

**Meeting Minutes
Hightstown Borough Council
Regular Meeting
September 15, 2014
7:00 pm**

The meeting was called to order by Mayor Kirson at 7:00 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 Fred Raffetto, Borough Attorney.

Resolution 2014-191 Authorizing a Meeting Which Excludes the Public

Councilmember Quattrone moved resolution 2014-191, Council President Bluth seconded.

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

Resolution adopted 6-0.

Resolution 2014-191

*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 September 15, 2014 at 7:00p.m. in the First Aid Building located at 168 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 – Union Contracts
Personnel – Tax Collector

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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: December 15, 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 again read the Open Public Meetings Act statement.

The Flag Salute followed Roll Call.

George Lang, CFO and James LeTellier, Police Director joined the meeting at this time.

Mayor Kirson requested that resolution 2014-201, hiring a part-time Tax Collector be added to the agenda following resolution 2014-193.

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 September 2, 2014 open session minutes for approval, Councilmember Misiura seconded.

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

Minutes approved 5-0, with one abstention.

Council President Bluth moved the September 2, 2014 executive session minutes for approval, Councilmember Quattrone seconded.

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

Minutes approved 5-0, with one abstention.

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

Walter Sikorski, 326 N. Main Street - noted that the signs regarding the meeting do not contain a sponsor name, and that the Mayoral debate announcement for September 24th contains a paid disclaimer; commented that the Mayoral debate is scheduled for the start of the Jewish holiday and is improper, the League of Women Voters conducts the debate properly; he feels slighted and whoever is hosting these events should practice transparency.

Lynne Woods, 315 Park Avenue – commented that the public meeting is for the residents to come to an open meeting and express their concerns; the debate is Mayoral and all candidates have been notified; she spoke to the League of Women Voters and they had no objections; the meeting will be used to acquire questions for the debate.

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Doug Mair, 536 S. Main Street – noted that he is responsible for the scheduling of the debate, and all candidates were invited; the banner issue addressed at the last meeting opens a Pandora’s box as it conflicts with Borough ordinances; Although he is not involved in the public meeting being held, he would like to know if the PAWS Walk signs were also illegal. He inquired as to the status of the dangerous telephone pole on S. Main and South Streets and reported that there are wires down at a vacant house on N. Main Street.

Scott Caster, 12 Clover Lane – thanked Council for the discussion regarding bicycle signs and hopes they make the signs happen; commented that he wishes downtown was taken seriously and recommended the appointment of committees to be the eyes and ears of Council downtown. There are lights out and no parking enforcement at the Stockton Street lot.

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

Ordinance 2014-05 First Reading and Re-Introduction – 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”

Councilmember Misiura moved ordinance 2014-05 for introduction, Councilmember Hansen seconded.

Councilmember Thibault noted that he was not present at the last meeting when this ordinance was discussed, and reiterated his previous concern that this ordinance would apply to sheds which are greater than 10 x 10, or 10 x 12, which would cause a financial hardship on the resident; this remains unchanged in the ordinance so it should go back to the Planning Board to be resolved.

Councilmember Misiura noted that on page 2 of the ordinance, letter “c” now has an exemption that addresses the concern.

Councilmember Thibault referenced the exemption and noted that he still objects to the ordinance as it will cause a hardship on the residents.

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

Ordinance introduced 5-1, public hearing to be held on October 6, 2014.

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:
September 15, 2014

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

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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.

(1) Exceptions: A demolition permit shall not be required for the demolition of an accessory structure with a footprint of 100 square feet or less.

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.

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(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

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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 provided 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.

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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.

2014-16 First Reading and Introduction – An Ordinance Amending Chapter 28, “Zoning”, Sub-Section 3-15, Entitled “H-C Highway Commercial District” and Sub-Section 10-12, Entitled “Automobile Repair Establishments” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Council members Quattrone and Kurs recused themselves from discussion and vote on this ordinance due to a conflict of interest.

Council President Bluth moved ordinance 2014-16 for introduction, Councilmember Misiura seconded.

Councilmember Thibault noted that he was not present at the last meeting when this ordinance was discussed, and noted his concern with the requirement that vehicles be parked five feet from the street. There was brief discussion and it was noted that this is not a change to the present ordinance already in effect.

