

**Meeting Minutes  
Hightstown Borough Council  
Regular Meeting  
January 20, 2015  
First Aid Building**

PLEASE TURN OFF ALL CELL PHONES DURING YOUR ATTENDANCE AT THIS MEETING TO AVOID SOUNDS/RINGING OR CONVERSATION THAT MAY INTERFERE WITH THE MEETING OR THE ABILITY OF ATTENDEES TO HEAR THE PROCEEDINGS. THANK YOU FOR YOUR COOPERATION.

Meeting called to order by Mayor Lawrence Quattrone 6:20 PM.

*STATEMENT:* 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 provided 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 Montferrat</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Kirson</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; Frederick Raffetto, Esq. Borough Attorney; and Elizabeth Garcia, Labor Counsel.

**Resolution 2015-28 Authorizing a Meeting Which Excludes the Public**

Mayor Quattrone advised that the individuals involved in the personnel matter on the resolution have filed a waiver to have the matter discussed in public; therefore the resolution must be amended to remove the personnel matters and the subject added to the public agenda. He also requested that the Lease at 415 Mercer Street be added under contract negotiations.

Councilmember Kurs moved resolution 2015-28, as amended, Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2015-28

*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 January 20, 2015 at 6:15p.m. in the First Aid Building located at 168 Bank Street, Hightstown that will be limited only to consideration of an

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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 – FOP Union Negotiations  
Shared Services (Various – Police/Dispatch/Court)  
Lease for 415 Mercer Street

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: April 20, 2015 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.

Mayor Quattrone called the public meeting to order at 7:10pm and again read the Open Public Meeting Statement.

The Flag Salute followed Roll Call.

George Lang, CFO joined the meeting at this time and was now present.

Mayor Quattrone requested that the personnel matter removed from the executive session resolution be added to the agenda before the first public comment period; the addition of resolutions 2015-55, authorizing the Memorandum of Agreement for the FOP, and 2015-56 renewing the lease for 415 Mercer Street be added to the agenda; resolutions 2015-30 to 2015-44 be added to the consent agenda (at the request of Council); and that the year in resolution 2015-37 have the year within the resolution corrected to 2015.

Borough Attorney Raffetto requested that resolutions 2015-50 and 2015-52 be removed from the consent agenda and voted on separately.

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

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

Agenda approved as amended 6-0.

Councilmember Montferrat noted that the re-organization meeting minutes read Councilmember Doran where it should read Councilmember Kurs in the roll call.

Councilmember Stults moved the January 1, 2015 re-organization meeting minutes for approval as amended, Councilmember Kurs seconded.

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

Minutes approved 5-0, with one abstention.

### **Commendations**

Mayor Quattrone and Councilmember/Police Commissioner Kurs called Officers Jerry Mecca and Ronald Stephensen forward. Mayor Quattrone noted that these two officers went above and beyond in their duties; Councilmember/Police Commissioner Kurs read the commendation aloud. They then presented Officers Mecca and Stephensen with the proclamations.

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## **Presentation**

Three members of the 9/11 Ride Foundation and Bill Paglione, President of Hightstown Engine Co. #1 then came forward. The 9/11 Ride Foundation gave a review of the history and route of the 9/11 Ride, noting that Hightstown is a highlight of the ride and that the Fire Department has been very supportive. They then presented an AED to the Fire Department, in appreciation for their support of the Ride. Mr. Paglione thanked them for their very generous donation and noted the importance of this equipment to the Borough and its residents. Mayor Quattrone thanked the 9/11 Ride Foundation for their donation.

## **Personnel**

Labor Counsel Garcia advised that this matter has been moved to the public portion of the meeting because the two individuals signed the RICE notice waiver to have the matter discussed in public.

Lt. Gendron advised Council that disciplinary charges will be filed against Officer Marchione. Mr. Underhill advised that the Hearing Officer will hear the case and report back to Council on the matter.

Labor Counsel Garcia then noted that the investigative report on the harassment investigations will be distributed to Council tomorrow and that it is confidential and cannot be discussed publicly.

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

Walter Sikorski, 326 N. Main Street – commented that the gateway streets into the Borough are the first impression to visitors and North Main Street is looking shabby; he invited the Council members to take a tour on Saturday morning with him, in pairs of two so as not to violate the open public meetings act.

Doug Mair, 536 N. Main Street – commented that Council should advise the public as to what the charges are that are being brought against Officer Marchione; commented that there are several different reasons that have been given as to why the developer for the rug mill property abandoned the project.

Robert Thibault, 504 S. Main Street – commented that if the disciplinary charges were discussed in executive session, the public, and Officer Marchione, have the right to know what charges are being filed; commented that rental properties are not being properly inspected; the hiring of an Environmental Engineer for the rug mill property is the responsibility of the property owner and the burden should not be placed on the taxpayers.

Barbara Jones, 219 Greeley Street and Environmental Commission Chairperson – gave the benefits of the trees on Hutchinson Street and commented that Council should find alternative options.

Eugene Sarafin, 628 S. Main Street – noted that it is good to see Council this evening.

Scott Caster, 12 Clover Lane – noted the passing of past Mayor Ernest Turp who was a mentor and served three terms as Mayor, he will be missed.

Romy Kane, Monroe Township – commented that Officer Marchione should be reinstated and the Fireman involved should be investigated.

Renee Klein, East Windsor Township – commented that she supports Officer Marchione and that the harassment issues involving Officer Krupa are still ongoing.

