

**Meeting Minutes
Hightstown Borough Council
Regular Meeting
March 17, 2014
6:30 pm**

The meeting was called to order by Mayor Kirson at 6:33pm 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 Doran</i> | ✓ | |
| <i>Councilmember Hansen</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; James LeTellier, Police Director; Frederick Raffetto, Borough Attorney; and Gregory Sullivan, JIF Attorney.

Resolution 2014-66 Authorizing a Meeting Which Excludes the Public

Councilmember Quattrone moved resolution 2014-66; Council President Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2014-66

*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 March 17, 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:

Litigation – Thibault
Personnel – Police
Borough Council Investigation – Borough Hall Issues
Contract Negotiations – Union Contracts

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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: June 17, 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 7:34 pm and he read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call. Councilmember Thibault had entered the meeting during executive session and was now present; George Lang, CFO, joined the meeting at this time; James LeTellier, Police Director, rejoined the meeting at this time; Gregory Sullivan, JIF Attorney had departed the meeting during executive session and was no longer present.

Mayor Kirson requested that resolution 2014-77 regarding Arbor Day be added to the consent agenda and resolution 2014-75 be pulled from the agenda.

Councilmember Quattrone moved the agenda as amended for approval, Councilmember Misiura seconded.

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

Agenda approved as amended 6-0.

Councilmember Quattrone moved the February 18, 2014 executive session minutes for approval, Councilmember Doran seconded.

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

Minutes approved 5-0, with one abstention.

Councilmember Quattrone moved the February 18, 2014 open minutes for approval, Council President Bluth seconded.

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

Minutes approved 4-0, with two abstentions.

Council President Bluth moved the March 4, 2014 open session minutes for approval, Councilmember Quattrone seconded.

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

Minutes approved 5-0, with one abstention.

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

Walter Sikorski, 326 N. Main Street – referred to an article in the Trenton Times regarding implementation of a 0% tax cap; commented on the number of lawsuits against the Borough and the burden on the taxpayer; remarked on conflicts of interest and the ability of Council members to vote on their own settlements.

Keith LePrevost, 213 Greeley Street – thanked Council for supporting the Environmental Commission grant application which will assist with Rocky Brook Park improvements.

Eugene Sarafin, 628 S. Main Street – commented that infrastructure and the purchase of an additional one-armed bandit should be considered.

Al Grouper, East Windsor – noted that he is a member of HOPE and noted that Hightstown and East Windsor do have a problem with underage drinking and the ordinance on the matter is needed; the ordinance is applicable to unchaperoned parties.

Charlotte McCallum, 118 Park Avenue – noted that she is a member of HOPE and City of Angels and that drug and alcohol addiction has no boundaries. She then gave Council a video to view and share on the matter.

Phyllis Deal, 305 Stockton Street – commented that drugs ran rampant in the schools and on Railroad Avenue when her children were young, now the drugs on Railroad Avenue are dealt less conspicuously but dealt none the less.

Peter Bussone, 388 Morrison Avenue – noted that she has children in the schools and supports the ordinance; children need guidance and there is an alcohol problem in the schools; police need the ability to do their job.

Skye Gilmartin, 39 Dennis Court – noted that she is a member of the Board of Health and they support this ordinance; her First Aid Squad experience has showed her that this ordinance is needed. The Special Olympics are coming to Peddie School in June and there is a need for volunteers.

Mayor Kirson added that volunteers must be 16 years of age.

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

Ordinance 2014-01 Final Reading and Public Hearing - An Ordinance Establishing a Salary Range and the Title of Code Enforcement Officer

Mayor Kirson opened the public hearing on ordinance 2014-01 and the following individuals spoke:

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

J P Gibbons, 602 N. Main Street – stated that he is taping the meeting to broadcast it at his personal expense; noted that the position established in this ordinance should be open to anyone who wishes to apply.

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

Councilmember Thibault moved ordinance 2014-01 for adoption, Councilmember Doran seconded.

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

Ordinance adopted 6-0.

Ordinance 2014-01

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

**AN ORDINANCE ESTABLISHING A SALARY RANGE FOR AND THE TITLE OF CODE
ENFORCEMENT OFFICER**

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:

March 17, 2014

| | RANGING FROM: | TO: |
|--------------------------|----------------------|------------------|
| Code Enforcement Officer | \$15.00 per hour | \$25.00 per hour |

Section 3. This Ordinance shall take effect after final passage and publication as provided by law.

Section 4. The salary range 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 2014-03 Final Reading and Public Hearing - An Ordinance Amending and Supplementing Section 14-10.1, Entitled “Enforcement Officers,” of Chapter 14, Entitled “Property Maintenance,” of the “Revised General Ordinances of the Borough of Hightstown”

Mayor Kirson opened the public hearing on ordinance 2014-03 and the following individuals spoke:

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

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

Councilmember Thibault moved ordinance 2014-03 for adoption, Councilmember Doran seconded.