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

Ordinance introduced 4-0, public hearing to be held on October 6, 2014.

Ordinance 2014-16

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

**AN ORDINANCE AMENDING CHAPTER 28, “ZONING”, SUB-SECTION 3-15, ENTITLED
“H-C HIGHWAY COMMERCIAL DISTRICT” AND SUB-SECTION 10-12, ENTITLED
“AUTOMOBILE REPAIR ESTABLISHMENTS” OF THE “REVISED GENERAL
ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

WHEREAS, the Mayor and Council wish to amend certain provisions contained within Chapter 28 of the Borough Code relating to Automobile Repair Facilities 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 Section 4-21 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” is hereby amended and supplemented as follows:

Subsection T28-3-15T H-C Highway Commercial District.

a. Permitted Uses. In the H-C Highway Commercial District, the following uses, and no others, shall be permitted:

1. Principal Uses.

- (a) Any principal use permitted in the CC-1 and CC-2 Districts.
- (b) Retailing and service establishments with incidental outdoor operations.

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(c) Movie theater, bowling alley, gymnasiums, tennis centers, roller skating rinks and similar recreational and cultural facilities conducted within an enclosed building.

(d) Lumber yards.

(e) Heating oil distribution facilities.

(f) Motor vehicle body and repair shops which do not sell gasoline, subject to the conditions of Section 28-10-12.

2. Accessory Uses.

(a) Off-street parking and loading facilities.

(b) Private garages and storage buildings.

(c) Fences, walls and landscaping.

(d) Amusement machines: as permitted in the CC-1 District.

b. Other Restrictions.

1. Lot Area. A lot area of not less than twenty thousand (20,000) square feet shall be required.

2. Lot Width. A lot width of not less than one hundred (100') feet shall be required.

3. Lot Depth. A lot depth of not less than two hundred (200') feet is required.

4. Front Yard. No portion of any building shall be located nearer to any street line than twenty-five (25') feet, except that projections such as windowsills, cornices, cantilevered roofs, open one-story porches, balconies, other roof overhangs, canopies, bay windows and others of the same nature may project not more than five (5') feet into a required front yard. In addition, no building erected on any lot need be set back farther from the street line than the average alignment of existing buildings within two hundred (200') feet on each side of the lot and within the same block front and district; however, regardless of the alignment of neighboring buildings, no building erected between two (2) existing buildings on immediately adjacent lots need be set back farther than that of the two (2) buildings which is farther from the street line.

5. Perimeter Setback. A setback of twenty-five (25') feet from all lot lines other than street lines is required.

6. Height. The maximum height shall be two and one-half (2.5) stories, not to exceed thirty-five (35') feet.

7. Lot Coverage. The total lot coverage of all buildings shall not exceed thirty (30%) percent of the gross lot area, and total lot coverage of all buildings, structures and other lot improvements shall not exceed seventy (70%) percent of the gross lot area.

8. Parking. See subsection 28-10.10, Off-Street Parking and Off-Street Loading Facilities.

9. Signs.

(a) Freestanding signs shall be permitted for all permitted uses, provided that:

(1) There shall be no more than one (1) sign for each street, other than a residential service street, on which the use fronts.

(2) The total area of such signs shall not exceed seventy-five (75) square feet, nor shall they exceed a height of fifty-five (55') feet.

(3) All bare incandescent light sources (neon lights shall not be considered as such) and immediately adjacent reflecting surfaces shall be shielded from view. Flashing, moving, intermittently illuminated advertising devices shall be prohibited.

(b) Signs for individual business establishments in designed shopping centers shall be permitted in addition to the center's sign, provided that:

(1) The total area of all signs shall not exceed two (2) square feet for each foot of building frontage; the maximum shall not exceed forty (40) square feet.

(2) No sign shall exceed two (2') feet in height.

(3) Such sign shall be applied flat against a wall and shall not project beyond the side or top of the wall to which it is affixed nor more than eight (8") inches in front of such wall.

(4) All bare incandescent light sources (neon lights shall not be considered as such) and immediately adjacent reflecting surfaces shall be shielded from view; flashing, moving, intermittently illuminated signs, reflection signs or signs painted in luminous materials that glow in the dark and advertising devices shall be prohibited.