Shannon White, Monroe Township – reviewed events leading to Officer Marchione's suspension and commented that there is a video of the incident at the police department.

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Mark Messenger, PBA Local 35 – inquired whether the Borough’s insurance carrier has been notified of the Marchione matter.

Denise Garcia, Deerfield Apartments – commented that she supports Officer Marchione.

Sabrina Marley, Hamilton Square – commented that she is appalled at what is going on with the police and that they deserve answers.

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

Fred Raffetto, Borough Attorney, noted that tonight is not a public hearing and the waiver for the RICE notice signed by the employee only requires that the matter be addressed in public as opposed to executive session; and he confirmed that Council did not address this matter in executive session. In the ordinance it is required that Council be notified of disciplinary charges when they are being filed and that notice was given to Council tonight by Lt. Gendron. Council must remain impartial because Council ultimately is going to make a determination in this matter; Council does not approve the charges. The employee will be entitled to due process and a hearing and the right to be represented by Legal Counsel during the hearing. The hearing will be heard by an outside independent hearing officer who is a retired Judge who will make findings of facts and conclusions of law based upon the evidence and testimony received at the hearing; he will then submit a report of his findings along with recommendations to Council. Council will make a final determination after that report is received. At this point in time Council is not pre-judging anything; they are not authorizing the charges, and they are not required to do so. This is only the notification requirement that is in our ordinance; Lt. Gendron notified Council tonight that charges were being filed.

**Ordinance 2015-01 First Reading and Introduction** - An Ordinance Amending and Supplementing Chapter 2, Entitled “Administration,” Adding Section 2-1, Entitled “Deputy Borough Clerk,” to the “Revised General Ordinances of the Borough of Hightstown, New Jersey.”

Councilmember Bluth moved ordinance 2015-01 for introduction, Council President Hansen seconded.

There was discussion regarding establishing a salary for this title. Borough Clerk Sopronyi advised that the salary would be established when Council addresses the salary ordinance, which is retroactive until January 1<sup>st</sup> and would cover the salary from the implementation of the title and appointment of the Deputy Clerk.

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

Ordinance introduced: 6-0, Public Hearing to be held on February 2, 2015.

Ordinance 2015-01  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ENTITLED “ADMINISTRATION,” ADDING SECTION 2-11, ENTITLED “DEPUTY BOROUGH CLERK,” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

**WHEREAS**, the Hightstown Borough Council has determined that it is appropriate to add the title of Deputy Borough Clerk to the Revised General Ordinances of the Borough of Hightstown; and,

**WHEREAS**, the addition of the title of Deputy Clerk is needed so that the services of a Deputy Borough Clerk may be utilized to perform the duties of the Borough Clerk at meetings and in the Office of the Borough Clerk where attendance by the Borough Clerk may not be convenient or possible.

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**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. That Section 2-11, entitled “Deputy Borough Clerk,” of Chapter 2, “Administration,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby added in the following specific respects (additions are shown with underline):

Section 2-11

DEPUTY BOROUGH CLERK

Subsections:

2-11.1 Position Created.

2-11.2 Appointment; Term; Vacancy.

2-11.3 Powers and Duties.

2-11.4 Defense and Indemnification.

2-11.5 Associate Deputy Clerk.

Subsection 2-11.1 Position Created.

There is hereby created the position of Deputy Borough Clerk, which may be a full-time or part-time position.

Subsection 2-11.2 Appointment; Term; Vacancy.

The Deputy Borough Clerk shall be appointed, upon the recommendation of the Clerk, by the Mayor with the advice and consent of Council, for a term of one (1) year calculated from the 1st of January of the year of the appointment. Any vacancy in said office occurring other than by expiration of term shall be filled in the same manner, but for the unexpired term only.

Subsection 2-11.3 Powers and Duties.

The Deputy Borough Clerk shall have all of the powers and duties of the Borough Clerk, under the direction and guidance of the Borough Clerk, during absence or disability of the Borough Clerk, and shall also have such other powers and duties as shall be prescribed from time to time by the Borough Clerk, Mayor or Council.

Subsection 2-11.4 Defense and Indemnification.

The Borough shall provide the Deputy Borough Clerk with defense and indemnification, to the extent permitted by N.J.S.A. 40A:9-133, of any action or legal proceeding arising out of and directly related to the Deputy Borough Clerk's lawful exercise of authority in furtherance of the Deputy Borough Clerk's official duties when exercising the powers of the Borough Clerk during the absence or disability of the Borough Clerk.

Section 2. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in

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accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Resolution 2015-29 Authorizing the Payment of Bills.**

Councilmember Kurs moved resolution 2015-29, Councilmember Stults seconded.

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

Resolution adopted: 6-0

**Resolution 2015-29**

*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 \$324,845.97 from the following accounts:

Current		\$166,006.56
W/S Operating		102,956.04
General Capital		37,874.50
Water/Sewer Capital		0.00
Grant		361.37
Trust		5,000.00
Housing Trust		8,000.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>4,647.50</u>
Total		<u>\$324,845.97</u>

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**Consent Agenda – Resolutions 2015-30, 2014-31, 2015-32, 2015-33, 2015-34, 2015-35, 2015-36, 2015-37, 2015-38, 2015-39, 2015-40, 2014-41, 2015-42, 2015-43, 2015-44, 2015-51, 2015-53 and 2015-54**

Councilmember Kurs moved the consent agenda which included resolutions 2015-30, 2014-31, 2015-32, 2015-33, 2015-34, 2015-35, 2015-36, 2015-37, 2015-38, 2015-39, 2015-40, 2014-41, 2015-42, 2015-43, 2015-44, 2015-51, 2015-53 and 2015-54; Council President Hansen seconded.