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

Ordinance adopted 6-0.

Ordinance 2014-03

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 14-10.1,
ENTITLED “ENFORCEMENT OFFICERS,” OF CHAPTER 14,
ENTITLED “PROPERTY MAINTENANCE,” OF THE
“REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN”**

WHEREAS, the Mayor and Borough Council wish to make certain revisions to the Borough Code relating to Property Maintenance as set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 14 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented as follows:

1. That Section 14-10.1, entitled “Enforcement Officers,” is hereby amended to add the following:

“This Chapter shall also be enforced by the Code Enforcement Officer, whose position is hereby created, for the sole purpose of enforcing the provisions of this Chapter. The Code Enforcement Officer shall receive such salary as provided by Ordinance and shall be appointed by the Borough Council for a term as specified in the Resolution of Appointment.”
2. That the provisions of this Ordinance shall be severable. 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 shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

3. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Ordinance 2014-05 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 12 Entitled “Buildings and Construction,” Section 12-3 Entitled “Permits”, Subsection 12-3.6, Entitled “Demolition Permits”, of the Revised General Ordinances of the Borough of Hightstown”

Mayor Kirson opened the public hearing on ordinance 2014-05 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – requested an explanation of the need for this ordinance. Councilmember Misiura explained that it is to protect neighboring properties and permits the Historic Preservation Commission the ability to take pictures of structures before they are demolished.

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

Councilmember Quattrone moved ordinance 2014-05 for adoption, Councilmember Misiura seconded.

Councilmember Thibault commented that this ordinance puts a burden of cost on the applicant and there should be a better definition of accessory structure; referenced 28-4-10 exemptions in the code, and feels that there is too much cost in the requirements.

Councilmember Misiura noted that the items mentioned are already in the ordinance, and are not part of the changes.

Councilmember Thibault requested that the definition of an accessory structure be changed.

Councilmember Misiura stated that he would take the ordinance back to the Planning Board for this change.

Council members Quattrone and Misiura withdrew their motion for adoption.

Councilmember Thibault moved to table ordinance 2014-05, Councilmember Doran seconded

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

Ordinance tabled 6-0.

Ordinance 2014-05

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

AN ORDINANCE SUPPLEMENTING, AMENDING AND REVISING CHAPTER 12, “BUILDING AND CONSTRUCTION”, SECTION 12-3, “PERMITS”, SUBSECTION 12-3.6, “DEMOLITION PERMITS” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN”

WHEREAS, the purpose of this Ordinance is to amend and supplement requirements related to demolition activities and to protect the safety and welfare of adjoining property owners from damage that may be caused by the demolition. It also establishes the requirement of an escrow account for use by the Historic preservation Commission in their evaluation of the project.

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 12, entitled "Building and Construction, Section 12-3, entitled "Permits", Sub-section 12-3.6 entitled "Demolition Permits" of the "Revised General Ordinances of the Borough of Hightstown, New Jersey" is hereby amended and supplemented in order to establish the following provisions:

12-3-6 Demolition Permits.

A. PURPOSE:

The purpose of this Section is to provide a fair and comprehensive process prior to the issuance of a demolition permit in order to permit adequate consideration of all issues related to demolition activities. This Section is also intended to protect the safety and welfare of adjoining property owners from damage that may be caused by the demolition.

As used in this Chapter, "Adjoining Properties" shall mean any property having a common boundary, and any property which would have a common boundary if not interrupted by a street, alley or other right of way.

"Accessory structure" shall mean a structure which is subordinate to and serves a principal structure; is subordinate in area, extent and purpose to the principal structure; contributes or has contributed to the comfort, convenience or necessity of the principal structure, and is located on the same parcel or property as the principal structure.

"Demolition" shall mean the razing and removal of all or at least sixty percent (60%) of the first floor footprint of a principal or accessory structure.

"Selective Demolition" shall mean anything less than sixty percent (60%) of the first floor footprint of a principal or accessory structure. All projects which fall within this category shall be submitted to the Historic Preservation Commission (HPC) for determination if application to the Commission is required, and to allow the HPC to document the structure before any selective demolition is performed.

"Principal structure" shall mean the building in which the principal or primary use on the lot is conducted.

B. Demolition Permits:

a. Permit required. The demolition of any building or structure shall require a demolition permit which has been reviewed and approved by the Construction Official and the Zoning Officer in conformance with this Section and applicable law. Nothing contained in this Section shall limit the authority of the Construction Official or other appropriate Borough official to order a structure demolished in a life- or health-threatening emergency situation, or as may be otherwise authorized by State statute, other Borough Ordinance or the common law.

b. Application. Principal structure. In order to obtain a demolition permit for the demolition of any principal structure, a demolition permit application form must be completed and submitted to the Construction Official and the Zoning Officer. The only other person or entities that shall be consulted are the Historic Preservation Commission and Environmental Commission. The demolition permit application shall contain the following information:

(1) Property address, block and lot and current legal owner of property.