(5) Not more than one (1) sign shall be permitted for each tenant on the premises on each wall fronting on a street.

10. Sight Triangles. The regulations for sight triangles shall be the same as for the R-1 District.

11. Landscaping and Buffers. All portions of lots not used for buildings, parking or other improvements shall be suitably landscaped with lawns, shrubs and/or trees. Lot lines which abut residential uses or residential district lines shall provide a landscape buffer strip at least ten (10') feet in width, and the buffer strip shall be suitably landscaped to provide a continuous, year-round, visual screening of the property. The buffer area may contain a fence provided in accordance with subsection 28-10.4, but the fence shall be provided to only supplement necessary landscaping. A landscaped strip at least five (5') feet in width shall be provided along all street right-of-way lines as a setback for parking of motor vehicles. The landscape strip and any adjoining landscape area of the right-of-way shall be landscaped with suitable shrubbery not exceeding thirty (30") inches in height, street trees and other suitable landscaping improvements. (1991 Code §§ 233-24, 233-25; Ord. No. 93-852; Ord. No. 860)

Subsection T28-10-12T Automobile Repair Establishments.

Automobile repair establishments shall be permitted, provided that:

a. Except in the case of emergencies, only minor repairs, such as tire and oil changes, fluid level maintenance and similar incidental servicing may be performed outside of a fully enclosed building and only between the hours of 7:00 am and 6:00 pm. All other service or repair operations must be performed within a completely enclosed building. Outdoor storage of materials and equipment shall not be permitted except for the storage of tires for disposal and recycled oil containers, which items shall be screened from view. Tires shall be stored in such a manner as to eliminate the accumulation of rainwater in the tires.

b. No automobile shall be stored nearer than five feet (5') to the street line, or such greater distance as may be required to provide an adequate sight triangle. However, no stored automobile shall block or infringe on a public pedestrian sidewalk or right-of-way. No motor vehicle shall be stored on the site longer than one hundred twenty (120) days, except that the proprietor of the automobile repair establishment may request an extension of time for motor vehicles being stored as a result of non-payment of charges, the inability to pay charges or in the process of the proprietor obtaining title to the motor vehicle. Such extension shall be requested in writing to the Zoning Officer setting in detail the reason for the extension request, the make,

model, color and VIN of the motor vehicle for which the extension is requested.

c. A maximum of two (2) automobiles for sale may be displayed on the property at a time. A maximum of five (5) automobiles may be displayed for sale within a twelve (12) month period. Automobiles for sale may display a paper "FOR SALE" sign not exceeding 8" x 10" in or on the windows.

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

BE IT FURTHER ORDAINED, that in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable there from and shall not be affected; and

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

Council members Kurs and Quattrone returned to the meeting at this time.

2014-17 First Reading and Introduction – An Ordinance Amending the Salary Ordinance of the Borough of Hightstown

Councilmember Misiura moved ordinance 2014-17 for introduction, Council President Bluth seconded.

Mr. Underhill explained the additional titles needed and that the salary range for Tax/Payroll/ Utility Clerk was being revised to match the present salary range for Administrative Assistant.

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

Ordinance introduced 6-0, public hearing to be held on October 6, 2014.

Ordinance 2014-17

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

**AN ORDINANCE AMENDING THE SALARY ORDINANCE OF THE BOROUGH OF
HIGHTSTOWN**

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

Section 1. The following titles and salaries are hereby added to the salaries of the Borough of Hightstown:

	RANGING FROM:	TO:
Part-Time Tax and Water/Sewer Collector	\$10,000.00	\$15,000.00
Supervising Waste Water Treatment Plant Operator	\$44,000.00	\$56,000.00

and;

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The following title salary range shall be adjusted to read:

Tax/Utility/Payroll Clerk	\$22,000.00	\$47,000.00
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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 effective September 5, 2014.

Section 4. The salary range established in this ordinance supersede any established for the same position in previous salary ordinances, and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

Resolution 2014-192 Authorizing the Payment of Bills

Councilmember Quattrone moved resolution 2014-192, Council President Bluth seconded.

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

Resolution adopted 6-0.

