

**Meeting Minutes  
Hightstown Borough Council  
Regular Meeting  
July 20, 2015  
7:00 pm**

The meeting was called to order by Mayor Quattrone at 7:00pm 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 Montferrat</i> | ✓       |        |
| <i>Councilmember Stults</i>     | ✓       |        |
| <i>Mayor Quattrone</i>          | ✓       |        |

Also in attendance: Debra Sopronyi, Borough Clerk; George Lang, CFO; Fred Raffetto, Borough Attorney; and Carmela Roberts, Borough Engineer.

Mayor Quattrone requested that the agenda be amended to remove resolution 2015-181 as there was no executive session held.

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

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

Agenda approved as amended 5-0.

Councilmember Kurs moved the May 18, 2015 open session minutes for approval, Councilmember Stults seconded.

Councilmember Montferrat corrected the spelling of a name in the minutes.

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

Minutes approved as corrected 5-0.

Councilmember Kurs moved the May 18, 2015 executive session minutes for approval, Councilmember Misiura seconded.

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

Minutes approved 5-0.

Councilmember Kurs moved the May 18, 2015 executive session minutes for approval, Councilmember Misiura seconded.

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

July 20, 2015

Minutes approved 5-0.

Councilmember Kurs moved the June 1, 2015 open session minutes for approval, Councilmember Stults seconded.

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

Minutes approved 5-0.

Councilmember Stults moved the June 1, 2015 executive session minutes for approval, Councilmember Kurs seconded.

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

Minutes approved 4-0, with one abstention.

### **Grant Authorizations**

Mayor Quattrone introduced Mr. Stephen Lingle of Triad Associates, the Grant Writer for the Borough. Mr. Lingle reviewed the Small Cities grants available and noted that applications are due September 1, 2015. He continued that the Small Cities Rehabilitation grant would permit the Borough to add \$200,000 to its present RCA Housing Rehab program and the Small Cities Public Facilities grant would be able to be used to replace the water line from Summit to Morrison and Morrison to Stockton.

To apply for the Small Cities Public Facilities grant it must meet a 52% low income requirement for those who would benefit from the improvement; and requires a door-to-door survey to verify the income of the residents, which is not usually successful. He does not recommend application for this grant at this time.

Mr. Lingle advised that the re-habilitation grant is a deferred loan which is returned to the Borough after each use and then can be used to assist others; it is rotating. He suggests that Hightstown apply for this grant since it is an older community. This grant requires a public hearing that must be advertised. Council need not attend the hearing; he will administer the public hearing.

He continued that there are other programs through the Agriculture Department to buy fire equipment or use for water/sewer improvements; new money will be available in October and the Borough should apply at that time.

There was discussion regarding fire equipment purchases; that the Housing Rehabilitation grant is a loan and lien on the property until sale and counts toward COAH, and can be structured with the RCA; clarification of details of the required public hearing; the cost of the grant application; administration of the grant will be hybrid with the Borough and Grant Writer administering it; and fees for other grants.

There was further discussion regarding the Public Facilities grant and its requirements; the 10% match for the Housing Rehabilitation grant and what can be charged to the Affordable Housing fund.

### **Resolution 2015-205 Authorizing Triad Associates to Prepare and Process and Application for Small Cities Housing Rehabilitation Grant**

Councilmember Misiura moved resolution 2015-205, Councilmember Kurs seconded.

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

Resolution adopted 5-0.

July 20, 2015

Resolution 2015-205

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

**AUTHORIZING TRIAD ASSOCIATES TO PREPARE AND PROCESS AN APPLICATION  
FOR SMALL CITIES HOUSING REHABILITATION GRANT**

**WHEREAS**, Triad Associates, pursuant to an existing agreement for grant writing, has brought forward the Small Cities Housing Rehabilitation Grant for which they think it would be advantageous for the Borough to apply; and

**WHEREAS**, after reviewing the proposed grant, the Borough Council finds that it would be beneficial for the Borough to submit the Small Cities Housing Rehabilitation Program Application; and

**WHEREAS**, the fee for the grant Application is not to exceed \$14,200.00; and

**WHEREAS**, the Treasurer has certified that funds for this purpose are available.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Hightstown that Triad Associates is authorized to prepare and process the Small Cities Housing Rehabilitation Program Application and that the Mayor is authorized to execute and the Borough Clerk to attest the appropriate paperwork necessary to implement such application.

**Resolution 2015-182 Awarding a Contract for Enchantment at Hightstown Road Improvement Program – Pioneer General Contracting Co., Inc.**

Councilmember Kurs moved resolution 2015-182, Councilmember Stults seconded.

The Borough Attorney reviewed the process regarding the performance bond claim and the Engineer reviewed the bid results.

There was discussion regarding awarding the landscaping portion of the project separately, possibly by the landscaper that the Enchantment Homeowner Association presently uses.

The Borough Engineer recommended that only the base bid is awarded this evening; the landscaping can be awarded at a later date. The Borough Attorney noted that the Council can award the base contract and reserves the right to award the alternate at a later date.

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

Resolution adopted 5-0.