(2) Site Plan identifying all buildings and structures to be demolished and the location and size of all remaining structures, including pictures of all sides of all the buildings to be demolished.

(3) Whether the buildings or structures on the property are listed on the National Register of Historic Places, are located within the Borough's Historic District, identified in the Borough's Master Plan or subsequent Re-examination Report, or are located within one hundred fifty (150) feet of a federal, state or local historic district or are listed within the state, national or local Historic Register.

(4) If commencement of construction of a new principal structure is not planned to occur within sixty (60) days after the completion of demolition, the application shall include a detailed site restoration and maintenance plan depicting all work required to restore the subject property to a safe, clean condition until construction of a new structure has commenced, including

without limitation backfilling of any excavation, grading, seeding, fencing, stormwater management and utility disconnections. During the 60 day period the site shall be maintained in a safe and secure manner meeting the requirements of Section B.e. (1) – (5) (Review Standards).

(5) At the Zoning Officer's discretion, for structures or portions of structures less than 5,000 square feet; in addition to all other required plans and specifications, the application shall include detailed plans and specifications for stormwater management, soil erosion control and grading on the subject property. Such plans and specifications shall be on a drawing or drawings separate from all other plans and specifications labeled "Stormwater Management Plans." Additionally, such plans and specifications shall be in conformance with the requirements of the Borough's Stormwater Management Ordinance.

(6) A tree preservation plan shall be submitted identifying all trees with a six-inch (6") diameter or larger trunk located on the subject property, within 25 feet of the structure to be demolished. The plan shall identify any trees which would be removed as a consequence of the demolition and provide for their replacement.

(7) Provide proof that a pest control expert has investigated the property and either removed all pests or deemed it pest free. Pests include, but are not limited to carpenter ants, termites, rodents and other small mammals.

(8) Provide proof that structure has no lead paint or asbestos by providing report from professional of these fields, or provide report that all lead paint and asbestos has been removed in accordance with appropriate requirements.

c. Application; accessory structure. Demolition permit applications for accessory structures shall be submitted to the Construction Official and the Zoning Officer. Demolition permit applications for accessory structures shall be submitted with all information set forth in paragraph b. of this Section.

d. Application review. The Construction Official and the Zoning Officer shall be responsible for the processing, review and approval of demolition permit applications. Within five (5) business days of the submission of a complete demolition permit application for a principal structure, and in accordance with NJAC 5:23-2.34 (Protection of Adjoining Properties), the Applicant shall notify all owners of adjoining properties by Certified Mail, Return Receipt Requested. All information submitted shall be available for public inspection during normal business hours in the Borough Offices.

(1) A demolition permit for a principal structure shall not be issued within the first thirty (30) days from the receipt of a completed demolition permit application but in no event shall a demolition permit for a principal structure be issued later than sixty (60) days from the receipt of a completed demolition permit application.

(2) The demolition of a principal or accessory structure may also be sought as part of a subdivision or site plan application. Any such application including the proposed demolition of a structure shall include all information set forth in paragraph b. of this Subsection.

(3) A completed permit application shall be submitted to the Planning Board for record purposes only.

(4) A complete demolition permit application shall also be referred to the Historic Preservation Commission and Environmental Commission for review and report prior to the issuance of a demolition permit.

e. Review standards, requirements. The Construction Official and the Zoning Officer shall review all demolition permit applications in accordance with this Section and the Borough Ordinances, including the following standards:

(1) The granting of a demolition permit shall not be detrimental to the public health, safety and general welfare of the Borough or its residents.

(2) Adequate utilities, access ways, drainage and other necessary facilities and protective measures shall be provided.

(3) Any new structure or use to be constructed on the subject property shall conform to the applicable requirements of this Zoning Ordinance unless the applicant has first applied for and been granted, a variance by the Borough's Planning Board.

(4) The applicant shall demonstrate conformance with N.J.A.C. 5:23 2.17, 2.34 and all other applicable laws and regulations.

f. If the Construction Official and the Zoning Officer issue a demolition permit, the demolition shall take place in accordance with the provisions of the Borough's Building Code in force at that time, the requirements of this Ordinance and any additional requirements or conditions imposed by the Construction Official or Zoning Officer. Proof of the disconnection of utilities serving the structure shall be provided to the Construction Official at least fifteen (15) days prior to the commencement of demolition.

g. Silt/Construction fencing shall be installed as approved by the Construction Official. Such fencing shall be removed no later than the completion of restoration as required by subsection (h) below. Required restoration or rough grading, when allowed by the Construction Official, shall be completed no later than forty-five (45) days after the completion of demolition.