There was discussion regarding the possibility of joining a cooperative for chemical purchases to reduce costs.

Councilmember Bluth noted that there is no resolution for the award of Chlorine; this resolution will be placed on the February 2, 2015 agenda.

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

Resolutions adopted 6-0.

**Resolution 2015-30**

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

**AWARDING CONTRACT FOR ALUMINUM SULFATE – USALCO BALTIMORE PLANT, LLC**

**WHEREAS**, one (1) bid was received on December 30, 2014 for Aluminum Sulfate for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Aluminum Sulfate be awarded to the low bidder, Usalco Baltimore Plant, LLC of Baltimore, Maryland at a per unit price of \$1.024 per gallon with a total contract price of \$14,472.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bid and has determined that the bid submitted by Usalco Baltimore Plant, LLC is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Aluminum Sulfate is hereby awarded to Usalco Baltimore Plant, LLC of Baltimore, Maryland effective February 1, 2015.

**Resolution 2015-31**

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

**AWARDING CONTRACT FOR BACTERICIDE – MAIN POOL & CHEMICAL CO., INC.**

**WHEREAS**, two (2) bids were received on December 30, 2014 for Bactericide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Bactericide be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit

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price of \$3.60 per pound with a total contract price of \$4,320.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Bactericide is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective February 1, 2015.

Resolution 2015-32

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

**AWARDING CONTRACT FOR CALCIUM HYPOCHLORITE – MAIN POOL & CHEMICAL CO., INC.**

**WHEREAS**, three (3) bids were received on December 30, 2014 for Calcium Hypochlorite for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Calcium Hypochlorite be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$1.99 per pound with a total contract price of \$2,885.50; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Co., Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Calcium Hypochlorite is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective February 1, 2015.

Resolution 2015-33

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

**AWARDING CONTRACT FOR FLUOROSILICIC ACID (FLUORIDE) – MAIN POOL & CHEMICAL COMPANY, INC.**

**WHEREAS**, three (3) bids were received on December 30, 2014 for Fluorosilicic Acid (Fluoride) for the Water Treatment Plant in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Fluorosilicic Acid (Fluoride) be awarded to the low bidder, Main Pool & Chemical Company, Inc. of Dupont, Pennsylvania at a per unit price of \$6.39 per gallon with a total contract price of \$23,643.00; and

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**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Company, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Fluorosilicic Acid (Fluoride) is hereby awarded to Main Pool & Chemical Company, Inc. of Dupont, Pennsylvania effective February 1, 2015.

Resolution 2015-34

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

**AWARDING CONTRACT FOR CALCIUM HYDROXIDE (HYDRATED LIME) – UNIVAR  
USA, INC.**

**WHEREAS**, three (3) bids were received on December 30, 2014 for Calcium Hydroxide (Hydrated Lime) for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Calcium Hydroxide (Hydrated Lime) be awarded to the low bidder, Univar USA, Inc. of Middletown, Pennsylvania at a per unit price of \$0.1555 per gallon with a total contract price of \$35,975.50; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Calcium Hydroxide (Hydrated Lime) is hereby awarded to Univar USA, Inc. of Middletown, Pennsylvania effective February 1, 2015.

Resolution 2015-35

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

**AWARDING CONTRACT FOR ICE MELT – MAIN POOL & CHEMICAL CO., INC.**

**WHEREAS**, one (1) bids was received on December 30, 2014 for Ice Melt for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Ice Melt be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$0.46 per pound with a total contract price of \$1,840.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

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**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Ice Melt is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective February 1, 2015.

Resolution 2015-36

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

**AWARDING CONTRACT FOR ZETA LYTE 1A ANIONIC POLYELECTROLYTE – CUTOM  
ENVIRONMENTAL TECHNOLOGY, INC.**

**WHEREAS**, two (2) bids were received on December 30, 2014 for Zeta Lyte 1A Anionic Polyelectrolyte for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for Zeta Lyte 1A Anionic Polyelectrolyte be awarded to the low bidder, Custom Environmental Technology, Inc. of Collegeville, Pennsylvania at a per unit price of \$10.59 per gallon with a total contract price of \$10,187.58.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Custom Environmental Technology, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for liquid chlorine is hereby awarded to Custom Environmental Technology, Inc. of Collegeville, Pennsylvania effective February 1, 2015.

Resolution 2015-37

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

**AWARDING CONTRACT FOR MAGNESIUM HYDROXIDE – UNIVAR USA, INC.**

**WHEREAS**, two (2) bids were received on December 30, 2014 for Magnesium Hydroxide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Magnesium Hydroxide be awarded to the low bidder, Univar USA, Inc. of Middletown, Pennsylvania at a per unit price of \$595.00 per ton with a total contract price of \$69,615.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bid and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

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**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Magnesium Hydroxide is hereby awarded to Univar USA, Inc. of Middletown, Pennsylvania effective February 1, 2015.

Resolution 2015-38

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

**AWARDING CONTRACT FOR VX-456 ODOR CONTROL FORMULATION – EVOQUA**

**WHEREAS**, two (2) bids were received on December 30, 2014 for VX-456 Odor Control Formulation for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for VX-456 Odor Control Formulation be awarded to the low bidder, Evoqua of Sarasota, Florida at a per unit price of \$10.46 per gallon with a total contract price of \$25,313.20; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Evoqua is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for VX-456 Odor Control Formulation is hereby awarded to Evoqua of Sarasota, Florida, effective February 1, 2015.

Resolution 2015-39

*BOROUGH OF HIGHTSTOWN  
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STATE OF NEW JERSEY*

**AWARDING CONTRACT FOR SODIUM BICARBONATE – MAIN POOL & CHEMICAL COMPANY, INC.**

**WHEREAS**, three (3) bids were received on December 30, 2014 for Sodium Bicarbonate for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Sodium Bicarbonate be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of \$0.32 per pound with a total contract price of \$78,240.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Co., Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Sodium Bicarbonate is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective

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February 1, 2015.

Resolution 2015-40

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

**AWARDING CONTRACT FOR SODIUM BISULFITE – MAIN POOL & CHEMICAL  
COMPANY, INC.**

**WHEREAS**, three (3) bids were received on December 30, 2014 for Sodium Bisulfite for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Sodium Bisulfite be awarded to the low bidder, Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania at a per unit price of 1.12 per pound with a total contract price of \$739.20; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Main Pool & Chemical Co., Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Sodium Bisulfite is hereby awarded to Main Pool & Chemical Co., Inc. of Dupont, Pennsylvania effective February 1, 2015.

Resolution 2015-41

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

**AWARDING CONTRACT FOR SULFUR DIOXIDE – UNIVAR USA, INC.**

**WHEREAS**, three (3) bids were received on December 30, 2014 for Sulfur Dioxide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract for the Sulfur Dioxide be awarded to the low bidder, Univar USA, Inc. of Middletown, Pennsylvania at a per unit price of \$0.69 per pound with a total contract price of \$12,420.00; and

**WHEREAS**, said contract shall be effective February 1, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Univar USA, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for Sulfur Dioxide is hereby awarded to Univar USA, Inc. of Middletown, Pennsylvania effective February 1, 2015.

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Resolution 2015-42

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

**AWARDING CONTRACT FOR REMOVAL, TRANSPORTATION, DELIVERY AND  
DISPOSAL OF SLUDGE CAKE – WASTE MANAGEMENT OF NEW JERSEY, INC.**

**WHEREAS**, two (2) bids were received on December 30, 2014 for the removal, transportation, delivery and disposal of sludge cake for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the lowest bidder's submission had a mathematical error between the per unit price and total contract price, and after review by the Borough Attorney it was established that the per unit price shall prevail in accordance with the bid specifications; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract, with the provision of two six-month extensions for the removal, transportation, delivery and disposal of sludge cake be awarded to the low bidder, Waste Management of New Jersey, Inc. of Ewing, New Jersey at a per unit price of \$93.00 per wet ton with a total contract price of \$180,420.00; and

**WHEREAS**, said contract shall be effective March 4, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Waste Management of New Jersey, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for removal, transportation, delivery and disposal of sludge cake is hereby awarded to Waste Management of New Jersey, Inc. of Ewing, New Jersey, effective March 4, 2015.

Resolution 2015-43

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

**AWARDING CONTRACT FOR REMOVAL, TRANSPORTATION, DELIVERY AND  
DISPOSAL OF GRIT AND SCREENINGS – WASTE MANAGEMENT OF NEW JERSEY, INC.**

**WHEREAS**, two (2) bids were received on December 30, 2014 for the removal, transportation, delivery and disposal of grit and screenings for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two year contract, for the transportation, delivery and disposal of grit and screenings be awarded to the low bidder, Waste Management of New Jersey, Inc. of Ewing, New Jersey at a per unit price of \$94.00 per ton with a total contract price of \$45,120.00; and

**WHEREAS**, said contract shall be effective March 4, 2015; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Waste Management of New Jersey, Inc. is in order with respect to legal compliance; and

**WHEREAS**, funds will be made available in the 2015 and 2016 budgets for said expenditure;

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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for removal, transportation, delivery and disposal of grit and screenings is hereby awarded to Waste Management of New Jersey, Inc. of Ewing, New Jersey, effective March 4, 2015.

Resolution 2015-44

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

**REJECTING BIDS FOR GRANULAR ALGAECIDE/FUNGICIDE**

**WHEREAS**, two (2) bids were received on December 30, 2014 for Granular Algaecide/Fungicide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the Borough Attorney has reviewed the bids and has determined that the lowest bid submitted by Maryland BioChemical is not in order with respect to legal compliance; and

**WHEREAS**, it is the Engineer's recommendation that the second lowest bidder's submission be rejected because it exceeds the amount to be budgeted for this chemical.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the bids submitted for Granular Algaecide/Fungicide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough are hereby rejected.

Resolution 2015-51

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

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

**WHEREAS**, an application for a license to hold an auction on Saturday, January 31, 2015 at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Antiques, together with the required fee; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a license to Empire Antiques for their auction to be held on Saturday, January 31, 2015, at 278 Monmouth Street.

Resolution 2015-53

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

**AUTHORIZATION FOR THE BOROUGH ENGINEER TO PREPARE AN APPLICATION FOR  
THE NJEIT LOAN PROGRAM**

**WHEREAS**, the Borough Council has reviewed the NJEIT (New Jersey Environmental Infrastructure Trust) loan availability; and

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**WHEREAS**, the Borough Engineer has suggested several projects that are needed by the Hightstown Advanced Waste Water Treatment and Water Plants; and

**WHEREAS**, the Borough Council has found that they wish to authorize the Borough Engineer to prepare the necessary plans and documents required to apply for the NJEIT Loan for well #2 and the rehabilitation of the settlement tanks at the Water Plant.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Engineer is hereby directed and authorized to prepare the necessary plans and documents required to apply for the NJEIT Loan for well #2 and the rehabilitation of the settlement tanks at the Water Plant.

Resolution 2015-54

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

**AMENDING RESOLUTION 2015-08**

**WHEREAS**, resolution 2015-08 which confirmed Council liaisons for the year 2015 was adopted on January 1, 2015; and

**WHEREAS**, the Borough Council finds that the liaisons for the year 2015 must be amended.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that resolution 2015-08 is hereby amended as follows:

<b>DENISE HANSEN</b>	Water and Sewer Departments Cultural Arts Commission
<b>SETH KURS</b>	Hightstown Engine Co. #1 Hightstown First Aid Squad
<b>LAWRENCE QUATTRONE</b>	Public Works
<b>CONNOR MONTFERRAT</b>	Historic Preservation Commission
<b>STEVE MISIURA</b>	Housing Authority Board of Health Environmental Commission
<b>CHARLES “LEE” STULTS</b>	Downtown Hightstown
<b>SUSAN BLUTH</b>	Finance and Administration Parks and Recreation

**Resolution 2015-45 Authorizing Renewal of a Shared Services Agreement for Emergency “9-1-1”/Police Dispatch Services – Cranbury Township**

Councilmember Misiura moved resolution 2015-45, Council President Hansen seconded.

Mr. Underhill explained that this renewal is at the same terms as the previous agreement.

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

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Resolution adopted 6-0.

Resolution 2015-45

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

**AUTHORIZING RENEWAL OF A SHARED SERVICES AGREEMENT FOR EMERGENCY  
“9-1-1”/POLICE DISPATCHING SERVICES**

**WHEREAS**, on January 1, 2015 the Borough of Hightstown entered into an Shared Services Agreement with the Township of Cranbury for the provision of emergency “9-1-1”/ police dispatching services; and

**WHEREAS**, said agreement offered the renewal option for the term of January 1, 2015 – December 31, 2015 under the same terms and conditions, and annual compensation, as set forth in the agreement; and

**WHEREAS**, the Township of Cranbury has sent notice that they wish to exercise the renewal option for the term of January 1, 2015 – December 31, 2015 under the same terms and conditions, and compensation as set forth in the agreement; and

**WHEREAS**, the Borough of Hightstown desires to continue to provide these services to the Township of Cranbury from January 1, 2015 to December 31, 2015; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Shared Services Agreement with the Township of Cranbury for Emergency “9-1-1” /Police Dispatching Services is hereby renewed for the period January 1, 2015 through December 31, 2015 under the same terms and conditions, and annual compensation, as set forth in the original agreement.

**Resolution 2015-46 Authorizing Renewal of a Shared Services Agreement with Hamilton Township for Certain Health Services (STD Clinic)**

Councilmember Kurs moved resolution 2015-46, Councilmember Bluth seconded.

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

Resolution adopted 6-0.

Resolution 2015-46

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH HAMILTON TOWNSHIP FOR  
CERTAIN HEALTH SERVICES (STD CLINIC)**

**WHEREAS**, the Borough of Hightstown is responsible by law for the protection of public health and wishes to provide certain clinic services relative to sexually transmitted diseases (STDs); and

**WHEREAS**, the Township of Hamilton is agreeable to providing clinic services relative to STDs to the Borough of Hightstown

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for the period January 1, 2015 through December 31, 2015 for a fee of \$25 per patient; and

**WHEREAS**, it is the desire of the Borough Council to enter into a shared services agreement with the Township of Hamilton for provision of these services; and

**WHEREAS**, such agreements are authorized pursuant to *N.J.S.A. 40A:65-1 et seq*; and

**WHEREAS**, funds for this purpose shall be provided for in the 2015 budget.

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

1. A shared services agreement between the Borough of Hightstown and the Township of Hamilton for the provision of professional health clinic services for sexually transmitted diseases for the period January 1, 2015 through December 31, 2015 is hereby authorized and accepted.
2. The Mayor and Clerk are authorized and directed to execute said agreement.

**Resolution 2015-47 Appointing and Authorizing an Agreement for Professional Auditor Services – William E. Antonides, Jr., C.P.A., R.M.A.**

Council President Hansen moved resolution 2015-47, Councilmember Bluth seconded.

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

Resolution adopted 6-0.

Resolution 2015-47

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL AUDITOR  
SERVICES – WILLIAM E. ANTONIDES, JR., C.P.A., R.M.A.**

**WHEREAS**, two (2) proposals were opened on December 16, 2014 for the professional Auditing services for the year 2015; and

**WHEREAS**, there exists the need for specialized auditing services for the Borough during 2015; and

**WHEREAS**, the proposals were reviewed and evaluated by a sub-committee of the Borough Council; and

**WHEREAS**, it is the desire of Borough Council to appoint William E. Antonides, Jr., C.P.A., R.M.A. of William E. Antonides and Company of Wall, New Jersey as Borough Auditor effective January 1, 2015; and

**WHEREAS**, the cost for the proposed services shall not exceed \$28,000.00 without further approval by the Borough Council; and,

**WHEREAS**, funds for this purpose will be made available in the 2015 budget; and,

**WHEREAS**, the Borough Attorney will review and approve the contract for execution by the Borough; and

**WHEREAS**, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

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**WHEREAS**, this contract is awarded as a “fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Borough Council of the Borough of Hightstown that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Hightstown and William E. Antonides, Jr. for professional auditing services for the year 2015.