Resolution 2014-192

*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 \$1,817,762.80 from the following accounts:

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Current		\$1,706,602.09
W/S Operating		100,846.53
General Capital		2,736.28
Water/Sewer Capital		12.00
Grant		0.00
Trust		3,335.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		712.90
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>3,518.00</u>
Total		<u>\$1,817,762.80</u>

Resolution 2014-193 Opposing A-3059/S-1811 “Buy American” Legislation

Council President Bluth moved resolution 2014-193, Councilmember Misiura seconded.

The Borough Clerk/Qualified Purchasing Agent gave an explanation of the bill and explained that a Buy American regulation is already in the Local Public Contracts Law; and the waiver process increases the possibility of bidders contesting any award made, which could substantially increase legal fees for the taxpayer; and the ability to award to a higher bidder by 20% is also an additional cost to the taxpayer. She also noted that the time consumed going through the waiver process could cause substantial delays in the award of contracts, and if using grant or trust funds for the project, would require requesting an extension of the date of award from the grant provider; and Local Public Contract Law requires that a bid be awarded within sixty days of the bid opening; the waiver process could delay the award past the sixty days.

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

Resolution adopted 6-0.

Resolution 2014-193

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

RESOLUTION OPPOSING A-3059/S-1811 “BUY AMERICAN” LEGISLATION

September 15, 2014

WHEREAS, Senate Bill S-1811 and Assembly Bill A-3059 propose to require the use of goods made in the United States for public contracts and requires businesses that receive public contracts or development assistance to disclose exportation information; and

WHEREAS, these bills would require that a contracting unit shall provide in the specifications for all contracts for purchases or work, including public works contracts, or for work for which it will pay any part of the cost, or work which by contract or ordinance it will ultimately own and maintain, that only manufactured and farm products of the United States, wherever available in reasonable quantity, be purchased or used in such work; and

WHEREAS, these bills permit a waiver in any case or category of cases in which the contracting unit entering into the contract finds that manufactured or farm products of the United States are not available in reasonable quantity, or the cost of buying manufactures or farm products of the United States is unreasonable.

WHEREAS, there is a presumption of unreasonableness for manufactured or farm products of the United States that cost more than 20% above the fair market value for such products; and

WHEREAS, the procedure for a waiver from the provisions of the bill requires that at least 30 days before issuing a waiver the contracting unit is to provide to the public a notice summarizing the reason for the proposed waiver, and provide an opportunity for the public to comment on the proposed waiver with said notice being posted prominently on the website of the contracting unit; and

WHEREAS, if, after public notice and an opportunity for public comment the contracting unit determines to issue a waiver, the contracting unit shall provide a detailed justification for the waiver that shall be posted prominently on the website of the contracting unit. Such justification shall include responses to any public comments received and be published before the waiver shall take effect; and

WHEREAS, the Borough of Hightstown strongly endorses buying American products and does so whenever practicable; and

WHEREAS, N.J.S.A. 40A:11-18 presently states that each local unit shall provide, in the specifications for all contracts for county or municipal work or for work for which it will pay any part of the cost, or work which by contract or ordinance it will ultimately own and maintain, that only manufactured and farm products of the United States, wherever available, be used in such work.

WHEREAS, the waiver process in these bills is cumbersome and does not permit timely purchases or awards of contracts as required pursuant to Local Public Contracts Law, costing time and money for the contracting unit; and

WHEREAS, these bills in the long term will have a negative impact on the economy of New Jersey; and

WHEREAS, although these bills attempt to enforce the American economy they create a possible 20% increase in cost of products because they are manufactured or farm products of the United States; and

WHEREAS, the matter of trade agreements that are already in place under federal regulations are not addressed in these bills.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of Hightstown Borough in the County of Mercer does hereby oppose S-1811 and A-3059 as presently proposed and calls upon its representatives September 15, 2014

in the State Legislature to oppose the adoption of this bill; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Office of the Governor, Speaker Oliver, Assemblymen Egan and Diegnan sponsors of A-3059, and Assemblymen Kean, O'Donnell, Benson, DeAngelo, Cryan, Eustace, Lagana, Assemblywoman Quijano, Assemblyman Wisniewski, Assemblywoman Pinkin, Assemblymen Coughlin, Andrzejczak, C. J. Brown and Mazzeo, co-sponsors of A-3059, and the New Jersey League of Municipalities.