h. Barring a force majeure event, if construction or reconstruction of a new principal structure has not commenced within sixty (60) days of the completion of demolition, the subject property site shall be restored within fifteen (15) days. Restoration of the property shall include without limitation: permanent disconnection of sewer and water, if applicable, at mains, final grading and seeding, the removal of dangerous conditions, rubbish and debris, restoration of damaged public property and removal of safety and tree protection fencing. If weather does not permit final grading and seeding. The Construction Official may permit rough grading until weather conditions permit final grading. Silt fencing and other stormwater measures shall remain in place in accordance with the Borough's Stormwater Ordinance.

i. Demolition Bond. The applicant shall post with the Clerk of the Borough, at the time of issuance of the permit for the demolition of a principal or accessory structure, a demolition performance bond, letter of credit or cash equivalent in the amount of ten percent (10%) of the cost of demolition or ten thousand dollars (\$10,000), whichever is less. Such Bond shall be in addition to all other application and processing fees, costs, escrows, bonds and other performance securities.

(1) The Borough shall have the right at all times, upon notice, at its option, to draw on the demolition bond or cash equivalent for costs, including legal fees and administrative expenses, incurred or to be incurred by the Borough in exercising any of its rights under this Section in the event the applicant undertakes any work in violation of any provisions of this Section.

(2) If the Borough draws on the demolition bond, or cash equivalent, the applicant shall replenish the bond, or cash equivalent, to the full amount required under subsection i above immediately after demand is made to the applicant in writing by the Borough. Any failure of the applicant to replenish the bond shall result in cancellation of the related permit, which permit shall not be reissued thereafter except after the filing of a new application, payment of the permit fee and the establishment of a new bond.

(3) Upon the completion of the demolition, the applicant shall submit in writing a request for the return of the demolition bond or the release of the demolition letter of credit. The Borough shall return any unused portion of the demolition bond or cash equivalent to the applicant, without interest, within thirty (30) days after final demolition inspection of the property and approval of the demolition by the Construction Official and the Zoning Officer. Properties where construction of a new principal building has not commenced within thirty (30) days of demolition shall be restored as required by this Section before the demolition bond shall be returned.

j. See 12-2-3 for applicable permit fees. A refundable escrow fee of \$50 shall be required for use by the Historic Preservation Commission.

(1) Upon the completion of the demolition, the applicant shall submit in writing a request for the return of the remaining escrow fee.

k. If deemed essential by the Historic Preservation Commission ("HPC"), applicant shall provide access at reasonable times and on convenient days to the structure or structures to be demolished, and allow members of the HPC or their agents, to take measurements and pictures of interior, exterior and pertinent details. These measurements and pictures will memorialize the architecture and aesthetics of the structure proposed for demolition. Access, as needed to obtain legible photographs, shall be during a maximum thirty (30) day period or until the HPC has signed off, but in no event later than forty-five (45) days from the receipt of a completed demolition permit application. Prior to the issuance of a demolition permit, the HPC Chairperson or Vice Chairperson shall advise the Construction Official and the Zoning Officer that the photographs under this section have been completed. A demolition application shall not be deemed complete until the HPC inspection is completed.

(1) In accordance with 5:23-2.32 a structure which is deemed unsafe or a fire hazard must still be reviewed by the Historic Preservation Commission to deem whether or not the structure is essential. In the event that it is essential, 48 hours notice (business days only not including holidays) shall be given to the Historic Preservation Commission before the owner proceeds with demolition. This is to allow for steps to be taken to safely enter the site to document conditions prior to demolition.

(2) The HPC shall be permitted to draw against the escrow fee set forth in paragraph j above for the purchase of digital storage media and photographic printing costs, in an amount not to exceed fifty dollars (\$50).

C. Penalties. This Ordinance may be enforced by the Zoning Officer, Construction Official or Police Department of the Borough of Hightstown. Any person found to be in violation of this Ordinance shall be subject to the penalty provide in Chapter 1, Section 5 of the Revised General Ordinances of the Borough of Hightstown. (Ord. No. 2010-09)

See also

12-2-3 Fees

12-3-1 Building Permit Required; Exception.

12-3-2 Zoning Permit Required; Exception.

12-3-3 Moving Buildings or Structures.

12-3-4 Occupancy Permit Required.

12-3-5 Permit Application; Revocation; Inspection.

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.

Ordinance 2014-06 Final Reading and Public Hearing – Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$220,000 Thereof and Authorizing the Issuance of \$209,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Mayor Kirson opened the public hearing on ordinance 2014-06 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – confirmed that this ordinance is for the restoration and microfilming of records. Mayor Kirson confirmed that it is.

J P Gibbons, 602 N. Main Street – requested that indebtedness of the Borough be given to the residents before the ordinance is adopted. Mayor Kirson noted that the information on indebtedness will be available at the April 7th Council meeting, during budget discussion.

