

**Meeting Minutes  
Hightstown Borough Council  
Business Meeting  
April 18, 2016  
6:45 p.m.**

The meeting was called to order by Mayor Quattrone at 6:50 pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Kurs</i>		✓
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Montferrat</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Debra L. Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; Lt. Frank Gendron and Fred Raffetto, Borough Attorney.

**EXECUTIVE SESSION**

**Resolution 2016-91** – Authorizing a Meeting Which Excludes the Public

Councilmember Stults moved Resolution 2016-91; Councilmember Montferrat seconded.

Roll Call Vote: Councilmembers Bluth, Hansen, Misiura, Montferrat and Stults voted yes.

Resolution adopted 5-0.

Resolution 2016-31

*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 April 18, 2016 at 6:45pm in the Hightstown Engine Co. #1 Fire House Hall located at 140 North Main Street, Hightstown that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Personnel – Police Chief  
Litigation – Affordable Housing (COAH)

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: July 4, 2016, 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 7:37 p.m. and again read the Open Public Meetings Statement.

The Flag Salute followed Roll Call.

Councilmember Kurs arrived during executive session and was now present. Lt. Gendronm departed during executive session and was no longer present.

### **APPROVAL OF AGENDA**

Councilmember Kurs moved the agenda for approval; Councilmember Stults seconded.

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

Agenda approved 6-0.

### **APPROVAL OF MINUTES**

Councilmember Bluth moved the March 21, 2016 executive session meeting minutes for approval, Councilmember Montferrat seconded.

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

Minutes approved 6-0.

Council President Hansen moved the March 21, 2016 business session meeting minutes for approval, Councilmember Stults seconded.

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

Minutes approved 5-0, with one abstention.

### **PUBLIC COMMENT**

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

Eugene Sarafin, 628 South Main Street – Commented that he will speak during the second public comment period.

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

### **ORDINANCES**

#### **2016-13 First Reading and Introduction – An Ordinance Amending and Supplementing Chapter 4, Entitled “Licensing”, of the “Revised General Ordinances of the Borough of Hightstown, New Jersey”**

Councilmember Bluth moved Ordinance 2016-13 for introduction; Councilmember Stults seconded.

Borough Attorney Raffetto explained that this ordinance gives the Health and Police Departments the tools necessary to safeguard the public when using these establishments.

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

Ordinance introduced 6-0, Public Hearing to be held on May 2, 2016.

Ordinance 2016-13

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4, ENTITLED “LICENSING”, OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

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 following regulations shall be added to the Borough Code regarding the licensing of Massage Parlors in the Borough of Hightstown:

**DEFINITIONS:**

As used in this chapter, the following terms shall have the meanings indicated:

Massage, Bodywork and Somatic Therapies

Any systems of activity of structured touch which include, but are not limited to, holding, applying pressure, positioning and mobilizing soft tissue of the body by manual technique and use of visual, kinesthetic, auditory and palpating skills to assess the body for purposes of applying therapeutic massage, bodywork or somatic principles. Such applications may include, but are not limited to, the use of therapies such as heliotherapy or hydrotherapy, the use of moist hot and cold external applications, external application of herbal or topical preparations not classified as prescription drugs, movement and neuromyofacial education and education in self-care and stress management. Massage, bodywork and somatic therapies do not include the diagnosis or treatment of illness, disease, impairment or disability.

Massage, Bodywork and Somatic Therapist

Any person licensed pursuant to the provisions of the Massage and Bodywork Therapist Licensing Act. N.J.S.A. 45:11-53.

Massage, Bodywork and Somatic Therapy Establishment

Any establishment wherein massage, bodywork and/or somatic therapies are administered or are permitted to be administered, when such therapies are administered for any form of consideration.

**NONLICENSED THERAPISTS PROHIBITED**

The administering of massage, bodywork and/or somatic therapies for any form of consideration by any person not licensed by the State of New Jersey pursuant to the Massage and Bodywork Therapist Licensing Act, P.L. 1999, c. 19, amended 2007, c. 337. shall be prohibited throughout the Borough of Hightstown.

**LICENSE REQUIRED**

Establishment: No person, firm or corporation shall operate any establishment or utilize any premises in the Borough of Hightstown as or for a massage, bodywork and somatic therapy establishment unless or until such person, firm or corporation has obtained a license for such establishment or premises from the Municipal Clerk in accordance with the terms and provisions of this chapter.

## RENEWALS

- A. All licenses shall be valid for a period of three years from the date of issuance.
- B. Licensees may renew their licenses prior to expiration by filing a new application with the Municipal Clerk in the manner prescribed in this chapter accompanied by the requisite fee.