**Resolution 2015-48 Appointing and Authorizing an Agreement for Professional Advanced Waste Water Treatment Plant Engineer Services – Christopher B. Jepson, P.E., L.O.**

Councilmember Misiura moved resolution 2015-48, Council President Hansen seconded.

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

Resolution adopted 6-0.

Resolution 2015-48

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL ADVANCED  
WASTE WATER TREATMENT PLANT ENGINEERING SERVICES – CHRISTOPHER B.  
JEPSON, P.E., L.O.**

**WHEREAS**, four (4) proposals were opened on December 16, 2014 for professional AWWTP engineering services for the year 2015; and

**WHEREAS**, there exists the need for specialized engineering services for the Borough waste water treatment plant during 2015; and

**WHEREAS**, the proposals were reviewed and evaluated by a sub-committee of the Borough Council; and

**WHEREAS**, it is the desire of Borough Council to appoint Christopher B. Jepson, P.E., L.O. of VanCleeef Engineering Associates of Hamilton, New Jersey as Waste Water Treatment Plant Engineer effective January 1, 2015; and

**WHEREAS**, the cost for the proposed services shall not exceed \$25,000.00 without further approval by the Borough Council; and,

**WHEREAS**, funds for this purpose will be made available in the 2015 budget; and,

**WHEREAS**, the Borough Attorney will review and approve the contract for execution by the Borough; and

**WHEREAS**, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

**WHEREAS**, this contract is awarded as a “fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Borough Council of the Borough of Hightstown that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Hightstown and Christopher B. Jepson, P.E., L.O. for professional waste water treatment plant engineering services for the year 2015.

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**Resolution 2015-49 Appointing and Authorizing an Agreement for Professional Bond Counsel Services – Edward J. McManimon III, Esq.**

Councilmember Kurs moved resolution 2015-49, Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2015-49

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL BOND  
COUNSEL SERVICES – EDWARD J. MCMANIMON III, ESQ.**

**WHEREAS**, there exists the need for professional bond counsel services for 2015; and

**WHEREAS**, the Borough Council wishes to appoint Edward J. McManimon III, Esq. of the firm McManimon, Scotland & Baumann, LLC of Roseland, New Jersey as Bond Counsel effective January 1, 2015; and

**WHEREAS**, the cost for the proposed services shall not exceed \$7,500.00 without further approval by the Borough Council; and,

**WHEREAS**, funds for this purpose will be made available in the 2015 budget; and,

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding, provided that the Resolution authorizing the contract and the contract itself are available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, it has been determined that the value of this contract may exceed \$17,500, and therefore the contract is also subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

**WHEREAS**, this contract is intended to be awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law;

**WHEREAS**, the firm of McManimon, Scotland & Baumann, LLC has completed and submitted a Business Entity Disclosure Certification pursuant to the Local Unit Pay-to-Play law (specifically, at N.J.S.A. 19:44A-20.8), and has further submitted a certification that the firm is in compliance with the Borough’s own Pay-to-Play ordinance (Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*);

**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 authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Edward J. McManimon III, Esq. regarding the above-referenced professional bond counsel services, as set forth herein.

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2. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because McManimon, Scotland & Baumann, LLC is a firm whose attorneys are authorized by law to practice a recognized profession.
3. That this contract is being awarded in accordance with the Local Unit Pay-to-Play Law and Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, and the Business Disclosure Entity Certification, and other certifications required pursuant to same shall be placed on file with the contract.

**Resolution 2015-50 Authorizing a Refund for Landlord Registration Fee**

Council President Hansen moved resolution 2015-50, Councilmember Stults seconded.

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

Resolution adopted 5-0, with one abstention.

Resolution 2015-50

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

**AUTHORIZING A REFUND FOR A LANDLORD REGISTRATION FEE**

**WHEREAS**, Pradyuma Shah of Dayton, New Jersey paid a Landlord Registration Fee in the amount of \$60.00 in January 2014 for the property known as 1 Fryer Court; and

**WHEREAS**, Pradyuma Shah of Dayton, New Jersey paid another Landlord Registration Fee in the amount of \$60.00 with check #1042 in November 2014 for the same property; and

**WHEREAS**, check #1042 in the amount of \$60.00 was deposited into account #4-01-08-160-601; and

**WHEREAS**, Landlord Registration fees are due every two years causing an overpayment in the amount of \$60.00; and

**WHEREAS**, the Construction Official has requested that a refund of the \$60.00 overpayment be issued.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Treasurer is hereby authorized and directed to issue a refund in the amount of \$60.00 to Pradyuma Shah of 55 Liberty Street, Dayton, New Jersey 08810, for a duplicate landlord registration fee as stated herein.

**Resolution 2015-52 Refer Amendments to the Main Street Redevelopment Plan to the Hightstown Planning Board for Review and Comment**

Councilmember Misiura moved resolution 2015-50, Council President Hansen seconded.

Councilmember Misiura noted that the minor changes discussed at the last meeting have been made to the plan.

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

Resolution adopted 5-0, with one abstention.

Resolution 2015-52

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER

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**REFER AMENDMENTS TO THE MAIN STREET REDEVELOPMENT PLAN TO THE  
HIGHTSTOWN PLANNING BOARD FOR REVIEW AND COMMENT**

**WHEREAS**, Pursuant to Resolution 2004-244, the Hightstown Borough Council serves as the Redevelopment Agency for the Borough of Hightstown; and

**WHEREAS**, the Borough Council, has reviewed the Main Street Redevelopment Plan and has drafted amendments to the Main Street Redevelopment Plan; and

**WHEREAS**, the Borough Council has found that the draft amendments to Main Street Redevelopment Plan should be referred to the Planning Board for review and comment.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby directed to submit the draft amendments to the Main Street Redevelopment Plan to the Hightstown Planning Board for review and comment.

**Resolution 2015-55** Ratifying Memorandum of Agreement with the Hightstown Superior Officers FOP Lodge 140 – Fraternal Order of Police/New Jersey Labor Council, for the Years 2015, 2016, 2017, and 2018, and Authorizing the Execution of a Collective Bargaining Agreement Relating Thereto

Councilmember Kurs moved resolution 2015-55, Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2015-55

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

**RATIFYING MEMORANDUM OF AGREEMENT WITH THE HIGHTSTOWN SUPERIOR  
OFFICERS FOP LODGE 140 – FRATERNAL ORDER OF POLICE/NEW JERSEY LABOR  
COUNCIL, FOR THE YEARS 2015, 2016, 2017, AND 2018, AND AUTHORIZING THE  
EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT RELATING THERETO.**

**WHEREAS**, the Borough of Hightstown and the Hightstown Superior Officers FOP 140-Fraternal Order of Police/New Jersey Labor Council (the “FOP”) have negotiated a Memorandum of Agreement for the years 2015, 2016, 2017, and 2018; and

**WHEREAS**, a copy of the Memorandum of Agreement is attached hereto and made a part hereof; and

**WHEREAS**, the Memorandum of Agreement has been reviewed by all parties and ratified by the FOP; and

**WHEREAS**, the Memorandum of Agreement has been reviewed by the Borough’s legal counsel, and it is the desire of the Mayor and Council that it be approved, ratified and executed by the appropriate representatives of the Borough; and

**WHEREAS**, it is also the desire of the Mayor and Council to authorize the appropriate Borough Officials to execute a new Collective Bargaining Agreement (“CBA”) with the FOP for the years 2015, 2016, 2017, and 2018, so long as the CBA includes all of the terms and conditions set forth in the attached Memorandum of Agreement and the CBA is satisfactory to the Borough’s Labor Counsel.

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

1. That the attached Memorandum of Agreement with the FOP for the years 2015, 2016, 2017, and 2018, which agreement is on file in the Borough Clerk's office, is hereby approved and ratified.
2. That the Borough Administrator is hereby authorized to execute, and the Borough Clerk to attest, the attached Memorandum of Agreement with the FOP for the years 2015, 2016, 2017, and 2018.
3. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, a new CBA with the FOP for the years 2015, 2016, 2017, and 2018, so long as the CBA includes all of the terms and conditions set forth in the attached Memorandum of Agreement and the CBA is satisfactory to the Borough's Labor Counsel.
4. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Hightstown Superior Officers FOP 140-Fraternal Order of Police/New Jersey Labor Council;
  - b. Henry Underhill, Borough Administrator; and
  - c. Elizabeth Garcia, Esq., Labor Counsel.

**Resolution 2015-56** Authorizing a Six Month Renewal to the Lease for the Borough's Continued Use of a Portion of the Property Known and Designated as Block 61.01, Lots 43, 44 & 45, Commonly Known as 415A Mercer Street, Hightstown, New Jersey

Councilmember Kurs moved resolution 2015-56, Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2015-56

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

**RESOLUTION AUTHORIZING A SIX MONTH RENEWAL TO THE LEASE FOR THE BOROUGH'S CONTINUED USE OF A PORTION OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 61.01, LOTS 43, 44 & 45, COMMONLY KNOWN AS 415A MERCER STREET, HIGHTSTOWN, NEW JERSEY.**

**WHEREAS**, the Hightstown Borough Governing Body previously adopted Ordinance 2014-02 which authorized the Borough of Hightstown (the "Borough") to enter into a Lease Agreement (the "Agreement") with Hights Realty, LLC, regarding the Borough's temporary use of a portion of the premises located at 415 Mercer Street in the Borough, commonly known and designated as Block 61.01, Lots 43, 44 and 45 on the Borough's Tax Map (hereinafter referenced as the "Property"), for the relocation of the Borough's Police Department and associated operations; and

**WHEREAS**, the Agreement was executed by the parties on February 1, 2014, and provides for a one-year initial term, with certain renewal options; and

**WHEREAS**, the renewal options set forth in the Agreement included a first renewal term for a period of one-year, and a second and third renewal term for a period of six months each; and

**WHEREAS**, the Borough has requested, and Hights Realty, LLC has agreed, that the first renewal term can be separated into two six month renewal options at the continued rate of \$3,800.00 per month; and

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**WHEREAS**, the Borough and Hights Realty, LLC wish to renew said Agreement for a six month period from February 1, 2015 to July 31, 2015, with all other terms and conditions of the Agreement to remain as originally executed.

**NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED**, by the Mayor and Borough Council of the Borough of Hightstown that the Mayor is hereby authorized to execute and the Borough Clerk to attest documentation required to renew said Agreement, in accordance with the provisions set forth above, for a six month period commencing on February 1, 2015 and concluding on July 31, 2015, subject to all other terms and conditions set forth in the Agreement as originally executed.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be provided to each of the following:

1. Hights Realty, LLC
2. Frederick C. Raffetto, Esquire, Borough Attorney
3. Lt. Frank Gendron

#### **Environmental Engineer – Rug Mill Property**

Councilmember Misiura noted that this is being brought forward from the last meeting. He has acquired an estimate to perform an environmental evaluation of the rug mill property so it can be included in the redevelopment plan. The information obtained from the Borough Engineer is outdated and the Borough should consider retaining an Environmental Engineer. Councilmember Misiura suggested that Council hold a special meeting to discuss this, and the Council's responsibilities as the Redevelopment Authority.

Mr. Underhill noted that there was a report filed with NJDEP in 2004 and he is trying to retain a copy. There was discussion regarding contamination and remediation needed at the rug mill property and setting up a special meeting. Councilmember Bluth suggested that Council focus on acquiring developers for the property. Councilmember Misiura asked that a resolution of appointment for the Environmental Engineer be prepared for the next meeting, in case it is needed.

#### **Hutchinson Street Project**

Mayor Quattrone noted that the Planning Board reviewed the plans and had lengthy discussion regarding the trees, sidewalk and sewer lines for the Hutchinson Street project. Councilmember Stults advised that the Planning Board entertained discussion and decided in a 6 to 3 vote to remove the trees pursuant to the Engineer's base plan. The DPW Superintendent was at the meeting and explained the sewer line damage caused by the trees. It was noted that the trees will be replaced.

Mayor Quattrone suggested that a resolution to move forward with the original plan be added to the agenda. Councilmember Stults suggested that Council review the plans prior to adopting a resolution.

Mayor Quattrone asked that a resolution be prepared to move forward, and that discussion of this item be placed on the February 2, 2015 agenda with action to be taken at that meeting.

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

Doug Mair, 536 S. Main St. – thanked Council President Hansen for getting the missing minutes posted on the website; acknowledged Councilmember Bluth's comments regarding getting developers for the rug mill property; advised Council to redevelop the rug mill property and give Officer Marchione his job back.

Mark Messenger, PBA Local 35 – commented that a Hearing Officer cannot be used in the Marchione matter without a defense agreement.

The Borough Attorney advised that the Hearing Officer was appointed last year to handle Police matters.

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Denise Garcia, Deerfield Park Apartments – commented that she is surprised that Council is letting a Police Officer go and the Fire Chief is not being investigated.

Renee Klein, East Windsor – congratulated Council members Stults and Montferrat; commented that Officer Krupa is being forced out for sticking up for Officer Marchione.

Eugene Sarafin, 628 S. Main Street – commented that he is disappointed that he will read in the paper what was said at this meeting tonight, and he understands that there must be a hearing.

Robert Thibault, 504 S. Main Street – commented that two commissions (Board of Health and Environmental Commission) and Joan McGee of Stonybrook have reviewed and investigated the rug mill property; DEP lists the responsible parties as Phillips and Greystone, and the case manager is also listed; there are Brownfield grants available and he will give the information to the Borough Clerk; the responsible parties should pay for the rug mill property; several Officers have been allowed to retire and one was promoted after being found guilty and this one is having charges brought against him?

Maria Prakowski, 202 Academy Street – commented that the Borough is making a big mistake taking a good officer off the force.

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

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

**Councilmember Stults** – noted that Downtown Hightstown did not have a meeting and the Planning Board discussed the tress for the Hutchinson Street project.

**Councilmember Bluth** – advised that the Parks & Recreation Commission will hold a Saturday meeting to discuss their goals and she will advise as to when the meeting will be held once it is set.

**Councilmember Misiura** – commented that he attended the Board of Health meeting and the Well Baby Clinic has a new location at the Masonic Lodge; two new restaurants have opened downtown; the Planning Board is not responsible for redevelopment, they are advisory in the matter; a lot of funds are spent on consultants every month and the Environmental Engineer is important; we did not negotiate with the police because we had to wait, they were switching unions; the fire property was not a registered rental and no complaints have ever been received on the property; while there has been a lot of support for Officer Marchione at these meetings, Council cannot interfere with an Internal Investigation.

**Councilmember Kurs** – congratulated Officers Mecca and Stephensen, and the Fire Department for rescuing 17 people stuck in an elevator; a meeting was held regarding the fire truck; the ambulance has been damaged and we are working with the insurance on the matter; the personnel investigation report has not yet been received by Council.

**Councilmember Hansen** – noted that she attended the water/sewer department meeting and the new Engineer was present, he is meeting with Biff to review the plant and specifications for the NJEIT loan; capital projects are being refined for cost savings; the billing update has been done at the new higher rates and inquiries from callers are being personally addressed in the office; the role of Council as the redevelopment authority needs to be defined; the bank owns the note on the rug mill property and that complicates things; that is what went wrong with the previous developer. Council is working smart.

**Mayor Quattrone** - asked the Borough Attorney to explain the firing process for police.

**Borough Attorney** - advised that now that certain matters that were outside the Borough's control have been addressed, Lt. Gendron came to Council and advised that he will be proceeding with disciplinary charges against the officer. He then reiterated his previous statement regarding due process.

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**Mayor Quattrone** – noted that Council is trying to be as transparent as possible; we are presently working with two possible developers; thanked everyone for coming to the meeting; advised that Council will be entering back into executive session, but no action will be taken afterward.

Council President Hansen moved to adjourn back into executive session at 9:15pm, Councilmember Bluth seconded. All ayes.

Councilmember Stults motioned to adjourn at 9:45pm, Councilmember Misiura seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk

January 20, 2015