Resolution 2014-201 Appointing a Part-Time Tax and Water/Sewer Collector – Danielle Peacock

Mayor Kirson explained that this Collector is very experienced and going part-time is an advantage to the taxpayer.

Council President Bluth moved resolution 2014-201, Councilmember Quattrone seconded.

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

Resolution adopted 6-0.

Resolution 2014-201

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

**APPOINTING A PART-TIME TAX AND WATER/SEWER COLLECTOR –
DANIELLE C. PEACOCK**

WHEREAS, due to the resignation of Toni Mullen from the position of Tax and Water/Sewer Collector there is a need for the appointment of a certified Tax and Water/Sewer Collector for Hightstown Borough; and,

WHEREAS, the Borough Administrator has recommended that the position of Tax and Water/Sewer Collector for Hightstown Borough be appointed as a part-time position with hours to be determined and agreed upon between the Administrator and Collector; and

WHEREAS, the Tax and Water/Sewer Collector shall perform the function and duties specified by New Jersey Law for a Municipal Tax Collector, as set forth in N.J.S.A. 40A:9-141 et. seq., Municipal Water Collector and Municipal Sewer Collector and by the relevant sections of Chapter 2 of the Borough Code of the Borough of Hightstown as to the functions of Municipal Tax and Water/Sewer Collector and to perform other legally permissible and proper duties and functions required to perform the duties of Tax and Water/Sewer Collector.

WHEREAS, the Borough Council desires to appoint Danielle C. Peacock of New Egypt, New Jersey as Part-Time Tax and Water/Sewer Collector for the Borough of Hightstown at a salary of \$12,000.00; and

WHEREAS, Ms. Peacock meets all statutory requirements and qualifications for the position of Municipal Tax Collector as set forth in N.J.S.A. 40A:9-145.2; N.J.S.A. 40A:9-145.3; and, any other relevant statutory provisions; and,

WHEREAS, said appointment is being made for an unexpired term ending December 31, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Danielle C. Peacock is hereby appointed as Part-Time Tax and Water/Sewer Collector for Hightstown Borough effective October 1, 2014.

September 15, 2014

Consent Agenda: Resolutions 2014-194, 2014-195, 2014-196, 2014-197, 2014-198, 2014-199, and 2014-200

Councilmember Quattrone moved resolutions 2014-194, 2014-195, 2014-196, 2014-197, 2014-198, 2014-199, and 2014-200 as the consent agenda, Councilmember Kurs seconded.

Mayor Kirson read the titles of the resolutions aloud and gave a brief explanation of each.

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

Resolutions adopted 6-0.

Resolution 2014-194

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

AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, an overpayment of taxes was made for Block 10.01, Lot 75, 35 Norton Avenue, in the amount of \$3,083.50 due to a double payment; and

WHEREAS, the payer, Foundation Title, LLC - Hamilton, 3840 Quakerbridge Road, Suite 120, Hamilton, New Jersey, 08619 has requested that a refund be issued for the overpayment in the amount of \$3,083.50; and

WHEREAS, the Tax Collector has requested that said overpayment be refunded in the amount of \$3,083.50.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Tax Collector and Treasurer are hereby authorized to issue a refund in the amount of \$3,083.50 to Foundation Title, LLC - Hamilton, 3840 Quakerbridge Road, Suite 120, Hamilton, New Jersey, 08619, representing the tax overpayment as set forth herein.

Resolution 2014-195

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

**AUTHORIZING THE PLACEMENT OF A BANNER FOR THE HIGHTSTOWN-
EAST WINDSOR HISTORICAL SOCIETY HOUSE TOUR ON THE DAM AT
PEDDIE LAKE**

WHEREAS, the Hightstown-East Windsor Historical Society has requested permission to hang a banner on the dam at Peddie Lake to promote their "Time & Again" House Tour to be held on Sunday, October 26, 2014; and

WHEREAS, the Borough Council has reviewed the request and finds that permission to hang a banner at the Peddie Lake to promote Hightstown-East Windsor Historical Society's "Time & Again" House Tour to be held on Sunday, October 26, 2014 should be granted; and

WHEREAS, removal of the banner shall take place within one week following the event, or earlier if practicable.

September 15, 2014

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Hightstown-East Windsor Historical Society is hereby authorized to hang a banner on the dam at Peddie Lake to promote their "Time & Again" House Tour to be held on Sunday, October 26, 2014 as set forth herein.

Resolution 2014-196

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

**AUTHORIZING RECEIPT OF BIDS FOR THE 2013 ROAD IMPROVEMENT PROGRAM
CONSISTING OF PARK AVENUE, GREELEY STREET & GLEN BROOK PLACE AND THE
2014 ROAD IMPROVEMENT PROGRAM CONSISTING OF GRANT AVENUE,
HUTCHINSON STREET, AND PARK WAY AS ONE PROJECT**

WHEREAS, the Borough Engineer advertised bids for the 2013 Road Improvement Program consisting of Park Avenue, Greeley Street and Glen Brook Place and bids were received on August 21, 2014; and

WHEREAS, eight bids were received and pursuant to resolution 2014-182 all bids were rejected because the low bid exceeded the Engineer's estimate by approximately 13% and exceeded the funds available for this project; and

WHEREAS, the Borough Engineer has recommended that the Road Improvement Program for 2013 consisting of Park Avenue, Greeley Street and Glen Brook Place and the Road Improvement Program for 2014 consisting of Grant Avenue, Hutchinson Street, and Park Way be combined in an effort to reduce the cost of the projects overall; and

WHEREAS, the Mayor and Borough Council agree with the Engineer's determination that a combined bid could reduce the overall cost of both projects by bidding them as one.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Engineer is hereby authorized to prepare specifications and advertise for bids for a Road Project for Park Avenue, Greeley Street and Glen Brook Place and a Road Project for Grant Avenue, Hutchinson Street, and Park Way as one project, and that the Borough is authorized to receive same after proper advertisement.

Resolution 2014-197

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

**REQUESTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO
AUTHORIZE AN EXTENSION FOR THE AWARD OF A CONTRACT FOR THE 2013 ROAD
IMPROVEMENT PROGRAM CONSISTING OF PARK AVENUE, GREELEY STREET &
GLEN BROOK PLACE**

WHEREAS, the Borough Engineer advertised bids for the 2013 Road Improvement Program consisting of Park Avenue, Greeley Street and Glen Brook Place and bids were received on August 21, 2014; and

WHEREAS, eight bids were received and pursuant to resolution 2014-182 all bids were rejected because the low bid exceeded the Engineer's estimate by approximately 13% and the funds available for this project; and

September 15, 2014

WHEREAS, the Borough Engineer has recommended that the Road Improvement Program for 2013 consisting of Park Avenue, Greeley Street and Glen Brook Place and the Road Improvement Program for 2014 consisting of Grant Avenue, Hutchinson Street, and Park Way be combined in an effort to reduce the cost of the projects overall, and the Mayor and Borough Council agree with the Engineer's determination that a combined bid could reduce the overall cost of both projects by bidding them as one; and

WHEREAS, the New Jersey Department of Transportation agreement for the 2013 Road Improvement Program consisting of Park Avenue, Greeley Street and Glen Brook Place as executed by the Borough stipulates a deadline for the award of a contract to be December 20, 2014; and

WHEREAS, in order to allow an appropriate time to prepare specifications and bid the combined project the Mayor and Borough Council request an extension for the award of a contract for 2013 Road Improvement Program, with a contract to be awarded by May 20, 2015.

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Council hereby requests from the New Jersey Department of Transportation an extension to the deadline for the award of the 2013 Road Improvement Program contract consisting of Park Avenue, Greeley Street and Glen Brook Place, revising the date in the agreement to May 20, 2015.

Resolution 2014-198

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

**ACCEPTING MEMBERSHIP OF SEAN D. HAGADORN
IN HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Sean D. Hagadorn of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

WHEREAS Mr. Hagadorn has undergone and passed the required physical examination, and his membership application has been reviewed and approved by Fire Chief Scott Jenkins;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the membership of Sean D. Hagadorn in Hightstown Engine Company No. 1 is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

Resolution 2014-199

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

**ACCEPTING MEMBERSHIP OF TIMOTHY L. CURRY
IN HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Timothy L. Curry of Roosevelt, New Jersey has applied for membership in Hightstown Engine Company No. 1; and
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WHEREAS Mr. Curry has undergone and passed the required physical examination, and his membership application has been reviewed and approved by Fire Chief Scott Jenkins;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the membership of Timothy L. Curry in Hightstown Engine Company No. 1 is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

Resolution 2014-200

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

**ACCEPTING MEMBERSHIP OF MATHEW C. LAWSON
IN HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Matthew C. Lawson of Roosevelt, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

WHEREAS Mr. Lawson has undergone and passed the required physical examination, and his membership application has been reviewed and approved by Fire Chief Scott Jenkins;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the membership of Matthew C. Lawson in Hightstown Engine Company No. 1 is hereby accepted.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

Bicycle Signs

Henry Underhill advised that he wrote a letter to the NJ Department of Transportation (DOT) for permission to post the bicycle signs on Main Street and received a denial in response. The response letter stated that signs posted on state highways are for road traffic, not sidewalk traffic.

Mayor Kirson recognized Scott Caster from the audience, noting that he has been the advocate for the signs, and invited him to participate in the discussion.

Mr. Caster commented that the signs could be posted on local and county roads since the letter applies to state highways only. The Police Director advised that permission to post the signs on county roads would require permission from the county, and if the signs are not approved the police cannot enforce them. Mr. Caster noted that the signs in Freehold are posted on the lamp posts.

There was discussion regarding legislative contact for support; posting the signs to buildings or facing toward the sidewalk; allowing businesses to paint signs on the sidewalks and the high cost of maintenance in such an endeavor; unsightly sandwich signs; educating residents through community outreach; and performing a study on the matter.

Lynne Woods, a member of the audience, called for a point of order regarding allowing the public to
September 15, 2014

participate in Council discussion. The Borough Attorney advised that it is up to the Council Chair to recognize the public and allow their participation.

Water/Sewer Rates

Mr. Underhill advised that he has surveyed various town rates and the information has been distributed to Council. He noted that there has been a fund balance decline because revenue is lagging and there has been a decline in gray water disposal; the Borough will be short on the water/sewer anticipated revenue this year. Expenses have not had any big increases since 2011, but capital expenditures will increase; the cost of the ultraviolet, if it can't be avoided, is \$1/2M to \$1M. A projected rate increase will help to balance this out.

George Lang, CFO, noted that the Borough has not implemented a rate increase in eight years.

Mr. Underhill advised that the revenue breakdown is approximately 42% is usage, 37% is fixed charges, and 21% is gray water fees. There was discussion regarding gray water fees. Mr. Underhill recommended an overall rate increase of 10.9% based on today's rate, effective January 1, 2015, with a higher increase on the sewer charges; this increase would cost the average user \$108.00 per year with a one-time increase.

Mr. Underhill then advised that there is a fire service connection fee that is not being enforced and he would like to begin billing the appropriate businesses beginning January 1, 2015. He recommended that a letter goes out now to advise the business owners know that it is coming. There was discussion regarding the fire connections fees and lack of enforcement, noting that Council had instructed the collection of these fees in the past. Mr. Underhill noted that he is unaware of what occurred in the past, but the pipes have been measured and billing can begin.

There was discussion regarding the fund balance and surplus; revenues versus expenses; debt; lack of connection fee revenue; prior budget practices of charging Borough expenses to the water/sewer budget; and the disadvantage to the Borough when Coca-Cola closed, both with water/sewer and taxes.

Councilmember Hansen noted that the plant is in need of further infrastructure improvements and DEP compliance requirements are costly. While the 2008 bonds will be paid off in 2018, new debt will level it off. Councilmember Misiura noted that no rate increase in eight years was probably not a good idea, there should have been a 1% increase each year to prevent such a large increase. There was discussion regarding the water/sewer debt.

Councilmember Misiura motioned that the Borough Administrator, Henry Underhill be given the authority to send out letters to business owners advising them that effective January 1, 2015 they will begin paying fire connection fees pursuant to the ordinance, Councilmember Quattrone seconded.

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

Motion approved 6-0.

Mr. Underhill advised Council that a change in rates will require an ordinance to be adopted, which must be done by the end of the year to be effective January 1, 2015; he then noted that if the Council has any questions, please send them to him. There was discussion regarding public notification requirements for rate increases.

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

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Walter Sikorski, 326 N. Main Street – noted that the Master Plan was adopted by the Planning Board and only three members of the public were present; the Master Plan sets the vision for the Borough and is very important.

Doug Mair, 536 S. Main Street – noted that Scott Caster has talked about this bicycle issue for two years and it is finally being addressed; you don't need signs, there are ordinances and they should be enforced. Council should be discussing real issues, not bicycle signs.

Scott Caster, 12 Clover Lane – commented that there should be talks about merging the water and sewer with East Windsor; you can't consolidate the towns without merging utilities first. Consolidation is a joke, Legislators and the Governor need to get involved and force consolidation.

Lynne Woods, 315 Park Avenue – inquired if the Borough Attorney had reviewed the legislation that resolution 2014-193 opposed.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Misiura – commented that the Planning Board held the public hearing on the Master Plan and it has been adopted with implementation to start; Downtown Hightstown held a meeting and discussed the need for directional parking signs and over stays in timed parking; Habitat hopes to attend a future meeting to present another project; he has no objection to the signs that were posted for the meeting on September 17th, but they were very misleading and residents were confused.

Councilmember Kurs – commented that he agrees that the meeting signs posted were misleading and confused the public, and the signs should also say who is sponsoring the meeting so the public knows; there were also illegal signs on telephone poles. Each public meeting of the Borough Council has two public comment periods and makes its entire packet available on-line; this is a very open community. He is offended that the Mayoral Debate is scheduled on the Jewish Holiday and finds it insulting; residents should not be excluded from attending.

Doug Mair accused Councilmember Kurs of calling him anti-Semitic because he knows that he is the one who scheduled the Mayoral debate; Councilmember Kurs denied calling Mr. Mair anti-Semitic. Mayor Kirson calmed the outburst and stated that Councilmember Kurs did not call Mr. Mair him anti-Semitic.

Councilmember Hansen - commented that she understands campaign promises and the work and research that goes into getting elected, but once elected you discover the complexity of running government; a lot of energy and dedication goes into it by the Council and staff. Council is not doing nothing, a lot is going on and we must deal with complex issues; the Professionals and staff work very hard and do a great job. The research on the water/sewer rates was a very difficult process.

Councilmember Quattrone – commented that he has been doing this for a long time, and a lot goes on at this side of the table; he cannot make the Mayoral debate; the police department is conducting interviews to replace leaving officers and public works has hired a replacement for Daniel Darling who retired; posting signs downtown and changing parking times is very complicated; he welcomes the opportunity to hear from Habitat; the problem with moving forward with the fire connection fees was that each line had to be measured and that takes time; the State took the bicycle signs down, not the Borough; painting on the sidewalk is high maintenance.

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Councilmember Thibault – noted that the PAWS Walk was a success and thanked Jill Swanson and her team, Public Works, the Police, and Denny Hansen for their assistance; the Board of Health has performed an investigation and found no rodent infestation, and they are observing the pigeon droppings issue; he saw by the discussion at the last meeting that the dumpster issue is being addressed by the Board of Health and Public Works; Courage to Connect does not speak to political parties; he did not think the signs about the meeting were an issue because he knew it was not a Council meeting, so he does not see a problem.

Council President Bluth – noted that the Triathlon realized over \$10,000 for Parks & Recreation programs; the new Chair of the Commission is Stacey Judge. Mayor Kirson was out of town, so she attended the Habitat groundbreaking in his place, and she is glad she participated; it was a great event. She attended the League of Municipalities Legislative Committee meeting and A-3376 changes the mailing of ballots to one per household, from per voter; S-3234 allows Municipalities to have professional service agreement with new Assessors; and the League has changed its stand on the drug testing of incoming governing body members and now supports A-3198. The Cultural Arts Commission is meeting soon and a Liaison is needed.

Councilmember Misiura volunteered to take on being the Liaison to the Cultural Arts Commission for the balance of 2014.

Mayor Kirson – commented that three of the bills that were mentioned are a waste of time, those in Trenton need to be replaced.

Administrator Underhill – noted that he is looking at the septic fees and expenses and will present them at a later date.

Police Director LeTellier – commented that parking enforcement is performed daily and it is difficult to tell how long somebody has been parked in a location without parking meters.

Councilmember Thibault motioned to adjourn at 9:54 pm, Councilmember Misiura seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk

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