Scott Caster, 12 Clover Lane – inquired as to whether microfilming is obsolete and if the records should be electronically imaged. Borough Clerk Sopronyi explained that electronic imaging is not considered permanent, but microfilming is.

Eugene Sarafin, 628 S. Main Street – commented that J P Gibbons implied that the Borough does not know its debt, but it does; microfilming should not be an issue.

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

Councilmember Thibault moved ordinance 2014-06 for adoption, Council President Bluth seconded.

Councilmember Misiura commented that preservation of records is a function of government.

Councilmember Thibault commented that the Borough's indebtedness was discussed at the budget meeting on Saturday, and it is way below what is considered a limit.

Councilmember Doran noted that the request for the debt information is not unreasonable.

March 17, 2014

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

Ordinance adopted 6-0.

Ordinance 2014-06

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

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$220,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$209,500 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$220,000, and further including the aggregate sum of \$10,500 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$209,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

| <u>Purpose</u> | <u>Appropriation & Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds & Notes</u> | <u>Period of Usefulness</u> |
|--|---|--|---------------------------------|
| a) Document cleaning, freeze drying, irradiation and records management services, including the destruction of eligible documents and microfilming of records required to be retained, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto. | \$213,500 | \$203,300 | 15 years |
| b) Acquisition of fire proof cabinets, including all related costs and expenditures incidental thereto. | \$6,500 | \$6,200 | 10 years |
| TOTAL: | \$220,000 | \$209,500 | |

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount
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of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.85 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$209,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$12,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

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

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

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

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

Resolution 2014-67 Authorizing the Payment of Bills

Councilmember Quattrone moved resolution 2014-67, Councilmember Hansen seconded.

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

Resolution adopted 6-0.

Resolution 2014-67

*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 \$689,665.06 from the following accounts:

| | | |
|-----------------------|--|---------------------|
| Water/Sewer Capital | | 1,156.55 |
| Grant | | 0.00 |
| Trust | | 8,791.41 |
| Housing Trust | | 446.25 |
| Animal Control | | 525.00 |
| Law Enforcement Trust | | 0.00 |
| Housing Rehab Loans | | 0.00 |
| Unemployment Trust | | 0.00 |
| Escrow | | <u>8,509.25</u> |
| | | |
| Total | | <u>\$689,665.06</u> |
| | | |
| | | |

Resolution 2014-68 Authorizing a Shared Services Agreement with Roosevelt Borough for Various Public Works Services

Councilmember Quattrone moved resolution 2014-68, Council President Bluth seconded.

There was discussion regarding the rates being charged. Councilmember Quattrone noted that the agreement should be a benefit to both towns and Mr. Underhill confirmed that the labor rates cover Borough expenses and the Superintendent has reviewed the equipment rates and is comfortable with the equipment rates being charged. Councilmember Thibault

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expressed concern that the Borough is not charging Roosevelt enough for the services and equipment use.

Roll Call Vote: Council members Bluth, Doran, Hansen, Misiura, and Quattrone voted yes; Councilmember Thibault voted no.

Resolution adopted 5-1.

Resolution 2014-68

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH ROOSEVELT BOROUGH FOR
VARIOUS PUBLIC WORKS SERVICES**

WHEREAS, it is the desire of Hightstown Borough to enter into a Shared Services Agreement for the provision of various Public Works services to the Borough of Roosevelt for the two-year period, January 1, 2014 through December 31, 2015; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

WHEREAS, the services to be provided by Hightstown Borough, to the Borough of Roosevelt shall include the repair and maintenance of public water and sewer lines, and public roads and streets; and

WHEREAS, Ken Lewis, Hightstown Public Works Superintendent shall be the contact for said services on behalf of Hightstown Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Hightstown Borough is hereby authorized to enter into a Shared Services Agreement for Certain Public Works Services, and the Mayor and Borough Clerk are authorized to execute said agreement.

Resolution 2014-69 Authorizing a Shared Services Agreement with Robbinsville Township for Automotive Repair Services

Councilmember Quattrone moved resolution 2014-69, Council President Bluth seconded.

Mayor Kirson noted that the rates have increased by \$10.00 per hour; they have not been increased in many years.

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

Resolution adopted 6-0.

Resolution 2014-69

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH ROBBINSVILLE TOWNSHIP FOR
AUTOMOTIVE REPAIR SERVICES**

WHEREAS, with the adoption of Resolution 2008-35 on January 7, 2008, the Borough Council approved an Interlocal Service Agreement with Robbinsville Township for the provision of Automotive Repair Services, which has been renewed with the last renewal ending December 31, 2013; and

WHEREAS, the parties desire to enter into a successor Shared Services Agreement to continue the provision of these services to March 17, 2014

the Borough by Robbinsville for a three-year period, January 1, 2014 through December 31, 2016; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

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

WHEREAS, the continuation of this agreement is contingent upon the availability of adequate funding in the Borough's subsequent year's budgets.