Resolution 2015-182

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

**AWARDING A CONTRACT FOR ENCHANTMENT AT HIGHTSTOWN ROAD  
IMPROVEMENT PROGRAM – PIONEER GENERAL CONTRACTING CO., INC.**

**WHEREAS**, seven (7) bids were received on July 9, 2015 for the Enchantment at Hightstown Road Improvement Program in July 20, 2015

Hightstown Borough; and

**WHEREAS**, it is the Engineer's recommendation that a contract for the Enchantment at Hightstown Road Improvement Program be awarded to Pioneer General Contracting Co., Inc., of South River, New Jersey for the base bid amount of \$334,083.00; and

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

**WHEREAS**, the Treasurer has certified that funds are available for this project.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for the Enchantment at Hightstown Road Improvement Program is hereby awarded to Pioneer General Contracting Co., Inc., of South River, New Jersey in the amount of \$334,083.00.

**Resolution 2015-183 Authorizing Payment #1 – Lucas Construction Group, Inc. (2014 Road Improvement Project)**

Councilmember Bluth moved resolution 2015-183, Councilmember Kurs seconded.

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

Resolution adopted 5-0.

Resolution 2015-183

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

**AUTHORIZING PAYMENT # 1 – LUCAS CONSTRUCTION GROUP, INC. (2014 ROAD IMPROVEMENT PROGRAM)**

**WHEREAS**, on April 20, 2015 the Borough Council awarded a contract for the 2014 Road Improvement Program to Lucas Construction Group, Inc. of Morganville, New Jersey in the amount of \$1,598,913.21; and

**WHEREAS**, the contractor has submitted payment request #1 related to mobilization, storm drain installation, sanitary sewer installation, and water service installation for the project in the total amount of \$177,041.91; and

**WHEREAS**, the amount of this payment for general construction is \$161,357.01 and for water and sewer related items is \$15,684.90; and

**WHEREAS**, the Borough Engineer has recommended approval of payment #1 to Lucas Construction Group, Inc. in the amount of \$177,041.91 following receipt of the certified payrolls; and

**WHEREAS**, the Treasurer has certified that funds are available for this expenditure.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Payment Request No. 1 to Lucas Construction Group, Inc. of Morganville, New Jersey in the amount of \$177,041.91 following receipt of the certified payrolls is hereby approved as detailed herein, and the Treasurer is authorized to issue same.

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

July 20, 2015

Lynne Woods, 315 Park Avenue – commented that it is a conflict of interest for Council members Montferrat, Hansen and Misiura to take part in negotiations regarding the police because they assisted in stopping the re-build of Borough Hall in 2013 by signing the petition against the bond ordinance. Council did not negotiate properly with the insurance and FEMA.

There being no further comments, Mayor Quattrone closed the public comment period and asked Council if they had any responses to the public comments. There were none.

**Ordinance 2015-14 First Reading and Introduction** – Bond Ordinance Providing a Supplemental Appropriation of \$331,000 for Improvements to the Peddie Lake Dam Walking Bridge in and by the Borough of Hightstown, in the County of Mercer, New Jersey and Authorizing the Issuance of \$331,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Councilmember Kurs moved ordinance 2015-14 for introduction, Councilmember Montferrat seconded.

George Lang, CFO, explained that this is a grant that is issued on a reimbursement basis. There was discussion regarding notes and flexibility, and that the federal grant only covers hard costs.

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

Ordinance introduced 5-0, public hearing to be held August 17, 2015.

Ordinance 2015-14  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF  
\$331,000 FOR IMPROVEMENTS TO THE PEDDIE LAKE DAM WALKING  
BRIDGE IN AND BY THE BOROUGH OF HIGHSTOWN, IN THE COUNTY OF  
MERCER, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$331,000  
BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST  
THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$331,000, such sum being in addition to the \$210,000 appropriated therefor by bond ordinance #2013-07 of the Borough, finally adopted April 1, 2013 (the "Original Bond Ordinance"), including the \$331,000 grant from the State of New Jersey Department of Transportation Alternatives Program (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no additional down payment is provided for the costs of the improvements since the project described in Section 3(a) hereof is being partially funded the State Grant.

Section 2. In order to finance the additional cost of the improvement or purpose and in anticipation of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$331,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.(a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is improvements to the Peddie Lake Dam walking bridge, as described in the Original Bond Ordinance, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$531,000, including the \$200,000 authorized by the Original Bond Ordinance and the \$331,000 bonds or bond anticipation notes July 20, 2015

authorized herein

(c) The estimated cost of the improvement or purpose is \$541,000, including the \$210,000 appropriated by the Original Bond Ordinance and the \$331,000 appropriated herein.

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

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

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

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$331,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$95,00 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$35,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$60,000 is estimated therefor herein.

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,

July 20, 2015

provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

**Ordinance 2015-15 First Reading and Introduction** – Bond Ordinance Providing for Improvements to Stockton Street and Joseph Street in and by the Borough of Hightstown, in the County of Mercer, New Jersey Appropriating \$430,000 Therefor and Authorizing the Issuance of \$430,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Councilmember Kurs moved ordinance 2015-15 for introduction, Councilmember Montferrat seconded.

The Borough Engineer explained that this project will make the area more easily walkable by school students. There was discussion.

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

Ordinance introduced 5-0, public hearing to be held August 17, 2015.

Ordinance 2015-15  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO STOCKTON STREET  
AND JOSEPH STREET IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE  
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$430,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$430,000 BONDS OR NOTES OF THE BOROUGH  
TO FINANCE PART OF THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$430,000, including a \$275,000 grant from the Safe Routes to School Program administered by the State of New Jersey Department of Transportation (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvements since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$430,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to Stockton Street and Joseph Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

July 20, 2015

- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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

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

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

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$430,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$80,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the

July 20, 2015



requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

**Ordinance 2015-16 First Reading and Introduction** – An Ordinance Amending the “Revised General Ordinances of the Borough of Hightstown, New Jersey” Adding Regulations and Enforcement Regarding Recyclable Materials

Councilmember Stults moved ordinance 2015-16 for introduction, Councilmember Misiura seconded.

Councilmember Stults explained that this ordinance revises the code to include recyclable materials and the Housing Official and Inspector in the enforcement, to correct issues in town.

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

Ordinance introduced 5-0, public hearing to be held August 17, 2015.

Ordinance 2015-16  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY” ADDING REGULATIONS AND ENFORCEMENT REGARDING RECYCLABLE MATERIALS** WHEREAS, the appearance of properties and the health and safety of Borough residents can be adversely affected by the accumulation of recyclable materials; and

**WHEREAS**, it is necessary to have enforcement applicable to recyclable materials; and

**WHEREAS**, it is in the public interest for the Borough of Hightstown to establish a mechanism to enforce recycling regulations and property maintenance regarding recyclable materials.

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

Section 1. Chapter 14, entitled “Property Maintenance,” Section 5.2, entitled “Appearance,” of the Revised General Ordinances of the Borough of Hightstown is hereby amended to read as follows (underlines are additions):

**14-5.2 Appearance.**

- a. All structures (including fences) shall be kept painted or whitewashed where necessary for purposes of preservation and appearance, free of broken glass, loose shingles, crumbling stone or brick, or excessive peeling paint.
- b. All properties, vacant or improved, shall be maintained free of any accumulation of debris, rubbish, garbage,

July 20, 2015

recyclable material, junk or litter as defined herein.

Section 2. Chapter 18, entitled "Garbage and Rubbish," Section 2-7, entitled "Enforcement," of the Revised General Ordinances of the Borough of Hightstown is hereby amended to read as follows (underlines are additions):

**18-2.1 Enforcement.**

The Borough of Hightstown Recycling Coordinator, Housing Official/Housing Inspector, and the Hightstown Borough Police Department are hereby authorized and directed to enforce this Section. Enforcement may include random inspections of garbage set out for disposal in order to determine compliance.

Section 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

Section 5. This ordinance shall take effect after final passage and upon publication according to law.

The Borough Engineer departed the meeting at this time.

**Resolution 2015-184 Authorizing the Payment of Bills**

Councilmember Stults moved resolution 2015-184, Councilmember Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2015-184

*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 \$246,711.22 from the following accounts:

July 20, 2015

|                       |  |                 |
|-----------------------|--|-----------------|
| Current               |  | \$110,565.53    |
| W/S Operating         |  | 86,913.86       |
| General Capital       |  | 14,879.84       |
| Water/Sewer Capital   |  | 0.00            |
| Grant                 |  | 2,809.50        |
| Trust                 |  | 11,155.50       |
| Housing Trust         |  | 7,038.75        |
| Animal Control        |  | 40.80           |
| Law Enforcement Trust |  | 0.00            |
| Housing Rehab Loans   |  | 4,000.00        |
| Unemployment Trust    |  | 0.00            |
| Escrow                |  | <u>9,307.44</u> |
|                       |  | 246,711.22      |
| Total                 |  |                 |

**Resolution 2015-185 Authorizing the Re-Appointment of the Honorable Ira E. Kreizman, J.S.C. (Ret.) to Serve as an Independent Hearing Officer with Respect to Disciplinary Proceedings Involving Public Employees in the Borough of Hightstown and Authorizing the Execution of a Professional Service Contract Relating Thereto**

Councilmember Misiura moved resolution 2015-185, Councilmember Bluth seconded.

The Borough Attorney explained the resolution.

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

Resolution adopted 5-0.

Resolution 2015-185

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

**A RESOLUTION AUTHORIZING THE RE-APPOINTMENT OF THE  
HONORABLE IRA E. KREIZMAN, J.S.C. (RET.),  
TO SERVE AS AN INDEPENDENT HEARING OFFICER  
WITH RESPECT TO DISCIPLINARY PROCEEDINGS INVOLVING  
PUBLIC EMPLOYEES IN THE BOROUGH OF HIGHTSTOWN,  
AND AUTHORIZING THE EXECUTION OF A  
PROFESSIONAL SERVICES CONTRACT RELATING THERETO.**

**WHEREAS**, the Borough of Hightstown (the “Borough”) wishes to retain the services of an independent hearing officer to preside over certain disciplinary proceedings involving public employees in the Borough; and

**WHEREAS**, the independent hearing officer shall be required to make findings of fact and conclusions of law based upon the testimony and evidence elicited at hearing(s) to be scheduled concerning such matter(s), and to make recommendations following July 20, 2015

the conclusion of said proceeding(s) for a final determination based upon the record of the hearing(s); and

**WHEREAS**, the Borough wishes to appoint a licensed member of the New Jersey Bar and former member of the New Jersey Judiciary to serve as the independent hearing officer; and

**WHEREAS**, the contemplated services are considered to be “professional services” under the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* (specifically, at N.J.S.A. 40A:11-2), because the services shall be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

**WHEREAS**, the contemplated services are therefore exempt from the requirement of competitive bidding per N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Borough, through the Borough Attorney, has solicited and received a proposal from the Honorable Ira E. Kreizman, J.S.C. (Ret.) (also referenced as the “contractor”), to serve as the independent hearing officer in such matter(s); and

**WHEREAS**, Retired Judge Kreizman has offered to perform the requested services at the rate of Two Hundred Twenty Five Dollars (\$225.00) per hour; and

**WHEREAS**, the Borough wishes to appoint Retired Judge Kreizman to serve as the hearing officer in such matter(s), and to award a professional services contract to Judge Kreizman to perform the necessary services; and

**WHEREAS**, the anticipated term of the contract is for a period not to exceed one (1) year, and the contract may only be renewed thereafter upon further action of the Borough Council; and

**WHEREAS**, though the Borough does not anticipate at this time that the value of this contract shall exceed \$17,500.00, the Borough nevertheless wishes to require that the contractor shall abide by the provisions of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*, in case the total amount of payments made hereunder should exceed that amount; and

**WHEREAS**, this contract is awarded as a restricted or “non-fair and open contract” pursuant to and in accordance with the State Pay-to-Play Law, and therefore the contractor has executed all necessary State Pay-to-Play certifications; and

**WHEREAS**, the contractor has also executed a certification which acknowledges that the contractor has complied with the Borough’s local Pay-to-Play Ordinance, and that the contractor shall continue to comply with said Ordinance during the term of the contract; and

**WHEREAS**, this Resolution and the contract shall be available for public inspection in the office of the Borough Clerk, and notice of the awarding of the contract shall be published in a newspaper of general circulation in the Borough following the adoption of this Resolution; and

**WHEREAS**, the Borough’s Chief Financial Officer has certified that adequate funding exists for this contract.

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

1. That the Borough hereby authorizes the appointment of the Honorable Ira E. Kreizman, J.S.C. (Ret.), to serve as an independent hearing officer to preside over disciplinary proceedings involving public employees in the Borough of Hightstown. The hearing officer shall make findings of fact and conclusions of law based upon the testimony and evidence elicited at hearing(s) to be scheduled, and shall make recommendations for final action.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest an agreement, which shall be in a form acceptable to the Borough Attorney, between the Borough of Hightstown and the Honorable Ira E. Kreizman, J.S.C. (Ret.), regarding the afore-mentioned independent hearing officer services.

3. That this agreement is awarded as a “professional services” contract in accordance with N.J.S.A. 40A:11-2 and N.J.S.A. 40A:11-5(1)(a)(i), because the services to be provided shall be performed by a person authorized by law to practice

July 20, 2015

a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study.

4. That the duration of this agreement shall be for a term not to exceed one (1) year and the agreement may only be renewed thereafter upon further action of the Borough Council.

5. That the fees to be charged by the contractor for the requested services shall be at the rate of \$225.00 per hour.

6. That the Borough's Chief Financial Officer is hereby authorized and directed to file a Certificate of Availability of sufficient funds for this contract and to attach same to this Resolution.

7. That the contractor's State and local pay-to-play certifications shall be placed on file with this Resolution.

8. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

9. That a certified copy of this Resolution shall be provided to each of the following:

- a. Honorable Ira E. Kreizman, J.S.C. (Ret.)
- b. Debra L. Sopronyi, Borough Clerk/Purchasing Agent
- c. Henry Underhill, Borough Administrator
- d. George Lang, Chief Financial Officer
- e. Frederick C. Raffetto, Esq., Borough Attorney

**Resolution 2015-186 Authorizing a Shared Services Agreement between Hightstown Borough and East Windsor Township for Contribution of the Matching Local Share for Bus Services**

Councilmember Montferrat moved resolution 2015-186, Councilmember Stults seconded.

Borough Clerk Sopronyi confirmed that the rate has remained the same as last year.

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

Resolution adopted 5-0.

Resolution 2015-186

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

**AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN HIGHTSTOWN  
BOROUGH AND EAST WINDSOR TOWNSHIP FOR CONTRIBUTION OF THE MATCHING  
LOCAL SHARE FOR BUS SERVICES**

**WHEREAS**, the Borough of Hightstown is desirous of entering into a renewed shared services agreement with the Township of East Windsor for the purpose of providing public transportation services for its citizens; and

**WHEREAS**, the term of said agreement shall be from July 1, 2015 through June 30, 2016; and  
July 20, 2015

**WHEREAS**, the Borough's share of the cost of this service, by the terms of the agreement, is \$2,180.00, representing no increase from prior years; and

**WHEREAS**, the Treasurer has certified the availability of funds for this expenditure.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement for Contribution of the Matching Local Share for Bus Services with East Windsor Township in the amount of \$2,180.00.

**Resolution 2015-187 Authorizing the Purchase of an E-One Aluminum CR-137 Ladder Truck for Hightstown Engine Co. No. 1 from Absolute Fire in the Amount of \$977,617.00 through our Participation in the Houston Galveston Area Council of Governments (H-GAC) A National Cooperative Purchasing Program Pursuant to P.L. 2011, C. 139**

Councilmember Kurs moved resolution 2015-187, Councilmember Misiura seconded.

Borough Clerk/Purchasing Agent Sopronyi explained the process taken and noted that the Fire Company did a great job at getting their documentation together. Mike Sheenan, Firefighter, thanked Council for their approval of this much needed purchase.

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

Resolution adopted 5-0.

Resolution 2015-187

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

**AUTHORIZING THE PURCHASE OF AN E-ONE ALUMINUM CR-137 LADDER TRUCK FOR HIGHTSTOWN ENGINE COMPANY NO. 1 FROM ABSOLUTE FIRE IN THE AMOUNT OF \$977,617.00 THROUGH OUR PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) A NATIONAL COOPERATIVE PURCHASING PROGRAM PURSUANT TO P.L.2011, C.139.**

WHEREAS, the Borough of Hightstown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of Houston-Galveston Area Council of Governments (H-GAC), 3555 Timmons, Suite 120, Houston, TX 77027 pursuant to the provision of P.L.2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperative or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

WHEREAS, Absolute Fire, 2800 Hamilton Blvd., South Plainfield, NJ 07080 has been awarded the contract for this ladder truck under H-GAC's Category: Fire Service Apparatus (FS 12-13); and

WHEREAS, the Purchasing Agent and Borough Administrator recommend the utilization of this contract; and

WHEREAS, under H-GAC Contract No. FS 12-13, Absolute Fire can provide to the Borough of Hightstown an E-One Quest, 4 Door Full Tilt Welded Extruded Aluminum Cab, Six (6) Man Seating, Welded Extruded Aluminum Body, Tandem Axle, 1500 GPM Single Stage Pump, 300 Gallon Tank, Welded Extruded Aluminum CR137 – 137 FT. 300-800# Tip Loan Rear Mount Telescoping Ladder as per their quote in the amount of \$977,617.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that Absolute Fire under H-GAC Contract # FS 12-13 be utilized to provide an E-One Quest, 4 Door Full Tilt Welded Extruded Aluminum Cab, Six (6) Man Seating, Welded Extruded Aluminum Body, Tandem Axle, 1500 GPM Single Stage Pump, 300 Gallon Tank, Welded Extruded Aluminum CR137 – 137 FT. 300-800# Tip Loan Rear Mount Telescoping Ladder as per their quote in the amount of July 20, 2015

\$977,617.00 to the Borough of Hightstown.

**Resolution 2015-188 Authorizing a Contract for a Telephone Audit – Fortune Consulting**

Councilmember Stults moved resolution 2015-188, Councilmember Bluth seconded.

Borough Clerk Sopronyi explained the need for the audit and the process taken to make the recommendation.

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

Resolution adopted 5-0.

Resolution 2015-188

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

**AUTHORIZING A CONTRACT FOR TELEPHONE AUDITING SERVICES – FORTUNE  
CONSULTING**

**WHEREAS**, Hightstown Borough is in need of a telephone services audit; and

**WHEREAS**, the Borough Administrator has evaluated companies who provide this service; and

**WHEREAS**, the Borough Administrator has recommended that the Borough enter into an agreement with Fortune Consulting to audit the telephone service provided to Hightstown Borough; and

**WHEREAS**, the fee for said services shall be equal to 50% of the amount credited or refunded to the Borough due to findings of the audit and 50% of the first year projected savings due to the audit service provided; and

**WHEREAS**, the Treasurer has certified that funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Administrator is hereby authorized to enter into an agreement for telephone auditing services with Fortune Consulting as stated herein.

**Resolution 2015-189 Authorizing a Contract for Dispatcher Services – IXP Corporation**

Councilmember Kurs moved resolution 2015-189, Councilmember Stults seconded.

Mayor Quattrone explained the need for Dispatchers. There was discussion.

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

Resolution adopted 5-0.

Resolution 2015-189

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

July 20, 2015

**AUTHORIZING A CONTRACT FOR DISPATCHER SERVICES – IXP CORPORATION**

**WHEREAS**, Hightstown Borough is in need of Dispatch services; and

**WHEREAS**, IXP Corporation provides New Jersey Certified Telecommunicator (Dispatcher) services; and

**WHEREAS**, the Borough Administrator has recommended that the Borough enter into an agreement with IXP Corporation to fill the void for Dispatchers in Hightstown Borough; and

**WHEREAS**, the fee for said services is \$28.00 per hour; and

**WHEREAS**, the Treasurer has certified that funds are available for this contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Administrator is hereby authorized to enter into an agreement for Dispatch services with IXP Corporation as stated herein.

**Consent Agenda Resolutions 2015-190, 2015-191, 2015-192, 2015-193, 2015-194, 2015-195, 2015-196, 2015-197, 2015-198, 2015-199, 2015-200, 2015-201, 2015-202, 2015-203, and 2015-204:**

Councilmember Kurs requested that resolutions 2015-202 and 2015-203 be pulled from the consent agenda.

Councilmember Bluth moved resolutions 2015-190, 2015-191, 2015-192, 2015-193, 2015-194, 2015-195, 2015-196, 2015-197, 2015-198, 2015-199, 2015-200, 2015-201, and 2015-204 as the consent agenda, Councilmember Stults seconded.

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

Resolutions adopted 5-0.

Resolution 2015-190

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

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

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

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

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

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

July 20, 2015



**2015-16 Plenary Retail Consumption License with Broad Package Privilege**  
**License #1104-32-001-006**  
**Fee: \$2,500.00**

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

Resolution 2015-191

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

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-33-003-008 –  
TAVERN 103 LLC, T/A TAVERN ON THE LAKE**

**WHEREAS**, Tavern 103 LLC has made application to the Borough for renewal of their Plenary Retail Consumption License #1104-33-003-008, together with the required fees; and

**WHEREAS**, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Tavern 103 LLC is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Tavern 103 LLC, doing business as Tavern on the Lake at 101-103 Main Street:

**2015-16 Plenary Retail Consumption License**  
**License #1104-33-003-008**  
**Fee: \$2,500.00**

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

Resolution 2015-192

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-03 TO THE JOHN PAUL  
GEIJER MEMORIAL FOUNDATION**

**WHEREAS**, the John Paul Geijer Memorial Foundation wishes to hold an on-premise merchandise raffle at 140 North Main Street on Saturday, September 26, 2015; and

**WHEREAS**, the group has submitted application number RA-2015-03 for this raffle along with the required fees; and

**WHEREAS**, John Paul Geijer Memorial Foundation is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 189-5-40460; and

**WHEREAS**, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

July 20, 2015

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-03 to the John Paul Geijer Memorial Foundation for their raffle to be held on September 26, 2015.

Resolution 2015-193

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

**AUTHORIZING A CREDIT FOR SEWER CHARGES**

**WHEREAS**, there was a water meter breakage at 104 Manlove Avenue which caused additional sewer charges to account #714-0; and

**WHEREAS**, the overcharge of 7 units of usage on the sewer bill totaled \$28.42; and

**WHEREAS**, the Tax Collector has requested that said \$28.42 overcharge be credited to account #714-0 in the name of Carlos Vasquez of 104 Manlove Avenue.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Tax Collector is hereby authorized to issue a credit in the amount of \$28.42 to account #714-0 in the name of Carlos Vasquez of 104 Manlove Avenue, representing the sewer charges as set forth herein.

Resolution 2015-194

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

**AUTHORIZING A REFUND FOR A THEATER IN THE PARK REGISTRATION FEE**

**WHEREAS**, Karen Pavlovic of 220 Mercer Street paid a Registration Fee in the amount of \$250.00 for her daughter Lara to participate in the Theater in the Park Program sponsored by the Parks and Recreation Commission; and

**WHEREAS**, Karen Pavlovic withdrew the registration prior to the beginning of the program; and

**WHEREAS**, the Parks and Recreation Commission is requesting that the registration fee of \$250.00 be refunded to Karen Pavlovic.

**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 \$250.00 to Karen Pavlovic of 220 Mercer Street, for a registration fee for the Theater in the Park Program as stated herein.

Resolution 2015-195

*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, September 19, 2015 at 278 Monmouth Street in the July 20, 2015

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, September 19, 2015, at 278 Monmouth Street.

Resolution 2015-196

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

**MAKING AND CONFIRMING AN APPOINTMENT FOR BOARD OF HEALTH**

**BE IT RESOLVED** that the following appointments are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

**Walt Hewitt**

**Ux. 2 yrs.**

**December 31, 2016**

Resolution 2015-197

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

**AUTHORIZING A REFUND OF TAX OVERPAYMENT**

**WHEREAS**, there has been a tax overpayment for Block 15, Lot 7 in the amount of \$639.62 resulting from a homestead rebate issued to John and Anne West, who qualify for 100% disabled veteran status; and

**WHEREAS**, the Tax Collector has requested that said overpayment be refunded in the amount of \$639.62 to John and Anne West, 132 Mechanic Street, Hightstown, NJ 08520.

**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 \$639.62 to John and Anne West, 132 Mechanic Street, Hightstown, NJ 08520, representing the tax overpayment as set forth herein.

Resolution 2015-198

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

**AUTHORIZING A REFUND OF TAXES DUE TO A COUNTY TAX APPEAL**

**WHEREAS**, A County Tax Appeal reduced the land value of Block 11, Lot 17.02 resulting in a tax overpayment in the amount July 20, 2015

of \$989.37; and

**WHEREAS**, the Tax Collector has requested that said overpayment be refunded in the amount of \$989.37 to Hights Realty LLC, 401 E. Linden Avenue, Linden, NJ 07036.

**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 \$989.37 to Hights Realty LLC, 401 E. Linden Avenue, Linden, NJ 07036, representing the tax overpayment as set forth herein.

Resolution 2015-199

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

**AUTHORIZING THE CANCELLATION OF A PORTION OF PROPERTY  
TAXES FOR THE YEAR 2015 ON BLOCK 45 LOT 2 FOR A 100% DISABLED  
AMERICAN VETERAN**

**WHEREAS**, the 2015 Extended Tax Duplicate lists Block 45 Lot 2 as owned by Bruce and Janet MacDougall, and he is a veteran, and this is his primary residence, and;

**WHEREAS**, NJSA 54:4-3.30 et seq. allows property tax exemption for a disabled veteran, and the VA has determined that Mr. MacDougall is 100% permanently disabled, and the Tax Assessor has approved the property tax exemption effective April 22, 2015 and;

**WHEREAS**, it is the desire of the Borough Council to cancel the 2015 property taxes, prorated effective April 22, 2015, and to cancel the preliminary 2016 bill.

**NOW, THEREFORE, BE IT RESOLVED** on this 20th day of July by the Borough Council of the Borough of Hightstown, County of Mercer, and State of New Jersey that the herein property taxes are hereby cancelled and the Borough Tax Collector is authorized to adjust her records, and is hereby released from the collection of same.

Resolution 2015-200

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

**EXTENDING THE GRACE PERIOD FOR PAYMENT OF 2015 THIRD QUARTER TAXES**

**WHEREAS**, 2015 Third Quarter Taxes are due on August 1, 2015, with a ten-day grace period; and

**WHEREAS**, due to the late receipt of the tax rate from the County, the mailing of the tax bills has been delayed; and

**WHEREAS**, the Mayor and Borough Council finds it to be equitable and proper that the grace period for payment of the 2015 third quarter tax be extended until the nineteenth day of August, 2015; and

**WHEREAS**, if the 2015 third quarter tax payment is not received by August 19, 2015 late fees shall be effective from the due date of August 1, 2015 as is required.

July 20, 2015

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the grace period for payment of 2015 third quarter taxes be extended until the 19<sup>th</sup> day of August, 2015.

Resolution 2015-201

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

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

**WHEREAS**, Matthew C. Lawson of Hightstown, 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.

Resolution 2015-204

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

**ACCEPTING MEMBERSHIP OF CHRISTOPHER A. CIABATTONE IN  
HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Christopher A. Ciabattone of Princeton, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Mr. Ciabattone 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 Christopher A. Ciabattone 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.

Councilmember Bluth moved resolutions 2015-202 and 2015-203, Councilmember Stults seconded.

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

Resolutions adopted 5-0.

Resolution 2015-202

July 20, 2015

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

**ACCEPTING MEMBERSHIP OF ROBERT RAYMOND, SR. IN  
HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Robert Raymond, Sr. of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Mr. Raymond 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 Robert Raymond, Sr. 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 2015-203

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

**ACCEPTING MEMBERSHIP OF TRESSA A. DISTELCAMP IN  
HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Tressa A. Distelcamp of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Ms. Distelcamp 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 Tressa A. Distelcamp 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.

**Re-Development Committee Appointment Update**

Mayor Quattrone announced that he has appointed Fred Montferrat, Planning Board Chair, as the Planning Board representative on the Re-Development Committee.

**Tax Abatement Ordinance**

Councilmember Misiura advised that the sub-committee drafted and turned over the tax abatement ordinance to the Borough Attorney.

Borough Attorney Raffetto reviewed the law that the ordinance is based on, the benefits of the ordinance and the options available. He then reviewed the ordinance and noted that it is necessary for the Council to adopt a resolution designating the area to be covered by the ordinance prior to ordinance introduction; and that the resolution must go to the Planning Board prior to adoption.

There was discussion regarding reserving the character of the town by only having the ordinance apply to older and non-July 20, 2015

commercial structures; the ordinance being an exemption, not an abatement as it only applies to improvements; that it is for incentive to repair older homes and does not apply to re-development; the benefit to residents; and that it only effects added assessments due to improvements.

The Borough Attorney noted that the resolution declares the entire Borough as an area in need of rehabilitation and that the resolution can be sent to the Planning Board by informal motion. Council approved the resolution and ordinance being sent to the Planning Board.

### **Clothing Bin Ordinance**

Councilmember Stults noted that there are issues with clothing bins taking space at commercial areas in the Borough and that there is debris surrounding them.

The Borough Attorney recommended that the ordinance go back to the Planning Board before introduction since it has been quite a while since the ordinance was first reviewed and discussed. Council approved sending the ordinance back to the Planning Board for review.

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

Lynne Woods, 315 Park Avenue – commented that since there is a three minute time limit on public comment, Council should answer their e-mails; the Governing Body was invited to a retirement party for Sgt. Niro, but none attended; inquired how an employee of the Borough can be an Independent Hearing Officer; 23 units of the Housing Authority were to be renovated as part of the plan, is this being done?

The Borough Attorney responded that the Housing Plan is being developed over the next five months and he reviewed the present court process for approval of the plan. There was discussion with the Attorney explaining COAH status.

Scott Caster, 12 Clover Lane – commented that Council should kick-start cohesiveness between landowners, landlords and businesses downtown so they will work together; the amount of money being spent on the bridge shows it is a priority, but the little things downtown are not being tended to.

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

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

Councilmember Kurs – commented that although the death of any service member is a tragedy, he recognized the five killed on U.S. soil in Chattanooga; the Fire Company has put a lot of work and effort into the purchase of their truck; he met with EMS and they are working on the documentation necessary for the purchase of the ambulance; to address Ms. Woods regarding the Independent Hearing Officer, anybody working on behalf of a Municipality has to be paid and just like any Judge, Public Defender, or Prosecutor, they are paid by the municipality and remain impartial.

Councilmember Kurs then addressed the recent press about the labeling of Hightstown Borough as a sanctuary city, and noted that the Police Department is bound by Attorney General Law Enforcement Directive 2007-3 which mandates that Law Enforcement must notify Federal Agents regarding immigration status. He advised that he has had a conversation with Lt. Gendron who assured him that the Hightstown Police Department diligently follows the directive and makes all necessary notifications as required. There are misconceptions about resolution 2005-66; it was resolution and expired at the change of Council; the resolution itself recognizes that immigrants from around the world contribute to the character of Hightstown, and points out that traditionally Hightstown respects the rights of individuals without regard to immigration status, it notes that Hightstown Police have made it a priority to gain the trust of immigrants. He continued that the issue that was being addressed by the resolution was that Federal Agents, namely ICE, announced themselves as police; it addresses that fact that Federal Agents who announce themselves as police tend to confuse the public and make them think that they are part of the local police; the resolution did not set up a sanctuary city, it simply asked that Federal Agencies, such as ICE, announce themselves properly to avoid any confusion by the public, and encourages the President of the United States to take an approach to resolve these issues in the Country and while the press has labeled Hightstown as a sanctuary city, the resolution itself is very clear and unambiguous.

July 20, 2015

**Councilmember Stults** – advised that that he attended the Planning Board and they are working on a draft of a design standards ordinance; the highway commercial sign ordinance is forthcoming soon; the clothing bin ordinance will be an asset; home based businesses are being discussed and the Planning Board is trying to describe regulations to eliminate nuisances. The Downtown Hightstown consultant has returned and it is hoped that a joint presentation will be held with the Council and Planning Board. Code Enforcement is diligently issuing summonses and he reviewed the June report, noting that the ordinance needs to be revised regarding locks on interior doors. He requested that Borough Clerk Sopronyi see that the requested revision(s) to the ordinance is brought to the Council.

**Councilmember Kurs** – noted that he attended the Latino Festival and it was very well organized and attended.

**Councilmember Bluth** – noted that there is a Concert in the Park at Association Park next Thursday; performances from the Shakespeare in the Park program will be held July 31, and August 1<sup>st</sup> and 2<sup>nd</sup>; Parks and Recreation issued a permit for park use for National Night Out.

**Councilmember Montferrat** - continued that the Historic Preservation Commission is working on the language for the Historic District signs; signs on Route 130 lead traffic through Hightstown to get to the Turnpike, and they need to be removed; it has also been discovered that the Rand McNally GPS for Truckers does the same, and it needs to be corrected to lead to Route 133.

**Councilmember Misiura** – noted that the Re-development Subcommittee met with the owner and developer for the Rug Mill and a plan is forthcoming at a joint Council and Planning Board meeting; the Housing Authority met on June 17<sup>th</sup> and COAH issues were addressed by the Borough Planner; the Environmental Commission meets on the 23<sup>rd</sup> and they are renting the boats on Friday night and looking into acquiring a recycling dumpster for businesses downtown.

**George Lang, CFO** – commented that tax bills went out and the overall tax rate is down 2.6 cents.

**Frederick Raffetto, Borough Attorney** – advised that Hightstown Borough has filed action with the Superior Court for Affordable Housing for the filing of the Affordable Housing Plan; a Consortium for the fair share housing obligations evaluation has been developed and Hightstown Borough is a member.

**Mayor Quattrone** – noted that the two new stop signs on Morrison Avenue will be installed soon and a blinking sign to make drivers aware has been borrowed to assist with the transition; be aware of your neighbors in the heat and offer assistance; thanked Mrs. Mair for her application for membership on the Historic Preservation Commission and noted that he will advise her on the appointment status.

Councilmember Montferrat moved to adjourn at 9:15pm, Councilmember Stults seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC  
Borough Clerk

July 20, 2015