## APPLICATIONS FOR LICENSE

Establishment: Any person desiring a massage, bodywork and somatic therapy establishment license shall file a written application with the Municipal Clerk upon a form provided by the Clerk. The application form shall contain the following information:

- A. The type of ownership of the business, i.e., whether individual, partnership, corporation or otherwise.
- B. The name, style and designation under which the business is to be conducted.
- C. The business address and all telephone numbers, including facsimile, where business is to be conducted.
- D. A complete list of the names and residence addresses of all massage, bodywork and somatic therapists and employees of the business and the name and residence address of the manager or other person principally in charge of the operation of the business.
- E. A sworn statement indicating that all massage, bodywork and somatic therapists employed or to be employed by the establishment or otherwise permitted to work at the establishment have been licensed by the State of New Jersey pursuant to the Massage and Bodywork Therapist Licensing Act, P.L. 1999, c. 19, amended 2007, c. 337.
- F. The following personal information concerning the applicant(s), if an individual; concerning each stockholder holding more than 10% of the stock of the corporation, each officer and each director, if the applicant is a corporation; concerning the partners, including limited partners, if the applicant is a partnership; and concerning the manager or other person principally in charge of the operation of the business shall be provided:
  - 1. The name, complete residence address and residence telephone number.
  - 2. The two previous addresses immediately prior to the present address of the applicant.
  - 3. Written proof of age.
  - 4. Height, weight, sex, color of hair and eyes
  - 5. Two front-face portrait photographs taken within 30 days of the date of the application and at least two inches by two inches in size
  - 6. Provide any massage therapy or similar business history and experience, including, but not limited to, whether or not such person has previously operated in this or another municipality or state under a license or permit or has had such license or permit denied, revoked or suspended and the reason therefor and the business activities or occupations subsequent to such action or denial, suspension or revocation.
  - 7. All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted and the offense for which convicted and circumstances thereof. The applicant shall execute a waiver and consent to allow a criminal background check by the Borough Police Division. Failure to execute such a waiver and consent shall result in a denial of a license.
  - 8. The names and addresses of three adult residents who will serve as character references. These references must be persons other than relatives and business associates.
  - 9. The fingerprints of the applicant(s).
- G. At the time the application is filed, a fee as established in Chapter 82, Fees, shall be paid to the Borough Clerk to cover the cost of processing the application and investigating the facts stated therein.

## INSPECTION REQUIREMENTS.

- A. The Municipal Clerk, upon receiving an application for a massage, bodywork and somatic therapy establishment license, shall refer the application to the various municipal departments (Division of Code Enforcement, Zoning, Health) for review and conformance with applicable state and Borough Codes for such an establishment.
- B. No massage, bodywork and somatic therapy establishment shall be issued a license or be operated, established or maintained in the Borough unless inspections by the appropriate municipal departments reveal that the establishment complies with the minimum requirements of the Uniform Construction Code and Health Codes for businesses operating in the Borough of Hightstown. In addition, the establishment must comply with each of the following minimum requirements.
  - 1. All massage tables, bathtubs, shower stalls, steam or bath areas and floors shall be constructed of material with surfaces which are smooth, nonabsorbent, and which may be readily disinfected.
  - 2. A public restroom shall be available to clients and employees during all business hours
  - 3. Water closets and lavatories shall be in conformance with the regulations set forth in the New Jersey Uniform Construction Code, N.J.A.C. 5:23.
  - 4. If bathing, dressing and locker facilities are provided for the patrons and male and female patrons are served simultaneously, separate bathing, dressing, locker and massage room facilities shall be provided.
  - 5. The premises shall have adequate equipment for disinfecting non-disposable instruments and materials used in administering massages. Such non-disposable instruments and materials shall be disinfected after use on each patron.
  - 6. Adequate hand washing facilities shall be conveniently located to each treatment area to maintain clean hands and arms of all employees before, after and during treatments.
  - 7. Hand sinks shall be provided with hot and cold water capable of delivering running water under pressure at a temperature of 90 to 110 F.

#### INVESTIGATION; ISSUANCE OF LICENSE.

- A. When said application is properly filled out, signed by the applicant and has been filed with the Municipal Clerk with all accompanying information, the application shall be referred by the Clerk to the Borough Police Division. The Chief of Police or his or her designee shall investigate the information available as to the applicant's business and good moral character of the applicant as deemed necessary for the protections of the public health, welfare and safety.
- B. If as a result of such investigation the applicant's character or business responsibility is found to be unsatisfactory or that the issuance of a license to the applicant would present a danger to the public health, welfare or safety, the Chief of Police shall endorse on such application his/her disapproval and reasons for same and return the application to the Borough Clerk, who shall notify the applicant that the application is disapproved.
- C. If as a result of such investigation the character and business responsibility of the applicant are found to be satisfactory and the issuance of the license to the applicant will present no danger to the public health, safety and welfare, the Chief of Police shall indicate his/her approval on the application and return the application to the Borough Clerk, who shall execute and deliver to the applicant the license.

#### REVOCATION OF LICENSE

- A. Licenses issued under this chapter may be revoked by the Chief of Police, after notice and a hearing, for any of the following causes:
  - 1. Fraud, misrepresentation or false statement in the application for the license.
  - 2. Fraud, misrepresentation or false statement made in the course of carrying on the licensed business in the Borough.

3. If the Chief of Police, Health Officer or their designee is denied access to the premises for the purpose of conducting and inspection.
  4. Any violation of this chapter.
  5. Conviction of a crime involving moral turpitude, a felony, an offense involving sexual misconduct, keeping or residing in a house of prostitution, and any crime involving dishonesty.
  6. Conducting the licensed business in the Borough in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.
- B. Notice of the hearing for the revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be given personally or mailed to the licensee at his/her last known address at least five days prior to the date set for the hearing.
  - C. Such license may, pending revocation proceedings, be suspended for not more than 10 days by the Chief of Police if, in his/her opinion, the conduct of the licensee is detrimental to the health, safety and general welfare of the Borough of Hightstown.
  - D. The Chief of Police shall serve as hearing officer for any hearing pursuant to this subsection.

#### CRITERIA FOR IMMEDIATE CLOSURE

The licenses issued under this chapter may be immediately suspended by the Chief of Police for the following reasons:

- A. Massage, bodywork or somatic therapy is provided by an unlicensed therapist.
- B. Unsanitary or unsafe conditions which may adversely impact the health and/or safety of the public.

#### DISPLAY OF LICENSE

The massage, bodywork and somatic therapy establishment shall display its license as well as the New Jersey license of each and every massage, bodywork and somatic therapist employed in the establishment in an open and conspicuous place on the premises of the establishment.

#### OPERATING REQUIREMENTS

Every massage, bodywork, and somatic therapy establishment shall comply with the following:

- A. Every portion of the massage, bodywork, and somatic therapy establishment, including appliances and apparatus, shall be kept clean and operated in a sanitary condition. A broad spectrum antimicrobial disinfectant shall be used.
- B. Price rates for all services shall be prominently posted (brochures or price list) in the reception area in a location available to all prospective customers.
- C. All employees, including massage, bodywork, and somatic therapists, shall be clean and wear clean, nontransparent outer garments. Dressing rooms must be available on the premises. Doors to such dressing rooms shall open inward, be self-closing, and be non-lockable.
- D. The handwash sink shall be used solely for the washing of hands, arms and other parts of the body.
- E. Hand sinks shall be supplied with liquid soap and disposable hand towels at all times.
- F. Every area of the establishment shall be provided with lighting capable of providing a minimum of 50 foot candles of artificial light. Lighting may be dimmed during treatment sessions.
- G. Massage tables shall be maintained in good condition and free of rips or tears.
- H. Toilet paper, covered trash, liquid hand soap and disposable paper towels or alternate means of hand drying shall be provided in restrooms.
- I. All massage, bodywork and somatic therapy establishments shall be provided with clean laundered sheets and towels in sufficient quantity which shall be laundered after each use thereof and stored in a sanitary manner.

- J. Soiled linens and draping materials shall be either commercially laundered or washed on site in a clothes-washing machine, in hot water with detergent and at least one cup of bleach or an antibacterial agent, and dried on the high-heat setting in a clothes dryer.
- K. Linens used in a licensed establishment may not be laundered in a private home.
- L. Closed containers shall be provided for soiled lines.
- M. The sexual or genital area of patrons must be covered by towels, cloths or undergarments when in the presence of an employee or massage, bodywork or somatic therapist.
- N. It shall be unlawful for any person knowingly, in a massage, bodywork, and somatic therapy establishment, to place his or her hand upon or touch with any part of his or her body, to fondle in any manner or to massage a sexual or genital area of any other person. No massage, bodywork and somatic therapist, employee or operator shall perform or offer to perform any act which would require the touching of the patron's sexual or genital area.
- O. All walls, ceilings, floors, pools, showers, bathtubs, steamrooms and all other physical facilities shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat-rooms, steam or vapor rooms or steam or vapor cabinets and shower compartments and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned after each use. When carpeting is used on the floors, it shall be kept dry.
- P. Oils, creams, lotions and other preparations used in administering massage, bodywork and somatic therapies shall be kept in clean closed containers or cabinets.
- Q. Animals, except for Seeing Eye Dogs, shall not be permitted in the massage work area.
- R. Each massage, bodywork and somatic therapist shall wash his or her hands in hot running water, using a proper soap or disinfectant before administering a massage.

#### INSPECTIONS BY POLICE DIVISION OR HEALTH DEPARTMENT

- A. The Chief of Police and Health Officer and/or their designees are authorized to conduct random inspections of massage, bodywork and somatic therapy establishments granted a permit under the provisions of this chapter for the purpose of determining whether the provisions of this chapter are being complied with. Such inspections shall be unannounced but shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any licensee or employee of the licensee to fail to allow such inspection officer access to the premises or to hinder such officer in any manner.
- B. The operator shall permit access to all parts of the establishment and all pertinent records required for the inspection shall be made available to the health authority representative for review.

#### SLEEPING QUARTERS

No part of any quarters of any massage, bodywork and somatic therapy establishment shall be used for or connected with any bedroom or sleeping quarters nor may any person sleep in such massage, bodywork and somatic therapy establishment except for limited periods incidental to and directly related to a massage, bodywork or somatic therapy treatment or bath. This provision shall not preclude the location of massage, bodywork and somatic therapy establishment in separate quarters of a building housing a hotel or other separate businesses or clubs.

#### PROHIBITED ACTS.

- A. No owner or manager of a massage, bodywork and somatic therapy establishment shall tolerate in his or her establishment any activity or behavior prohibited by the laws of the State of New Jersey, particularly, but not limited to, laws proscribing prostitution, indecency and obscenity, including the sale, uttering or exposing and public communication of obscene material; laws which relate to the commission of sodomy, adultery and proscribing fornication, nor shall any owner or manager tolerate in his or her establishment any activity or behavior which violates this chapter.

- B. Any conviction of any employee of a massage, bodywork and somatic therapy establishment of a violation of the aforementioned statutes and codes may devolve upon the owner or manager of such establishment, it being specifically declared that following such conviction of an employee, the owner or manager of the establishment may be prosecuted as an accessory to such violation and the licenses which have been issued may be automatically revoked.

## EXCEPTIONS

The provisions of this chapter shall not apply to massage, bodywork or somatic therapies given:

- A. In the office of licensed physician, chiropractor or physical therapist; or
- B. By a regularly established medical center, hospital or sanitarium having a staff which includes licensed physicians, chiropractors and/or physical therapists; or
- C. By any licensed physician, chiropractor or physical therapists in the residence of his or her patient; or
- D. By a licensed barber or cosmetologist/hairstylist limited to the areas of the face, neck, scalp or upper part of the body as set forth in the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1 et seq.

## VIOLATIONS AND PENALTIES

In addition to the revocation or suspension of the license granted under this chapter, any person violating any provision of this chapter shall be subject to a penalty in the amount of \$2,500.00 per offense.

## RELICENSING AFTER REVOCATION

- A. Any person whose license has been revoked under the provisions of 109-8 may apply to be relicensed upon filing of proof that all loss caused by the actor or omissions for which the license was revoked had been fully satisfied and that all conditions imposed by the decision of the revocation have been complied with
- B. Payment of a registration fee in the amount of \$500.00 is applicable to the initial licensing and each renewal thereafter..

## SERVICE OF NOTICES

Whenever notice is required or permitted to be given by this chapter, such notice may be effected by personal service upon the licensee if an individual or any general partner, if a partnership, or upon any corporate officer, if a corporation, or alternatively, to any of foregoing, by certified mail, return receipt requested, to the last address listed in the Borough's Clerk's office in conjunction with the license information. It shall be the duty of each licensee to keep the Borough advised of any subsequent change of address. Upon failure of a licensee to comply with this requirement, any notice returned with the notation "unknown," "moved," or "not claimed" shall be deemed proper service of all notices required by this chapter.

## **2016-10 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 29, Entitled “Projecting Signs”, and Section 18 Entitled “Commercial and Highway, Business and Industrial Zones – CC-1, CC-2, HC and I” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey.”**

Mayor Quattrone opened the public hearing on Ordinance 2016-10 and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – Stated that it took a long time to get this ordinance; he then asked for an explanation of how it came to be. Councilmember Stults gave an explanation of the purpose of the ordinance. Mr. Sarafin noted that the ordinance is a good idea.

Scott Caster, 12 Clover Lane – noted that it is a good ordinance but enforcement is necessary; the A-frame signs downtown are out of hand and blocking pedestrian traffic.

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



Council President Hansen moved Ordinance 2016-10 for adoption; Councilmember Stults seconded.

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

Ordinance adopted 6-0.

ORDINANCE 2016-10

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29, ENTITLED “SIGNS”, SECTION 15, ENTITLED “PROJECTING SIGNS”, AND SECTION 18 ENTITLED “COMMERCIAL AND HIGHWAY, BUSINESS AND INDUSTRIAL ZONES – CC-1, CC-2, HC AND I” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

**WHEREAS**, the Zoning Official has requested certain changes to Chapter 29 of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” to establish uniformity in signage, create an aesthetically pleasing environment and maintain a safe pedestrian environment; and

**WHEREAS**, the Planning Board has reviewed the request of the Zoning Officer and has recommended the changes to Chapter 29, entitled “Signs” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” to the Borough Council for their consideration; and

**WHEREAS**, the Borough Council has reviewed the recommended changes and concurs that the changes are appropriate and would enhance the Borough for businesses and residents alike.

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

Section 1. Chapter 29 “Signs”, Section 15, entitled “Projecting Signs” is hereby amended as follows (underline for additions, strikethroughs for deletions):

**29-15 Projecting Signs.**

- A. Projecting signs shall contain only the name and type of business and logo. The sign shall project the image of the business.
- B. The sign shall be located so it does not block or obscure important architectural elements of the façade, with the best location being either of the front corners of the structure or above the entrance. The sign shall be located at the top of the first floor level or between the first floor and second floor. The bottom of the sign shall be at least seven (7) feet above the ground.
- C. One projecting sign may be erected per floor level for each street frontage.
- D. A projecting sign is not allowed if there is a portable sign.
- E. The bracket shall be black wrought iron. The bracket is to be securely mounted to the building.

Graphics on a decorative bracket will be included in calculating the sign area. The bracket is to be removed if there is no sign hanging from the bracket and all of the mounting holes must be filled in to match the surrounding façade.

- F. The sign material shall be solid wood, metal, composite material or acrylic fiber fabric. The sign shall have a finished, professional appearance.

G. The projecting sign shall be divided into two categories: Standard Projecting Sign  
Shall be limited to seven (7) square feet and shall project no more than four (4) feet from the side of the building in the HC zone and no more than three (3) feet in the CC-1 and CC-2 zone or registered businesses in the RPO Zone and Residential Zone.

1. Creative Projecting Sign

- a. The sign area for text, messages, and logo shall be limited to seven (7) square feet.
- b. The total overall size of the Creative Projecting Sign shall be a maximum of ten (10) square feet. The extra three (3) square feet may be used to create a sign with visual appeal. Creative visual appeal shall include one or more of the following:
  1. Graphic depicting the type of business on the sign.
  2. Graphic depicting the type of business on the wrought iron bracket.
  3. The shape of the actual sign being non-rectangular.

The sign shall project no more than four (4) feet from the side of the building in HC zone and no more than three (3) feet in CC-1 and CC-2 zone or registered businesses in the RPO zone and Residential zone.

H. The sign must be properly maintained at all times. Any sign that is weathered, faded, peeling, cracking or otherwise deteriorated must be replaced.

I. Internal lighting of the projecting sign is not permitted.

J. All projecting signs must be approved in advance by the Zoning Officer.

Section 2. Chapter 29 “Signs”, Section 18, entitled “Commercial and Highway, Business and Industrial Zones – CC-1, CC-2, HC and I” is hereby amended as follows (underline for additions, strikethroughs for deletions):

**29-18. Commercial and Highway, Business and Industrial Zones – CC-1, CC-2, HC and I.**

Signs can enhance the image and appearance of Hightstown. In the above zones, the following signs only shall be permitted:

- A. *Facade sign.* One (1) facade sign may be erected facing each street frontage with direct vehicular access from that street. The sign area shall not exceed ten percent (10%) of the total facade area, including window and door area, or forty (40) square feet per sign, whichever is less. Sign must be applied directly to the facade and not project more than eight (8) inches.
- B. *Freestanding sign.* One (1) freestanding sign may be erected on each street frontage that contains a minimum of one hundred (100) feet of frontage and with direct vehicular access from that street. The maximum permitted sign area shall be forty (40) square feet per sign and the height of the sign shall not exceed thirty (30) feet.
- C. *Window signs* not to exceed ten (10%) percent of the total glass area and installed on the inside of the window. Lettering shall be limited to three colors.
- D. *Changeable copy signs* in accordance with 29-8 of this chapter.
- E. *Directional signs* in accordance with 29-9 of this chapter.
- F. *Directory signs* in accordance with 29-10 of this chapter.
- G. *Grand opening signs* in accordance with 29-12 of this chapter.
- H. *Window signs* in accordance with 29-14 of this chapter.
- I. *Signs* in accordance with 29-6 of this chapter.

- J. *A Frame Signs.* One sign may be erected per each street frontage. Each sign shall be six square feet, three feet in height and two feet in width, and shall be permitted in the H-C, CC-1 and CC-2 Zones only. Such signs shall be limited to professionally manufactured type signs which may only be displayed during hours of operation and shall be removed promptly upon closing of business each day. All portable signs shall also be subject to Section 29-3B and Section 29-22, and shall be securely held in place on sidewalks consisting of a minimum of six (6) feet in width so as to permit a clear and safe passageway around the sign of at least four (4) feet. An Indemnification Agreement shall be executed between the permit holder and the Borough and an Insurance Certificate provided in an amount required by the Borough which shall name the Borough as an additional insured.
1. One A Frame sign may be displayed per floor level for each street frontage.
  2. An A Frame sign is not allowed if there is a projecting sign.
  3. An A Frame sign shall be permitted in the H-C, CC-1 and CC-2 zones only.
  4. The sign shall be professionally manufactured with a finish appearance. No paper, fiberboard, foam core board, corrugated paper or unfinished wood materials shall be permitted. A finished sign is required on both sides of the A frame sign.
  5. 'Slide in letters' are not permitted.
  6. Highly reflective materials are not allowed.
  7. The sign may not be illuminated.
  8. The sign may only be displayed during hours of operation and shall be removed promptly upon closing each day.
  9. The sign is also subject to Section 29-3B and Section 29-22
  10. An Indemnification Agreement shall be executed between the permit holder and the Borough and an Insurance Certificate provided in an amount of one million dollars (\$1,000,000.00) which shall name the Borough as additional insured.
  11. The total size of the A frame sign shall be a maximum of nine (9) square feet. The sign area for the text or message is limited to six (6) square feet, three feet in height and two feet in width. The remaining three square feet may be used to create a sign with visual appeal. The creative use of color, typeface, message or the shape or outline of the sign shall be used to attract attention, Creative visual appeal shall include one or more of the following:
    - a. Graphic depicting the type of business on the sign.
    - b. The shape of the actual sign being non-rectangular.
    - c. Decorative elements which reinforces the image of the business.
  12. Plain, simple a frame signs will not meet the creativity requirement.
  13. Plastic signs are not allowed.
  14. The sign can only be located in the area designated by the Zoning Officer.
  15. The A frame sign must maintain a four (4) feet clear passageway and not cause a hazard to pedestrians or people exiting parked cars. A clear and safe passageway around the sign is required. The sidewalk must be a minimum of six (6) feet in width.
  16. The A frame sign must be properly weighted so that it does not create a hazard to pedestrians or vehicles due to strong winds.
  17. The A frame sign must be properly maintained at all times. Any sign that is weathered, faded, peeling, cracking or otherwise deteriorated must be replaced.
  18. Any A frame signs that are a safety issue or do not meet the requirements of this ordinance may be subject to removal by the code enforcement office.
  19. All A frame signs must be approved in advance by the Zoning Officer.

K. Projecting signs in accordance with 29-15 of this chapter.

**2016-11 Final Reading and Public Hearing – An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A: 4-45.14)**

Mayor Quattrone opened the public hearing on Ordinance 2016-11 and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – asked for an explanation of this ordinance and how much over cap the budget is for 2016. Mr. Underhill explained a cap bank and noted that the budget is not over cap.

Scott Caster, 12 Clover Lane – noted that it is a good ordinance but Council should raise taxes to maintain downtown.

Eugene Sarafin, 628 South Main Street – commented that he agrees with Mr. Caster, but a citizen committee should be appointed to do a maintenance inventory.

Mr. Underhill gave an explanation of the tax levy cap.

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

Council President Hansen moved Ordinance 2016-11 for adoption; Councilmember Misiura seconded.

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

Ordinance adopted 6-0.

Ordinance 2016-11

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

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, *N.J.S. 40A: 4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, *N.J.S.A. 40A: 4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Hightstown in the County of Mercer finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determine that a 3.5% increase in the budget for said year, amounting to \$187,053.97 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$187,053.97, and that the CY 2016 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, be filed with said Director within 5 days after such adoption.

**2016-12 Final Reading and Public Hearing – A Bond Ordinance Providing for the Rehabilitation of East Ward Street in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$550,000 Therefor and Authorizing the Issuance of \$250,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof**

Mayor Quattrone opened the public hearing on Ordinance 2016-12 and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – asked if the project will include curbs. Mr. Underhill responded that it will and that a \$300,000.00 grant was received for the project, the balance is being paid in the bond. Mr. Sarafin commented that it is a good ordinance.

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

Councilmember Montferrat moved Ordinance 2016-12 for adoption; Councilmember Kurs seconded.

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

Ordinance adopted 6-0.

Ordinance 2016-12

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

**BOND ORDINANCE PROVIDING FOR THE REHABILITATION OF  
EAST WARD STREET IN AND BY THE BOROUGH OF  
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY,  
APPROPRIATING \$550,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$250,000 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 \$550,000, including the \$300,000 Grant from the State of Jersey Department of Transportation expected to be received (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement 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 not covered by application of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$250,000 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 the rehabilitation of East Ward Street, including all work and materials necessary therefor and

incidental thereto.

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

(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 \$250,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 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 if other than as referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the 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.

## **RESOLUTIONS**

### **Resolution 2016-92 Authorizing Payment of Bills**

Councilmember Bluth moved Resolution 2016-92; Councilmember Kurs seconded.

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

Resolution adopted 6-0.

Resolution 2016-92

*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 \$ 210,297.59 from the following accounts:

Current		\$119,323.89
W/S Operating		85,202.50
General Capital		765.75
Water/Sewer Capital		0.00
Grant		0.00
Trust		84.45
Housing Trust		0.00
Animal Control		21.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>4,900.00</u>
Total		<u>\$210,297.59</u>

**Resolution 2016-93 Proclaiming Hightstown Volunteer Appreciation Week and Recognizing, Honoring and Thanking Hightstown's Volunteers**

Councilmember Kurs moved Resolution 2016-93; Councilmember Montferrat seconded.

Councilmember Stults noted that a lot of work in the Borough is done by volunteers, and the Borough would not be what it is without them; thank you to all volunteers. Councilmember Misiura agreed.

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

Resolution adopted 6-0.

Resolution 2016-93

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

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

**WHEREAS**, the week of April 18 to 22, 2016 has been proclaimed National Volunteer Week to recognize and celebrate the efforts of volunteers at the local, state, and national levels; and

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Hightstown hereby proclaims the week of April 18 to 22, 2016 as Hightstown Volunteer Week and expresses its sincere appreciation and gratitude for the dedication and untiring efforts of all those who volunteer to help make our community a better place to live and work.

**Resolution 2016-94 Authorizing a Change Order for the Purchase of an E-One Aluminum CR-137 Ladder Truck for Hightstown Engine Company No. 1 from Absolute Fire Through our Participation in the Houston-Galveston Area Council of Governments (H-GAC) a National Cooperative Purchasing Program**

Councilmember Kurs moved Resolution 2016-94; Council President Hansen seconded.

Mr. Underhill gave an explanation of the various inspections of the vehicle performed by the Fire Department and noted that this will cover the incidentals that were missed when the truck was originally ordered.

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

Resolution adopted 6-0.



Resolution 2016-94

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

**AUTHORIZING A CHANGE ORDER FOR THE PURCHASE OF AN E-ONE ALUMINUM CR-137  
LADDER TRUCK FOR HIGHTSTOWN ENGINE COMPANY NO. 1 FROM ABSOLUTE FIRE  
THROUGH OUR PARTICIPATION IN THE HOUSTON-GALVESTON AREA COUNCIL OF  
GOVERNMENTS (H-GAC) A NATIONAL COOPERATIVE PURCHASING PROGRAM**

**WHEREAS**, with the adoption of Resolution 2015-187 on July 20, 2015, the Borough Council authorized the purchase of an E-One Aluminum CR-137 Ladder Truck for Hightstown Engine Co. No. 1 in the amount of \$977,617.00; and

**WHEREAS**, the ladder truck is being purchased from Absolute Fire through our participation in the Houston-Galveston Area Council Governments (H-GAC) National Cooperative Purchasing Program; and

**WHEREAS**, Hightstown Engine Co. No. 1 has performed several inspections on the vehicle during its manufacture and found that there are items that are needed and were missing from the original order; and

**WHEREAS**, the Hightstown Engine Co. #1 has requested that a change order in the amount of \$10,188.00 be issued to cover the cost of the items not originally ordered; and

**WHEREAS**, the Borough Administrator has recommended approval of this change order.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the change order in the amount of \$10,188.00 for the purchase of an E-One Aluminum CR-137 Ladder Truck for Hightstown Engine Co. No. 1 as stated herein is approved.

**Resolution 2016-95 Authorizing the Submission of the TWA-1 Treatment Works Approval Permit Application Relating to the Tertiary Disk Filtration and Ultraviolet (UV) Disinfection System**

Councilmember Misiura moved Resolution 2016-95; Council President Hansen seconded.

Borough Administrator Underhill explained that due to the changes made to the UV disinfection system and the addition of tertiary filters, it is required that the Borough make another application for the permit.

Council President Hansen commented that this is one of the biggest water/sewer projects done in a long time, and it is required that the Borough is in compliance in 2017.

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

Resolution adopted 6-0.

Resolution 2016-95

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

**AUTHORIZING THE SUBMISSION OF THE TWA-1 TREATMENT WORKS APPROVAL  
PERMIT APPLICATION RELATING TO THE TERTIARY DISK FILTRATION AND  
ULTRAVIOLET (UV) DISINFECTION SYSTEM**

**WHEREAS**, the Borough Council has authorized application for a New Jersey Environmental Infrastructure Loan for several projects for the Water Plant and Advanced Waste Water Treatment Plant of Hightstown Borough; and

**WHEREAS**, it is required that the Borough Council authorize the submission of a NJDEP Treatment Works Permit Application (TWA) for the Tertiary Disk Filtration and Ultraviolet (UV) Disinfection System project at the Advanced Waste Water Treatment Plant; and

**WHEREAS**, the permit fee for said application is eleven thousand three hundred ninety-six dollars (\$11,396.00) and is payable to Treasurer, State of New Jersey Environmental Services Fund; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that the Mayor is hereby authorized to sign and the Borough Engineer to submit, the NJDEP Treatment Works Permit Application (TWA) for the Tertiary Disk Filtration and Ultraviolet (UV) Disinfection System at the Advanced Waste Water Treatment Plant.

**Resolution 2016-96 Authorizing an Application for a Recycling Tonnage Grant**

Councilmember Montferrat moved Resolution 2016-96; Councilmember Stults seconded.

Borough Administrator Underhill explained that we apply for this grant each year and the funds are used to offset recycling and trash removal costs.

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

Resolution adopted 6-0.

Resolution 2016-96

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

**AUTHORIZING APPLICATION FOR A RECYCLING TONNAGE GRANT**

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

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

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

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

**WHEREAS**, a resolution authorizing this municipality to apply for the 2015 tonnage grant will memorialize the commitment of this municipality to recycling, and will indicate the assent of the Mayor and Council of the Borough of Hightstown to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

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

1. The Borough of Hightstown hereby endorses the submission of a 2015 recycling tonnage grant application to the New Jersey Department of Environmental Protection.
2. Ken Lewis, Recycling Coordinator, 156 Bank Street, Hightstown, New Jersey 08520, is hereby designated and directed to ensure that the application is properly completed and timely filed;
3. Monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**Resolution 2016-97 Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2016 Budget**

Councilmember Kurs moved Resolution 2016-97; Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2016-97

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS  
PRIOR TO ADOPTION OF THE 2016 BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2016 temporary budget; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes above mentioned; and

**WHEREAS**, it is the desire of the Mayor and Council to create emergency temporary appropriations as set forth on Schedule "A," attached; and

**WHEREAS**, the total emergency temporary appropriations in resolutions adopted in the year 2016 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i><b>THIS RESOLUTION</b></i>	<i><b>PREVIOUS TOTAL</b></i>	<i><b>CUMULATIVE TOTAL</b></i>
Current	0.00	684,126.00	<b>684,126.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service - Current	0.00	0.00	<b>0.00</b>
Water/Sewer	150,000.00	849,386.00	<b>999,386.00</b>
Capital Outlay – W/S	0.00	0.00	<b>0.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>150,000.00</b>	<b>1,533,512.00</b>	<b>1,683,512.00</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2016 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the CFO.

## **PUBLIC COMMENT PERIOD II**

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

Eugene Sarafin, 628 South Main Street – expressed his displeasure at the Council’s new position on the stage at the firehouse and commented on the truths and lies in the Pledge of Allegiance.

Scott Caster, 12 Clover Lane – suggested the hiring of teens to perform various maintenance downtown during the summer months; commented that Hightstown and East Windsor do not share equally in the cost of schools and the Borough should sue the state to get it changed.

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

## **SUBCOMMITTEE REPORTS**

### **Water/Sewer**

Mr. Underhill noted that there was a meeting last week and it was discussed as to whether water or sewer lines will be considered when rehabilitating Ward Street. There will also be some minor capital expenses forthcoming when capital expenses are discussed.

### **RBG Negations**

Councilmember Misiura advised that the subcommittee will be meeting with RBG tomorrow night.

### **Meeting with Businesses**

Mayor Quattrone advised that he and Councilmember Stults met with the businesses downtown and the following week met with the taxi owners, regarding parking. The taxi owners requested a spot in the Stockton Street lot to pick up fares at the alleyway from Main Street; Lt. Gendron and he are discussing it and it will be on the next agenda for discussion. Parking permits are also being addressed, and the police are enforcing the timed parking. It is their hope to have more meetings with the businesses and taxi owners to keep the lines of communication open.

## **MAYOR/COUNCIL/ADMINISTRATIVE REPORTS**

### **Councilmember Stults**

**Construction Office** – Reviewed the monthly report for January noting the violations issued for overcrowding and lack of maintenance.

**Downtown Hightstown** – Downtown Hightstown met and are updating their website and promoting Hightsotwn businesses.

### **Councilmember Bluth**

**Parks & Recreation Commission** – They are bringing new ideas to the Borough and have planned palates in the Park on Sunday, May 22<sup>nd</sup> and National Trails Day on Saturday June 4<sup>th</sup> with the Environmental Commission. They are also considering changing the evening for the Farmers Market to Thursday. It is nice to see the various boards and committees working together on projects.

**Cultural Arts Commission** – will be meeting on Wednesday.

### **Councilmember Kurs**

Noted that the High School Robotics Team took second place in the Mid-Atlantic Robotics Championship, tying with North Brunswick and Clifton. They will now attend the National Championship in St. Louis; kudos and congratulations to the Robotics Team.

### **Councilmember Montferrat**

**Board of Health** – met last Wednesday and they are working with the businesses regarding dumpsters overflowing and to assure there is no standing water to prevent mosquito breeding.

**Harvest Fair** – cancelled their meeting tomorrow night and the next meeting will be held in May.

**Latino Festival** – the Committee met on Saturday and they are moving right along.

**HPC** – is meeting this Thursday.

### **Councilmember Misiura**

**Planning Board** – met last week and are reviewing the Enchantment age restriction ordinance; there is some concern with language in the ordinance.

### **Council President Hansen**

**Housing Authority** – will meet on Wednesday.

She also commented that the Better Beginnings Gala was a nice event and a huge success.

### **Mayor Quattrone**

**Better Beginnings Gala** – noted that he agrees with Council President Hansen, the event was very nice and a huge success.

**After Prom** – noted that he has received a request for a donation for the After Prom but feels it is not proper for the Borough to make a donation so he suggests that Council make donations through a collection envelope in the Clerk's office; the pooled donation can then be sent to the After Prom committee.

**Property Maintenance** – noted that he has asked the Inspector to keep a file on the properties in need of maintenance and the graffiti issue is being addressed.

**Volunteers** – thanked all volunteers of the Fire Department, First Aid, Garden Club, and the Borough boards, commissions and committees for all their hard work, noting that without their help Hightstown could not be a great place to live and work.

**Summer Help** – pursuant to Mr. Caster's suggestion, it was noted that the problem with summer help is that there is a need for supervision and we do not have the staff to perform the other work that needs to be done and supervise untrained help; without supervision the work does not get done.

He then reviewed the memo from the Health Department regarding the massage parlor ordinance and noted that this was a good meeting.

**Henry Underhill, Borough Administrator**

**Property Inspections** – noted that Mr. Bell will be taking training regarding abandoned properties and there could possibly be another ordinance forthcoming that will be a tool used to address properties.

**Municipal Clerk Sopronyi**

Advised that this will be the last Council meeting she will attend for a while, she is having a knee replacement; but is leaving the Borough in good hands with the Deputy Clerk, and she will be accessible during her absence should Peggy need assistance.

**ADJOURNMENT**

Council President Hansen motioned to adjourn at 8:40 pm. Councilmember Kurs seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi  
Borough Clerk