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, as follows:

1. That the Mayor is hereby authorized to execute and the Borough Clerk to attest the Shared Services Agreement on behalf of Hightstown.
2. That, in accordance with the aforementioned agreement, Hightstown hereby designates James LeTellier, Police Director, or his appointee, to schedule and be responsible for all repairs to police vehicles and Ken Lewis, Superintendent of Public Works, to schedule and be responsible for all repairs to all other Borough-owned vehicles.
3. That, in accordance with the aforementioned agreement, no repair in excess of \$250 shall be made by Robbinsville unless specifically authorized by the designated Hightstown Borough Representative.
4. That the continuation of this agreement is contingent upon the availability of adequate funding in the Borough's 2014 and each subsequent year's budget.

Consent Agenda - Resolutions 2014-70, 2014-71, 2014-72, 2014-73, 2014-74, and 2014-77

Councilmember Thibault moved resolutions 2014-70, 2014-71, 2014-72, 2014-73, 2014-74, and 2014-77 for approval, Council President Bluth seconded.

Mayor Kirson reviewed the titles of the resolutions.

Councilmember Thibault reviewed that there are 500+ volunteers who put in 50,000 hours per year in the various groups within the Borough. This resolution is a small way to say thank you for making Hightstown a better place to live and work.

Mayor Kirson noted that Peddie School will host the gymnastics event of the Special Olympics and encouraged residents to attend. He continued that the local hotels are sold out and it will be an exciting event; the Police are preparing; anyone over 16 years old can volunteer for the event.

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

Resolutions adopted, 6-0.

Resolution 2014-70

*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

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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>THIS RESOLUTION</i> | <i>PREVIOUS TOTAL</i> | <i>CUMULATIVE TOTAL</i> |
|--------------------------|-------------------------------|------------------------------|--------------------------------|
| Current | 363,307.00 | 214,400.00 | 577,707.00 |
| Capital Outlay – Current | 0.00 | 0.00 | 0.00 |
| Debt Service - Current | 0.00 | 0.00 | 0.00 |
| Water/Sewer | 90,000.00 | 200,000.00 | 290,000.00 |
| Capital Outlay – W/S | 0.00 | 0.00 | 0.00 |
| Debt Service - W/S | 0.00 | 0.00 | 0.00 |
| TOTAL | 453,307.00 | 414,400.00 | 867,707.00 |

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 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 2014-71

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

**SUPPORTING AND AUTHORIZING THE ASSOCIATION OF NEW JERSEY
ENVIRONMENTAL COMMISSION (ANJEC) GRANT APPLICATION**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, The Borough of Hightstown strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, The Borough of Hightstown is participating in ANJEC; and

WHEREAS, one of the purposes of ANJEC Open Space Grants Program is to provide resources to municipalities to make progress on advancing open space stewardship, and to help raise the profile of the environmental commission in the community through publicity and public participation or collaboration with local groups on various projects.

WHEREAS, the Borough Council of The Borough of Hightstown has determined that The Borough of Hightstown should apply for the aforementioned grant.

THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Hightstown, State of New Jersey, supports and authorizes the submission of the aforementioned ANJEC grant.

Resolution 2014-72

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

**WELCOMING THE 2014 SPECIAL OLYMPICS U.S.A. GAMES AND ALL SPECIAL
OLYMPICS ATHLETES AND VOLUNTEERS TO NEW JERSEY**

WHEREAS, Special Olympics is an international organization that unleashes the human spirit through the transformative power and joy of sports every day around the world; and

WHEREAS, through work in sports, health education and community building, Special Olympics is addressing inactivity, injustice, intolerance and social isolation by encouraging and empowering people with intellectual disabilities, which leads to a more welcoming and inclusive society; and

WHEREAS, founded in 1968 by Eunice Kennedy Shriver, the Special Olympics movement has grown from a few hundred to nearly 4.2 million athletes in over 170 countries; and

WHEREAS, with the support of more than one million coaches and volunteers, Special Olympics is able to deliver 32 Olympic-type sports and more than 70,000 competitions throughout the year, and in national and international competitions; and

WHEREAS, New Jersey has been selected to host the 2014 Special Olympics USA Games, which will take place June 14 – 21, 2014, with venues throughout Mercer County including Princeton University, Rider University, The College of New Jersey, the Lawrenceville School, the Hun School of Princeton, the Peddie School, the Sun National Bank Center and Mercer County Park, and Brunswick Zone-Carolier in Middlesex County, following the Opening Ceremony at Prudential Center in Newark; and

WHEREAS, the 2014 USA Games will feature nearly 3,500 athletes competing in 16 Olympic-style sports, with the support of 1,000 coaches, 10,000 volunteers and an estimated 70,000 family, friends and spectators; and

WHEREAS, the 2014 USA Games will showcase 270 Special Olympics athletes from New Jersey competing in this national event.

NOW THEREFORE BE IT RESOLVED, that Hightstown Borough whole-heartedly supports the work of Special Olympics to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of their gifts, skills and friendship with their families, other Special Olympics athletes and the entire community and to promote greater understanding, appreciation and acceptance among all; and

BE IT FURTHER RESOLVED, that Hightstown Borough welcomes to New Jersey all the athletes, families, coaches, officials and volunteers, who will make these 2014 USA Games a tremendous success, and that we salute the corporate partners and volunteers and that we congratulate all who live by the motto of Special Olympics: “Let me win, but if I cannot win, let me be brave in the attempt.”

Resolution 2014-73

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

PROCLAIMING HIGHTSTOWN VOLUNTEER APPRECIATION WEEK AND RECOGNIZING, HONORING AND THANKING HIGHTSTOWN’S VOLUNTEERS

WHEREAS, the week of April 6 to 12, 2014 has been proclaimed National Volunteer Week to recognize and celebrate the efforts of volunteers at the local, state, and national levels; and

WHEREAS, the Borough of Hightstown and its residents have benefited greatly from hundreds of volunteers who each year give tirelessly and selflessly to the service of others; and

WHEREAS, volunteerism strengthens communities, improves society, and enhances the overall quality of life for all citizens; and

WHEREAS, volunteering changes the lives of volunteers in a positive way, increasing self-confidence, self-esteem and physical wellbeing; offering the chance to meet new friends and associates; and providing opportunities to learn new skills and abilities; and

WHEREAS, the Hightstown Borough Mayor and Council wishes to acknowledge and thank its volunteers for their dedication and tireless efforts.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown hereby

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proclaims the week of April 6 to 12, 2014 as Hightstown Volunteer Week and expresses its sincere appreciation and gratitude for the dedication and untiring efforts of all those who volunteer to help make our community a better place to live and work.

Resolution 2014-74

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

AUTHORIZING A TRANSFER OF FUNDS IN THE 2013 BUDGET

Whereas, N.J.S.A. 40A:4-59 provides that the governing body may authorize a transfer of funds in the budget during the first three months of the following year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2013 budget are hereby authorized:

| <u>Current:</u> | <u>From</u> | <u>To</u> |
|---------------------------------|--------------------|--------------------|
| Assessment of Taxes | | |
| Other Expenses | \$ 4,000.00 | |
| Uniform Fire Safety Act | | |
| Salaries and Wages | 4,000.00 | |
| Legal Services and Costs | | |
| Other Expenses | | \$ 5,000.00 |
| Engineer Services | | |
| Other Expenses | <hr/> | <hr/> 3,000.00 |
| TOTALS | \$ 8,000.00 | \$ 8,000.00 |

Resolution 2014-77

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

**RESOLUTION DESIGNATING SATURDAY, APRIL 5, 2014 AS
ARBOR DAY IN THE BOROUGH OF HIGHTSTOWN**

WHEREAS, it is widely reported as historical fact that, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

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WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, raw material for sculpture and painting and limitless works of art, and source materials for countless other wood products; and

WHEREAS, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community and spiritual renewal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown hereby does proclaim and designate Saturday, April 5, 2014, as **ARBOR DAY** in the Borough of Hightstown;

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Hightstown, that all residents and members of our community are urged and encouraged to support efforts to protect our trees, walkways, riparian banks and woodlands throughout our Borough and our surrounding environment;

BE IT FURTHER RESOLVED that all residents and members of our community are urged and encouraged to plant trees where appropriate, to gladden hearts and promote the well-being of present and future generations.

Borough Hall Investigation

Council President Bluth reviewed that on November 18th a majority vote of Council was taken on a motion for Council to appoint a committee to investigate the length of time taken to re-build the old Borough Hall. She noted that she does not feel that this investigation is necessary.

The Borough Attorney advised that the committee was established by motion and vote, and that is how it must be dissolved.

Councilmember Doran inquired if the dissolution of the committee is because there is no conclusion. Council President Bluth stated that this issue only puts negativity on the Borough. In an article in which Councilmember Thibault was quoted, he stated that the Borough can now move forward, and we should. This investigation is counterproductive and not necessary.

Councilmember Misiura commented that as a resident, he does not feel Attorney and Staff resources, nor Borough funds, should be spent on this investigation.

Councilmember Thibault noted that he has made every effort to minimize Attorney costs.

Councilmember Hansen stated that her recent experience has brought her to the conclusion that the delays are due to many reasons and the Borough cannot move forward if we keep going back. A constructive, not destructive, image is needed and we have to move forward.

Councilmember Quattrone agreed with Councilmember Hansen, and commented that there is a need to move forward and stop spending money needlessly.

Council President Bluth motioned to dissolve the committee that had been formed to investigate improprieties in the Borough Hall reconstruction, Councilmember Quattrone seconded.

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

Motion adopted, 4-2.

Mayor Kirson suggested that the Personnel Policy discussion be moved to the end of the discussion items. Council agreed.

Drug Zone Map Ordinance

Borough Clerk Sopronyi explained the process.

Police Director LeTellier explained the need for this ordinance, noting that St. Anthony's school was not in use as a school when the previous map was adopted, but is now being used as a school and needs to be added to the map. He also inquired as to whether the Historical Society Building is owned publicly, as it is a public building; the Borough Attorney will follow-up on the matter and advise as to whether it should be included on the map.

Generator Ordinance

Councilmember Misiura advised that this ordinance was brought forward by the Zoning Officer to regulate noise and placement of stand-by generators. There was discussion regarding the definition of a stand-by generator and Councilmember Misiura will take this ordinance back to the Planning Board for a definition to be added.

Personnel Policy Revisions

Henry Underhill, Administrator, reviewed the list of personnel policy changes recommended by Best Practices and the Municipal JIF for compliance, as well as those being suggested for cost control. The recommended changes consisted of, but were not limited to: add the title of Police Director, implementing a maximum to the number of vacation days that can be sold back to the Borough, remove light duty availability for home injury; add appropriate FMLA/FLA language, clarify that life insurance is provided after completion of probationary period, amend the health benefit waiver to reflect state law, workers compensation claims will be paid at state rate, eliminate new hires from longevity, and regulate social media use.

There was discussion regarding the possible changes and e-mail use. The Administrator advised Council that if they had any questions, concerns or additional suggestions, to please contact him and will be coming back to Council with a final version for adoption by resolution.

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

Walter Sikorski, 326 N. Main Street – inquired as to the Borough's overall debt. George Lang, CFO, gave an explanation. Mr. Sikorski then confirmed that the budget is submitted to DCA and that there are controls in place. Mr. Sikorski then commented on the personnel policy changes, contract negotiations, and employee contributions toward health benefits; and congratulated Council on a good budget meeting last Saturday.

Lynne Woods, 315 Park Avenue – commented that she is glad the Borough is moving forward on the Borough Hall issue, but requested that Council keep the public advised of what they are doing on the matter.

Eugene Sarafin, 628 S. Main Street – commented that the public should have a copy of the suggested personnel policy changes; shared service formulas should be in the agreements; the ordinance discussed tonight simply gives punishment and is not effective.

Fran Palumbo, 101 Main Street – inquired as to the status of the Walking Bridge; commented that \$90,000 was raised from the public and it needs to be addressed.

J P Gibbons, 602 N. Main Street – commented that the drinking and voting ages were at 18, then moved to 21, the matter should be addressed by the appropriate concept; the Borough Council President suggested elimination of the investigation committee, but it showed confidence in government and the public has the right to know.

Scott Caster, 12 Clover Lane – commented that it is taking years to re-build the bridge and Borough Hall and there is chatter about consolidation; consolidation with East Windsor will not happen until things are fixed and Council should investigate if consolidation is beneficial.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Hansen – noted that there will be a water/sewer meeting on March 26th and she has observed a lot of energy and professionalism in these employees; commented that there has been a committee to work with FEMA and the insurance regarding Borough Hall and some of the issues have changed; she is personally very close to the underage drinking ordinance issue and nobody thinks the problem does not exist in Hightstown, the ordinance has only been tabled and will be carefully considered.

Councilmember Quattrone – noted that Public Works has gotten a break from water main repairs and is preparing for spring clean-up; thanked the Administrator for the personnel policy changes.

Councilmember Thibault – noted that the Board of Health endorsed the underage drinking ordinance unanimously and that a treatment option can be added; the First Aid pancake breakfast is coming up soon and their website is also forthcoming; free radon kits are available at Borough Hall; there has been good discussion, without animosity, at this meeting.

Councilmember Misiura – there is a grant available that the Planning Board is interested in and they will be attending a pre-application meeting this week; the re-development agency ad-hoc committee held their meeting and are targeting the second meeting in April to bring their recommendations to the Council; the Planning Board Secretary is now officially working in the inspections office.

Council President Bluth – commented that she would have liked to have given Mrs. Palumbo a response on her Walking Bridge inquiry, but she has left the meeting. Council President Bluth then gave a review of the status of the Greenway Walking Bridge; swim practice for the triathlon will soon begin in Peddie Lake; the Farmers Market will begin on June 20th and run through mid-September; concerts are being booked, but other entertainment such as puppet shows, children bands, and plays are being considered to be included in the program.

Mayor Kirson – noted that Home Rule will kill New Jersey and the prospect of consolidation, it creates a burden on the taxpayer.

Councilmember Thibault moved to adjourn at 9:55 pm, Council President Bluth seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk