the same annual rental increase(s) of two-and-one-half percent (2-1/2%) per year over the rate which was in effect during the prior year, so long as the Tenant has not committed an "Event of Default," pursuant to Paragraph 11 of the Lease, in which case the Borough may terminate the Lease, re-possess the property, and pursue all other remedies as are available pursuant to the Lease and applicable law; and

**WHEREAS**, the Borough Council has considered the within request, and wishes to provide its consent to the same.

**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 Borough Council hereby provides its consent to the amendment of the Lease Agreement as set forth above.
2. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, an "Amendment" to the Lease Agreement in order to effectuate said revision, so long as said "Amendment" is in a form satisfactory to the Borough Attorney.
3. That a certified copy of this Resolution shall be provided to each of the following individuals:
  - (a) Katsifis Family, LLC
  - (b) Mark Shane, Esq.

May 5, 2014

- (c) Henry Underhill, Borough Administrator
- (d) George Lang, CFO
- (e) Kenneth Pacera, Tax Assessor
- (f) Carmela Roberts, Borough Engineer
- (g) Frederick C. Raffetto, Esq., Borough Attorney

### **Introduction of 2014 Budget**

Mayor Kirson reviewed that the average assessed home in Hightstown will incur a \$64.17 annual increase with this budget. There was an emergency appropriation of \$100,000 and lawsuit settlements totaling \$135,000 of Borough funds. With the exception of the \$235,000, the budget is flat with last year. The Department Heads have done a great job of keeping costs from escalating.

Councilmember Misiura moved to introduce the 2014 budget and set the public hearing for June 2, 2014, Councilmember Quattrone seconded.

Roll Call Vote: Council members Bluth, Hansen, Kurs, Misiura, and Quattrone voted yes; Councilmember Thibault abstained.

2014 Budget introduced 5-0, with one abstention; Public Hearing to be held on June 2, 2014.

### **Road Repair Funding**

Mr. Underhill advised that funds out of a road project bond previously adopted can be used for the Ward Street and Morrison Avenue road repairs.

George Lang, CFO, noted that there are DOT funds already in place for roads and the associated bond ordinance can be amended to change the use of the funds for the sewer and water repairs. He noted that neither of these processes will increase Borough debt, the funds are available and just need to be re-allocated.

Council directed Mr. Lang to bring the ordinance to the next meeting for introduction.

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

Eugene Sarafin, 628 S. Main Street – commented regarding art being supported by government and Wikipedia historic facts.

Scott Caster, 12 Clover Lane – noted that residents are pushing for a merger or consolidation; recommended that Council compare the budget with the rest of those in Mercer County; noted that Hightstown carries a chunk of the costs for the schools.

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

### **Mayor/Council/Administrative Comments and Committee Reports**

**Councilmember Misiura** – noted that there was a Planning Board workshop last week regarding the Master Plan and recommended that everyone read the plan, it has bold initiatives; commented on the NJDEP program on Historic Preservation and the Mayor's Shining Star Gala.

**Mayor Kirson** - welcomed Councilmember Kurs to the Council.

**Councilmember Kurs** – commented that he looks forward to helping Hightstown Borough grow.

**Councilmember Quattrone** – noted that we have had a lot of rain (5"-6") recently and in the last downfall Public Works sandbagged and etc. In preparation, he is convinced the Turnpike construction has affected Hightstown and the Borough

Engineer should address the matter; more stop signs should be installed on Morrison Avenue; he likes the Cultural Arts Commission ordinance; he abstained on the consent agenda due to the Americana Diner Lease resolution.

**Councilmember Hansen** – noted that water/sewer department meetings are being held regularly; the staff has done a good job with the audit and budget; consolidation is not as easy as it appears and legislative support is needed.

**Councilmember Thibault** – noted that the Environmental Commission will be sponsoring the paddle boats on Fridays, and may also have canoes and kayaks that are being donated; the Commission is also going out to take pictures of the sedimentation the Turnpike is causing.

**Mayor Kirson** – Commented that the Better Beginnings fundraising dinner, sponsored by the Mayors of Hightstown and East Windsor, was a huge success.

**Clerk Sopronyi** – Reminded everyone that letters of support for the Greenway Walking Bridge are needed to be submitted with the grant, she encouraged everyone to submit letters to her office.

Councilmember Quattrone moved to adjourn at 9:47 pm, Councilmember Thibault seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk