

Meeting Minutes
Hightstown Borough Council
Business Meeting
May 16, 2016
7:30 p.m.

The meeting was called to order by Mayor Quattrone at 7:34 p.m. 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: Margaret (Peggy) Riggio, Deputy Borough Clerk; Henry Underhill, Borough Administrator; George Lang, CFO and Fred Raffetto, Borough Attorney.

APPROVAL OF AGENDA

The Mayor requested that Resolution 2016-120 amending the 2016 Budget be added to the agenda.

Councilmember Kurs moved the agenda as amended; Councilmember Stults seconded.

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

Agenda approved 6-0.

APPROVAL OF MINUTES

Council President Hansen moved the April 4, 2016 Executive Session minutes for approval, Councilmember Misiura seconded.

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

Minutes approved 6-0.

Councilmember Misiura moved the April 4, 2016 Workshop Session minutes for approval, Councilmember Stults seconded.

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

Minutes approved 6-0.

Councilmember Stults moved the April 18, 2016 Executive Session Minutes for approval, Councilmember Kurs seconded.

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

Minutes approved 6-0.

Councilmember Bluth moved the April 18, 2016 Business Session Minutes for approval, Councilmember Kurs seconded.

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

Minutes approved 6-0.

At this time, The Mayor stated that Mr. Moraitis is not present at this time for the presentation so we will continue with the presentation when Mr. Moraitis arrives.

PUBLIC COMMENT

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

Lynne Woods, 315 Park Ave – Commented on asking questions during the public comment period I. She was informed that questions can be asked but Council can choose to wait to answer until Council comment period at the end of the meeting. Thanked the Deputy Clerk for her quick response on getting the past agendas and packets posted to the website. Ended by thanking Mr. Raffetto for his explanation for the hiring of a hearing officer.

Scott Caster, 12 Clover Lane – Commented on Hightstown's tax rate compared to other towns in New Jersey.

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

ORDINANCES

Ordinance 2016-14 Introduction and First Reading of a Bond Ordinance Providing for Various Improvements to the Water-Sewer Utility in and by the Borough of Hightstown, In the County of Mercer, New Jersey Appropriating \$1,860,000 therefor and Authorizing the Issuance of \$1,860,000 Bonds or Notes of the Borough to Finance the Cost thereof.

Councilmember Kurs moved Resolution 2016-14 for introduction; Council President Hansen seconded.

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

Public Hearing is scheduled for June 6, 2016.

Ordinance 2016-14

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

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS
TO THE WATER-SEWER UTILITY IN AND BY THE BOROUGH OF
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY,
APPROPRIATING \$1,860,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$1,860,000 BONDS OR NOTES OF THE BOROUGH TO
FINANCE 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,860,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,860,000 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 various improvements to the Water-Sewer Utility, including improvements to the ultraviolet disinfection systems and the rehabilitation of detention tanks and Well #2, 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.

(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 self-liquidating purpose of a municipal public utility. 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 40 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 \$1,860,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$335,000 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.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

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. The Borough expects to finance this improvement through the New Jersey Environmental Infrastructure Trust ("NJEIT"). A portion of such financing is expected to be a loan that NJEIT will forgive and treat as a grant upon the issuance by NJEIT of bonds to be used to finance a separate portion of the improvement. The portion of the loan which is forgivable pursuant to the applicable laws and regulations shall upon forgiveness by NJEIT at that point be a deduction from the Borough's debt authorized herein. The amount of the obligations authorized, but not issued hereunder, shall then be reduced to the extent, and in the amount that such loan is forgiven, that such funds are so used.

Section 9. 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 10. 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 11. 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 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

2016 BUDGET

George Lang, CFO, explained the Budget at a Glance that was introduced at the April 4, 2016 meeting. Mr. Lang commented that Hightstown has maintained a very stable budget since 2010 without receiving State aid. He went on to explain that the Budget Amendment this evening was to include Grants that the Borough will be receiving.

Mayor Quattrone opened the public hearing for the 2016 Budget and the following individuals spoke:

Scott Caster, 12 Clover Lane – Commented that the Budget is not good enough, we do not have a municipal building and we need to get more State Aid. Ended by stating that our Regional School District has 86% of the students residing in East Windsor and that East Windsor Township should be paying a host fee to Hightstown Borough because the High School is located in the Borough.

There being no further comments, Mayor Quattrone closed the public hearing for the 2016 Budget.

Resolution 2016-120 Amending the 2016 Budget

Council President Hansen moved Resolution 2016-120; Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2016-120

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AMENDING THE 2016 BUDGET

WHEREAS, the local municipal budget for the year 2016 was approved on the 4th day of April 2016, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved and amended budget, now

THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Hightstown, County of Mercer, that the following amendments to the approved budget of 2016 be made:

	(Bluth	((
	(Hansen	(Abstained	(
Recorded	Ayes	(Kurs	Nays	(
Vote	(Misiura	((
	(Montferrat	((
	(Stults	(Absent	(

From

To

CURRENT FUND - ANTICIPATED REVENUES

GENERAL REVENUES

3. Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Clean Communities Program	\$	-	\$	11,329.70
Click It or Ticket		-		5,000.00
Mercer County NJSCA Local Arts Program				500.00

Total Section F: Special Items of General Revenue

Anticipated with Prior Written Consent of Director of Local

Government Services - Public and Private Revenues

\$	5,051.10	\$	21,880.80
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From

To

GENERAL REVENUES (Continued)

Summary of Revenues

3. Miscellaneous Revenues:

Total Section F: Special Items of General Revenue
Anticipated
With Prior Written Consent of Director of Local
Government

Services - Public and Private Revenues	\$	5,051.10	\$	21,880.80
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Total Miscellaneous Revenues	\$	1,302,173.10	\$	1,319,002.80
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5. Subtotal General Revenues (Items 1, 2, 3,
and
4)

	\$	2,192,173.10	\$	2,209,002.80
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7. Total General
Revenues

	\$	6,787,340.10	\$	6,804,169.80
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CURRENT FUND APPROPRIATIONS

8. GENERAL APPROPRIATIONS

(A) Operations - Excluded from "CAPS"

**Public and Private Programs Offset
by Revenues:**

Clean Communities Program	\$	-	\$	11,329.70
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Click It or Ticket			\$	5,000.00
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Mercer County NJSCA Local Arts Program			\$	500.00
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Total Public and Private Programs Offset by Revenues	\$	5,051.10	\$	21,880.80
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Total Operations - Excluded from "CAPS"	\$	336,073.10	\$	352,902.80
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Detail:

Salaries and Wages	\$	54,050.00	\$	59,050.00
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Other Expenses	\$	282,023.10	\$	293,852.80
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CURRENT FUND APPROPRIATIONS (Continued)

8. GENERAL APPROPRIATIONS (Continued)

(H- Total General Appropriations for Municipal
2) Purposes
Excluded From "CAPS"

	\$	1,029,757.10	\$	1,046,586.80
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(O)	Total General Appropriations - Excluded from "CAPS"	\$ 1,029,757.10	\$ 1,046,586.80
(L)	Subtotal General Appropriations (Items (h-1) and (O))	\$ 6,312,340.10	\$ 6,329,169.80
9.	Total General Appropriations	\$ 6,787,340.10	\$ 6,804,169.80

SUMMARY OF APPROPRIATIONS

(A)	Operations - Excluded From "CAPS"		
	Public and Private Programs Offset by Revenues	\$ 5,051.10	\$ 21,880.80
	Total Operations - Excluded From "CAPS"	\$ 336,073.10	\$ 352,902.80
	Total General Appropriations	\$ 6,787,340.10	\$ 6,804,169.80

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

Resolution 2016-109 Self Examination of Budget

Councilmember Bluth moved Resolution 2016-109; Council President Hansen seconded.

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

Resolution adopted 6-0.

Resolution 2016-109

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

SELF-EXAMINATION BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Hightstown has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Hightstown that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget willpermit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

Resolution 2016-110 Authorizing the Budget to be Read by Title Only

Councilmember Montferrat moved Resolution 2016-110; Council President Hansen seconded.

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

Resolution Adopted 6-0.

Resolution 2016-110

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

**AUTHORIZING THE BUDGET TO
BE READ BY TITLE ONLY**

WHEREAS, pursuant to 40A:4-10, as amended by Chapter 95, P.L.2015, provides that the budget may be by title when procedures required by N.J.S.40A:4-8 and N.J.S.40A:4-9 or section 12 of P.L.1995, c.259 (C.40A:4-6.1), as applicable, have been followed; and

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body; and

WHEREAS, the Borough Council finds that the budget for 2016 shall be read by title only.

NOW, THEREFORE BE IT RESOLVED that the budget shall be read by title only.

ROLL CALL RECORDED VOTE:

	1st	2nd	Yes	No	Abstain
Ms. Bluth	X		X		
Ms. Hansen		X	X		
Mr. Kurs			X		
Mr. Misiura			X		
Mr. Montferrat			X		
Mr. Stults			X		

Resolution 2016-111 Adopting the 2016 Budget

Council President Hansen moved Resolution 2016-111; Councilmember Bluth seconded.

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

Budget Adopted 6-0.

PRESENTATIONS

Mayor Quattrone and Councilmember Montferrat presented the Steward of Hightstown Award 2015 to Mr. Chris Moraitis.

Resolution 2016-108 Steward of Hightstown History Award 2015

Councilmember Montferrat moved Resolution 2016-108; Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2016-108
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

STEWARD OF HIGHTSTOWN HISTORY AWARD 2015

WHEREAS, the “Steward of Hightstown History” award is given to a recipient selected by the Hightstown Historic Preservation Commission recognizing the owner of a historic property who demonstrates a long-term commitment to preservation through careful property maintenance, restoration or rehabilitation; and

WHEREAS, a minimum of three nominees are presented to the Historic Preservation Commission for deliberation and selection; and

WHEREAS, a plaque is presented to the most deserving applicant as determined by the commission; and

WHEREAS, the Hightstown Preservation Commission have deliberated the proposed nominees and found that Chris Moraitis and Holly Moraitis, of 208 Stockton Street have been found to be the most deserving of the award for 2015; and

WHEREAS, The Moraitis’ house, formerly Dr. Zussman’s (eye Doctor) and prior to that Dr. Cox’s (medical Doctor) house was a house with a side wing doctor’s office with several adverse adjustments made to the house over the past 75+ years; and

WHEREAS, the house was in severe disrepair with many layers of finishes over the years hiding the true splendor of this grand Queen Anne, and rather than continuing to add new materials over the top, they took the harder path undoing the layers and uncovering many wonderful finishes, and did most of the work themselves, carefully and methodically bringing it back to the original historic architectural design; and

WHEREAS, the commitment of the Moraitis’ in restoring their property to its original architecture is a strong commitment to the Stockton Street Historic District and to the town, and an example of what it means to be a “Steward of Hightstown History”.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Chris Moraitis and Holly Moraitis of 208 Stockton Street are hereby awarded the “Steward of Hightstown History” award for 2015 for their commitment to restoring their historic property to its original architecture.

Resolution 2016-113 Recognizing Emergency Services Week May 15 – 22, 2016

Councilmember Kurs moved Resolution 2016-113; Councilmember Montferrat seconded.

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

Resolution adopted 6-0.

Resolution 2016-113
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

RECOGNIZING EMERGENCY MEDICAL SERVICES WEEK MAY 15 – 22, 2016

WHEREAS, Emergency medical services is a vital public service; and

WHEREAS, the members of the Hightstown First Aid emergency medical services team is ready to provide lifesaving care to those in need; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the volunteer members of the Hightstown emergency medical services team engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by recognizing Emergency Medical Services Week.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that we hereby recognize the week of May 15-22, 2016, as Emergency Medical Services Week and further extend appreciation to the Hightstown First Aid for the community service it provides.

BE IT FURTHER RESOLVED that the community is encouraged to observe this week by appropriately recognizing the vital services performed by emergency medical services and their exemplary dedication to the Hightstown community.

Mayor Quattrone and Councilmember Kurs presented members of the Hightstown First Aid Squad with a copy of the Resolution.

RESOLUTIONS

Resolution 2016 – 112 Authorizing Payment of Bills

Councilmember Stults requested that P.O. 16-00731 be pulled from the Bill List and voted on separately.

Councilmember Montferrat moved Resolution 2016-112 as amended; Councilmember Stults seconded.

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

Councilmember Montferrat moved P.O. 16-00731 for payment; Councilmember Misiura seconded.

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

Resolution adopted 5-0 with 1 abstention.

Resolution 2016-112

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

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

bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$1,478,295.00 from the following accounts:

Current		\$80,608.38
W/S Operating		79,791.80
General Capital		1,309,519.00
Water/Sewer Capital		0.00
Grant		1,461.55
Trust		964.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		5,950.27
Escrow		<u>0.00</u>
Total		<u>\$1,478,295.00</u>

Resolution 2016-114 Authorizing a Shared Services Agreement with Mercer County Division of Public Health and the Trenton Health Team

Councilmember Montferrat moved Resolution 2016-114; Councilmember Stults seconded.

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

Resolution adopted 6-0.

Resolution 2016-114

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH MERCER COUNTY
DIVISION OF PUBLIC HEALTH AND THE TRENTON HEALTH TEAM**

WHEREAS, there is a need for Tuberculosis Control and Case Management in Hightstown Borough; and

WHEREAS, Hightstown Borough desires to enter into an agreement with Mercer County Division of Public Health and the Trenton Health Team for Tuberculosis Control and Case Management and Mercer County Division of Public Health and the Trenton Health Team have agreed to provide said services to Hightstown Borough; and

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

WHEREAS, the Mayor and Council have reviewed the proposed Shared Services Agreement for Tuberculosis

Control and Case Management for the period January 1, 2016 – December 31, 2016; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, will \$76.18 for the period of January 1, 2016 through December 31, 2016; and

WHEREAS funds for this expenditure will be made available in the 2016 budget;

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

1. The Shared Services Agreement with the Mercer County Division of Public Health and the Trenton Health Team for Tuberculosis Control and Case Management for the period January 1, 2016 through December 31, 2016 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement for same.
3. This agreement is approved subject to the provision of adequate funds in the Borough's 2016 budget.

CONSENT AGENDA

Consent Agenda – Resolutions 2016-115; 2016-116; 2016-117; 2016-118; 2016-119

Council President Hansen moved the consent agenda; Councilmember Stults seconded.

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

Resolutions adopted 6-0.

Resolution 2016-115

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

AMENDING THE PERSONNEL POLICY MANUAL OF THE BOROUGH OF HIGHTSTOWN

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following sections of the *Personnel Policy Manual of the Borough of Hightstown* is hereby amended as follows (additions underlined, deletions in ~~strikeout text~~):

1-5. Americans With Disabilities Act (ADA).

~~Information concerning the ADA, and the rights provided thereunder, are available from the office of the Borough Administrator.~~

~~The Borough does not discriminate on the basis of disability in the admission, access to or participation in its programs or activities, or in connection with employment.~~

~~However, all Borough employees must be able to perform the essential functions of their job with or without reasonable accommodation. Reasonable accommodation will be made for any employee with a disability so long as the accommodation does not create an undue hardship for the Borough.~~

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law

Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Borough does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Borough will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough.

The Borough Administrator shall engage in an interactive dialogue with disabled/pregnant employees and prospective employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the Borough Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Borough facilities. Any questions concerning proper assistance should be directed to Borough Administrator.

Anti-Discrimination Policy/ New Jersey Pregnant Worker's Fairness Act:

The Borough is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD). Under no circumstances will the Borough discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability pregnancy (including pregnancy related medical condition), childbirth, liability for service in the United States armed forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer the Borough Administrator.

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Borough does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Borough will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough.

The Borough Administrator shall engage in an interactive dialogue with disabled/pregnant employees and

prospective employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the Borough Administrator. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Borough facilities. Any questions concerning proper assistance should be directed to Borough Administrator.

SECTION 2

Appointments-Employment Procedures

2-1. Appointment and discipline Recruitment

Hiring, promotion, separation and discipline of any employee or department head shall be in accordance with this Section and Section 6 hereof.

The Borough Administrator will coordinate the employment recruitment process for all vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. When a vacancy occurs, it is the responsibility of the Supervisor to notify the Borough Administrator who will distribute notification of the vacancy to all departments. The Borough Administrator will undertake to recruit qualified applicants in accordance with applicable Federal and State law. Where positions are advertised, the media or other periodical utilized must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds and must prominently state that the Municipality is an equal opportunity employer.

2-1b. Definition of Full Time and Part Time Employees

A full-time employee is an employee who is appointed to a regular Borough position, who has successfully completed a probationary period and who is regularly scheduled to work for thirty-five (35) or more hours per week.

A part-time employee is an employee who is appointed to a regular Borough position, who has successfully completed a probationary period and who is regularly scheduled to work for less than thirty-five (35) hours per week.

2-2. ~~Qualifications:~~ Applications

~~Original appointments to fill vacancies or for new positions shall be limited to qualified persons who have been interviewed or tested concerning such factors as education, experience, aptitude, knowledge.~~

All candidates must fully complete an application form. A resume will not be considered as a substitute for this form. The application is a confidential document and will not be available to anyone who is not directly involved in the hiring process, except as required by law.

Applicants for employment shall apply on forms supplied by the Borough Administrator. Such forms shall be designed to obtain pertinent information concerning the applicant's education, training, experience, character and other factors necessary to determine the applicant's fitness and qualification for service to the Borough. Such applications shall include an acknowledgment by the applicants that, by accepting employment with the Borough, they do so with the understanding that they are employees "at-will".

2-3. ~~Application:~~ Interviews

The Borough Administrator will coordinate the interview process including the scheduling of applicants, development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries. The Municipality will make reasonable accommodations to known physical and mental limitations of all

applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of his or her job and also provided the accommodation does not impose an unreasonable hardship on the Municipality.

2-4. Processing of applications: Physical Examinations

The Borough Administrator shall process all applications for appointment to vacancies or new positions. Department heads shall participate in the application process to the extent determined by the Borough Administrator.

Pursuant to the Americans with Disabilities Act, after an offer of employment is made and prior to commencing employment, the Borough Administrator may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position. The Borough Administrator may require periodic physical examinations to determine the employee's continued ability to perform the duties of the position. All physical examinations must be performed by a physician chosen by the Municipality at the expense of the Municipality. All medical records of employees and prospective employees are confidential and are to be maintained by the Borough Administrator separate from the employee's official personnel file. Medical exams may include tests for drug and alcohol use.

2-5. Grounds for rejection of application: Criminal Background Checks

An applicant for employment may be rejected where said applicant:

- A. ~~Does not possess the required education, experience, aptitude or knowledge for the position sought.~~
- B. ~~Is unable to perform the essential functions of the position with or without reasonable accommodation.~~
- C. ~~Is using illegal drugs.~~
- D. ~~Has been convicted of any crime or offense the nature and severity of which renders the applicant unsuitable for the position sought.~~
- E. ~~Has been dismissed from previous employment for unsatisfactory job performance, absenteeism, insubordination or other misconduct.~~
- F. ~~Has practiced or attempted to practice any deception or fraud in his application or in furnishing other evidence of eligibility for appointment.~~
- G. ~~Or for any other reason deemed appropriate by the Borough.~~

Criminal background checks are required of all candidates, whether paid or volunteer, that may work directly or indirectly with children/youth/minors in accordance with the procedures outlined in the Section of this manual entitled "Background Checks and Procedures for Candidates, Employees and Volunteers".

2.6. Job Offers.

The final decision will be made by the Borough Council and/or Borough Administrator (as appropriate) after all references and other information has been verified. Every effort shall be made to offer reasonable accommodations to known physical and mental limitations of all applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not

impose an unreasonable hardship on the Municipality. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer. The letter will also establish a deadline for acceptance.

2.7. Employability Proof.

After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form (I9) and to provide acceptable proof of right to employment in the United States.

2.8. Record Retention.

All applications, notes made during interviews and reference checks, job offers and other documents created during hiring process must be returned to the Borough Administrator. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records including physical examinations must be maintained in a separate file. All records documents related to other candidates must be retained for at least one year.

2.9. Background Checks and Procedures for Candidates, Employees and Volunteers.

- Background checks required: Background checks are required of all candidates, whether for paid or volunteer positions, working directly or indirectly with children/youth/minors. Background checks will also be administered for each employee or volunteer that works directly or indirectly with children/youth/minors every three years. The exact titles of employees subject to background checks are (locally defined, but at a minimum should include all recreational positions, crossing guards, library positions, and maintenance and administrative positions pertaining to such programs).
- Background check procedure: The Borough Administrator will perform or initiate background checks and be the recipient of reports from outside agencies or contractors. The Borough Administrator will discuss disqualifying information received with the employee's or volunteer's department head. Written information received as a result of a "Request for Criminal History Record Information For A Noncriminal Justice Purpose" will be destroyed immediately after it has served its authorized purpose, as required by the State Police. Such information will be kept confidential and will not be published or disclosed in any manner not consistent with the procedures listed herein. Such information will not be deemed a public record under P.L. 1963, c.73 (C:47:1A-1, et seq.) as amended and supplemented by P.L. 2001, c.404 (C:47:1A-5, et seq.).

The Borough Administrator will inform the candidate, volunteer, or employee, in writing, of any information that would disqualify the person from working with children/youth. If the Borough contracts with an outside vendor to process the background checks, that contractor may be authorized to inform the person in writing of any information that would disqualify the person from working with children/youth/minors. Existing employees or volunteers will be placed on immediate suspension pending the outcome of a hearing or appeal. Employee suspensions may be with our without pay at the discretion of the Borough Administrator.

- Conditions Under Which An Employee Will Be Disqualified From Working With Children/Youth: A candidate, volunteer, or employee may be disqualified from employment in a position that works with children/youth/minors if that person's criminal record history background check reveals a record of conviction of any of the following crimes and disorderly persons offenses as defined by New Jersey law or by analogous laws in other States:
 - Homicide (N.J.S.A. 2C:11)

- Assault, reckless endangerment, threats, stalking (N.J.S.A. 2C:12)
- Kidnapping (N.J.S.A. 2C:13)
- Sexual Offenses (N.J.S.A. 2C:14)
- Offenses Against the Family, Children and Incompetents (N.J.S.A. 2C:24)
- Controlled Dangerous Substances (N.J.S.A. 2C:35 except for 2C:35-10(a)4)
- Robbery (N.J.S.A. 2C:15)
- Theft (N.J.S.A. 2C:20)

A disqualification from any position will be based only on a conviction for one or more of the above disqualifying crimes and offenses. An acquittal, a dismissal, successful completion of Pre-Trial Intervention (PTI), or an expungement of a criminal offense, including a disqualifying criminal offense, is not a disqualifying conviction.

- Appeal Process: The Appeals Committee will be comprised of a Borough Administrator, Police Chief and other designated management official of the municipality.

Once a candidate, employee or volunteer has been notified of a disqualifying conviction, the employee has 14 calendar days to file a Notice of Appeal with the Borough. Such Notice of Appeal must be sent in writing to the Borough Administrator. The Notice of Appeal shall include a Notice of Rehabilitation and/or a Notice that the information is inaccurate or incorrect, pursuant to NJAC 13:59-1.6.

During the 14-day period listed above, and until the issuance of the decision of the Appeals Committee, an employee will be on a suspension with pay, pending the outcome of the Notice of Appeal.

In making a determination on the appeal, the following information will be considered:

1. The nature and responsibility of the position which the convicted individual would hold, has held, or currently holds, as the case may be.
2. The nature and seriousness of the crime or offense.
3. The circumstances under which the crime or offense occurred.
4. The date of the crime or offense.
5. The age of the individual when the crime or offense was committed.
6. Whether the crime or offense was an isolated or a repeated incident.
7. Any social conditions which may have contributed to the commission of the crime or offense.
8. Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received.
9. Acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the individual under their supervision.

The Borough will issue a written determination on the employee's appeal of their disqualifying conviction, setting forth the reasons for the determination.

2.10 Nepotism Procedure:

Unless otherwise provided by law or collective bargaining unit agreements, immediate relatives shall not be hired, promoted or transferred to a regular full-time or regular part-time position where:

- One relative would have the authority to appoint, remove, discipline or evaluate the performance of the other.

- One relative would be responsible for auditing the work of the other; or
- Other circumstances exist that place the relatives in a situation of actual or reasonably foreseeable conflict of interest.

For purposes of this policy, immediate relative includes spouse or significant other, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household.

6-8 Open Public Meetings Act Procedure concerning Personnel Matters:

Discussions by the Borough Council or any body of the Borough concerning appointment, termination, terms and conditions of employment, performance evaluation, promotion or discipline of any current or prospective officer or employee shall be in closed session, ~~unless the individual requests in writing that the discussion be held in open session. Such request must be granted. Prior to the discussion by the Borough Council or any body of the Borough concerning such matters, the Clerk shall notify the affected person(s), within a reasonable period of time, of the meeting date, time and place, the matters to be discussed and the person's right to request that the discussion occur in open session. In the event more than one person is affected by the discussion and one of the affected persons does not request that the discussion be in open session, then the discussion shall be in closed session. If the individual(s) does not request that the discussion be held in open session, the Borough Council or other body of the Borough may at its sole discretion invite the affected individual(s) to attend the applicable portion of the closed session.~~

Elizabeth Garcia 6/16/16 8:42 AM

Comment [1]: This is too simplistic. The way it is written implies that the employee is entitled to be in closed for the entire time. That is not true. The Council can excuse the employee to deliberate. So we can either make it less simplistic, or just remove the language and they apply the law if a situation occurs.

14-5 Communication Media Policy:

The Borough of Hightstown Communication Medium are the property of the Borough of Hightstown and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, "Communication Media" includes all electronic media forms provided by the Borough of Hightstown, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the Borough of Hightstown. For purposes of this policy, "Data" includes "electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a Borough of Hightstown business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the Borough of Hightstown mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the Borough of Hightstown local or wide-area networks."

The Borough of Hightstown respects the individual privacy of its employees. However, employee communications transmitted by the Borough of Hightstown Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the Borough of Hightstown. The Borough of Hightstown reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the Borough of Hightstown Communication Media.** By using the Borough of Hightstown equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by Borough of Hightstown personnel. The existence of passwords does not restrict or eliminate the Borough of Hightstown ability or right to access electronic communications. However, the Borough of Hightstown cannot require the employee to provide its password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents

subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the Borough of Hightstown are required to use the assigned municipal email account for ALL Borough of Hightstown business and correspondence. The use of private email accounts for ANY Borough of Hightstown business or during business hours is strictly prohibited.

Employees can only use the Borough of Hightstown Communication Media for legitimate business purposes. Employees may not use Borough of Hightstown Communication Media in any way that is defamatory, obscene, or harassing or in violation of any Borough of Hightstown rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees, who have been granted access to electronically-stored data, must use a logon ID assigned by Borough of Hightstown. Certain data, or applications that process data, may require additional security measures as determined by the Borough of Hightstown. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

All employees may access only data for which the Borough of Hightstown has given permission. All employees must take appropriate actions to ensure that Borough of Hightstown data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the Borough of Hightstown computing environment.

Employees may not install or modify ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the Borough of Hightstown. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the Borough of Hightstown, or licensed to the Borough of Hightstown. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

~~The Borough of Hightstown encourages employees to share information with co-workers and with those outside the Borough of Hightstown for the purpose of gathering information, generating new ideas and learning from the work of others to the extent such sharing is permitted by the Borough of Hightstown. Social media provide inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, Social Media and its uses in government and daily life are expanding each year however, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Employees may engage in social media activity during work time through the use of the Borough of Hightstown Communication Media, provided that it is directly related to their work and it is in compliance with this policy.~~

~~The Borough of Hightstown encourages employees to share information with co-workers and with those outside the Borough of Hightstown for the purpose of gathering information, generating new ideas and learning from the work of others to the extent such sharing is permitted by the Borough of Hightstown. Social media provide inexpensive, informal and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Employees~~ Only those employees directly authorized by the Borough Administrator may engage in social media activity during work time through the use of the Borough of Hightstown Communication Media, ~~provided that as~~ it is directly related to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential Borough of Hightstown information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is

sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

~~Employees are prohibited from releasing or disclosing any~~ No Borough employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Borough Administrator. In addition employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the Borough of Hightstown Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Borough Administrator. Except in “emergency situations, “Employees are prohibited from taking digital images or photographs with media equipment not owned by the Borough of Hightstown. For purposes of this section, an “emergency situation” involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the Borough of Hightstown Communication Media. If such situation occurs, employee agrees that any images belong to the Borough of Hightstown and agree to release the image to the Borough of Hightstown and ensure its permanent deletion from media device upon direction from the Borough of Hightstown.

No media advertisement, electronic bulletin board posting, or any other ~~posting~~ communication accessible via the Internet about the Borough of Hightstown or on behalf of the Borough of Hightstown, whether through the use of the Borough of Hightstown Communication Media or otherwise, may be issued unless it has first been approved by the Borough Administrator. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the Borough of Hightstown. Such unauthorized communications may result in disciplinary action.

Because (authorized) postings placed on the Internet through use of the Borough of Hightstown Communication Media will display on the Borough of Hightstown return address, any information posted on the Internet must reflect and adhere to all of the Borough of Hightstown standards and policies.

All users are personally accountable for messages that they originate or forward using the Borough of Hightstown Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user’s identity on any Communication Media is prohibited. “Spoofing” (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Borough Administrator) is prohibited.

Employees must respect the laws regarding copyrights, trademarks, rights of public Borough of Hightstown and other third-party rights. Any use of the Borough of Hightstown name, logos, service marks or trademarks outside the course of the employee’s employment, without the express consent of the Borough of Hightstown, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

~~To the extent that employees use social media outside of their employment and in so doing employees identify themselves as Borough of Hightstown employees, or if they discuss matters related to the Borough of Hightstown on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the Borough of Hightstown, and the employee is expressing only their personal views. For example: “The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the Borough of Hightstown or the Borough of Hightstown business. Employees must keep in mind that, if they post information on a social media site that is in violation of Borough of Hightstown policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.~~

If employees choose to identify themselves as a Hightstown Borough employee on their personal social media

accounts and even those that do not should be aware that he or she may be viewed as acting on behalf of the Borough, as such no employee shall knowingly represent themselves as a spokesperson of the Borough, post any comment, text, photo, audio, video or other multimedia file that negatively reflects upon the Borough, expresses views that are detrimental to the Borough's mission or undermine the public trust or is insulting or offensive to other individuals or to the public in regard to religion, sex, race or national origin. Hightstown Borough employees are encouraged to exercise extreme caution posting photographs of themselves in uniform or in situations where they can be readily identified as Borough employees.

Nothing in these policies is designed to interfere with, restrain or prevent employee communications regarding wages, hours or other terms and conditions of employment. Borough of Hightstown employees have the right to engage in or refrain from such activities.

BE IT FURTHER RESOLVED that each employee of the Borough shall be issued a copy of the revised personnel policy, and proof of same shall be placed in each employee personnel file.

Resolution 2016-116

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**SUPPORTING THE CLICK IT OR TICKET MOBILIZATION
OF MAY 23, 2016 – JUNE 5, 2016**

Whereas, there were 560 motor vehicle fatalities in New Jersey in 2015; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93% and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of Hightstown Borough declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23, 2016 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Resolution 2016-117

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH
ROBBINSVILLE TOWNSHIP FOR EMERGENCY MEDICAL SERVICES**

WHEREAS, Resolution 2015-152 authorized a shared services agreement for Robbinsville Township to provide Emergency Medical Service coverage in Hightstown Borough; and

WHEREAS, said agreement was approved for the period June 1, 2015 through December 31, 2015 with the option to renew for two additional one year periods; and

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

WHEREAS, the Mayor and Council wish to renew the Shared Services Agreement for Emergency Medical Service for the period January 1, 2016 through December 31, 2016; and

WHEREAS, this agreement may be further extended by mutual agreement of the parties for up to one (1) additional one year term; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, will be Ten Thousand Five Hundred Dollars (\$10,500.00) annually; and

WHEREAS funds for this expenditure will be made available in the 2016 budget;

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

4. The extension of the Shared Services Agreement with the Township of Robbinsville for Emergency Medical Service for the period January 1, 2016 through December 31, 2016 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
5. This agreement is approved subject to the provision of adequate funds in the Borough's 2016 budget.

Resolution 2016-118

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

AUTHORIZING PERMIT PARKING IN THE MEMORIAL PARKING LOT

WHEREAS, Mary Manning, 110 North Main Street, has requested permit parking in the Memorial Parking Lot; and

WHEREAS, Ms. Manning is a resident of Block 23 which authorizes residents parking permits in the Stockton Street Parking Lot; and

WHEREAS, Ms. Manning has requested the use of the Memorial Parking Lot due to her inability to walk long distances; and

WHEREAS, Ms. Manning has provided the Clerk's office medical documentation supporting her need of the request; and

WHEREAS, the Mayor and Borough Council find that the request for permit parking in the Memorial Parking Lot for Ms. Manning, be granted.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Clerk's office is hereby authorized to issue a parking permit to Mary Manning that authorizes permit parking in the Memorial Parking lot.

Resolution 2016-119

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

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF
MERCER, NEW JERSEY, EXTENDING DESIGNATION OF RBG HIGHTSTOWN LLC
AS CONDITIONAL REDEVELOPER FOR PROPERTY COMMONLY KNOWN AS
BLOCK 30, LOTS 1-7, BLOCK 30, LOTS 10-13 AND BLOCK 21, LOTS 1-5 AND 26 ON
THE TAX MAP OF THE BOROUGH**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq.*, (the "Redevelopment Law"), by Resolution 2003-19 duly adopted on December 1, 2003, the Borough Council (the "Borough Council") of the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough"), designated the properties known as Block 54, Lots 6-10, 13, 14.01, 16.01 & 23; Block 40, Lots 14-28; Block 33, Lots 1-30 & 32-36; Block 30, Lots 1-13; Block 28, Lots 56 & 57; and Block 21, Lots 1-14 & 26 on the tax map of the Borough and also known as the Mills at Hightstown (collectively, the "Redevelopment Area") on the Official Tax Map of the Borough, as an "area in need of redevelopment" pursuant to the Redevelopment Law; and

WHEREAS, a revised redevelopment plan for the Redevelopment Area (the "Redevelopment Plan") was adopted by Ordinance Number 2015-04 of the Borough Council on April 20, 2015, which revised redevelopment plans previously adopted by the Borough on September 7, 2004, October 2, 2006 and October 6, 2008; and

WHEREAS, on February 1, 2016, the Borough Council adopted a resolution designating RBG Hightstown LLC (the "Entity") as the conditional redeveloper for the portion of the Redevelopment Area consisting of Block 30, Lots 1-7, Block 30, Lots 10-13 and Block 21, Lots 1-5 and 26 on the Borough's tax map (collectively, the "Project Area"); and

WHEREAS, the Borough and the Entity entered into that certain Conditional Redevelopment Agreement (the "Conditional Redevelopment Agreement") for the purpose of setting forth the terms and conditions under which the parties would negotiate a more comprehensive redevelopment agreement ("Redevelopment Agreement") for the redevelopment of the Project Area; and

WHEREAS, the Entity's conditional redeveloper designation expires on May 31, 2016; and

WHEREAS, the Borough and the Entity have been actively negotiating the terms of the Redevelopment Agreement and require more time to conclude such negotiations; and

WHEREAS, the Borough desires to extend the designation of the Entity as the conditional redeveloper of the Project Area.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Hightstown, in the County of Mercer, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length herein.

Section 2. The designation of the Entity as the conditional redeveloper of the Project Area is hereby extended through September 30, 2016.

Section 3. The Mayor is hereby authorized to execute any and all documents, including, if necessary, any amendment to the Conditional Redevelopment Agreement, to effectuate the extension of the Entity's conditional redeveloper designation.

Section 4. This resolution shall take effect immediately.

PUBLIC COMMENT PERIOD II

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

Lynne Woods, 315 Park Avenue – Commented on Mr. Kurs' comment from the May 2, 2016 meeting stating that she gave misinformation regarding the Chief of Police Ordinance. She continued with reviewing the ordinance again, specifically the physical and psychological exam requirements.

Scott Caster, 12 Clover Lane – Stated that he hopes that Council appreciates his sense of purpose. He stands up for Hightstown Borough. Commented that he was disappointed that the Budget was passed with very little discussion.

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

DISCUSSION

Business License Ordinance

Mayor Quattrone explained that a requirement to have all businesses receive an annual license would keep the Borough aware of the businesses in town and would be able to open the lines of communication.

Councilmember Stults stated this has worked in other towns and this would be a good way to help the Police Department have contact information in case of emergency. He stated that he thinks this is a good idea that would help protect the business district and the town.

Councilmember Misiura stated that if we move forward with this he would like to see the fee remain low but that the administrative costs need to be covered.

Councilmember Kurs stated that he wants to make sure that the cost will not be too prohibitive to the businesses.

Mr. Underhill, Borough Administrator, commented that Council had the Ordinance from Asbury Park to review. This ordinance is recent and up to date.

Fred Raffetto, Borough Attorney, stated that we can update Asbury Park's Ordinance to be Hightstown specific regarding the types of businesses and fees.

After further discussion, it was decided that to move forward with the ordinance. Mr. Underhill will work with Mr. Raffetto to have the ordinance ready for introduction at the June 6th meeting.

HPC Ordinance – Reducing membership numbers

It had been brought to the attention of Mayor and Council that the Historic Preservation Commission frequently has to cancel meetings due to the lack of a quorum. It was requested by the HPC that the membership be changed from 7 members to 5 members.

Discussion ensued. Mr. Raffetto commented that according to State Statute a Historic Preservation Commission can consist of 5, 7 or 9 members. At present time Hightstown Borough's Historic Preservation Commission has 7 voting members with 2 alternates. After further discussion it was agreed that we will in fact change the membership from 7 members to 5 members. The Borough Clerk will prepare the revisions to have the ordinance ready for introduction at the June 6th meeting.

Capital Budget Items

Mr. Underhill updated Council on the following projects.

At the moment we have a grant to do sidewalk and paving work on Joseph and Stockton, the Water Department would like upgrade the water/sewer lines under Joseph Street. The estimated cost from the Water Department is \$70,000.

Advanced Waste Water Treatment 2016 requests – Mr. Searing has been requested that the Secondary Clarifier be replaced. It is over 25 years old and we cannot continue to get replacement parts. The cost of this would be \$120,000. The AWWTP Engineer has reviewed the request and agrees that this needs to be replaced at this time.

George Lang discussed the funding of these projects.

Joseph Street Water/Sewer Lines \$70,000 – We have an existing bond ordinance that has been used for Water Mains. The money available for this and nothing further would need to be done.

AWWTP Secondary Clarifier – Mr. Underhill and Mr. Lang reviewed older bond ordinances and have found two in which the projects are complete and there is left over money. The total left from these two ordinances is \$150,000. A Resolution will be brought forth cancelling these balances and a new bond ordinance would be put into place for \$120,000. This will not have a major impact on the overall debt of the Borough.

Discussion ensued it was agreed that we move forward with the Capital Projects as discussed.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Stults

Construction Office – Mr. Chin, Construction Official, is working on options to give businesses when they apply for sign permits, he is working on giving them examples and costs that would be associated with different types of signs along with names of businesses that can help them with the new signs.

Downtown Business Meeting – Held another meeting with downtown business owners and only one owner showed up. We are hoping that we can get more business owners to come to these meeting to open communication. At the meeting, Mr. Caster suggested that Downtown Hightstown look into hiring a consultant to look at all the storefronts for suggestions on how to improve their look. Mr. Stults will bring this to the Board at the next Downtown Hightstown meeting.

12 Farms Restaurant – Travel and Leisure Magazine mentioned 12 Farms Restaurant as an up and coming Farm to Table Restaurant in its latest issue. This is a multi-national magazine. This is great news for 12 Farms and for Hightstown Borough.

Councilmember Kurs

Police Department – The Sergeant's exam was given this afternoon and interviews are scheduled for later sometime in June.

Community Yard Sale – Nice turnout despite the bad weather.

Councilmember Misiura

Planning Board – Discussed the property on the corner of Summit and Mercer. An extension of approval to build residential units was granted. Spoke about a flag ordinance that will be coming to Council. This would be to prevent sign clutter. Enchantment Ordinance was discussed to change their by-laws amending the age restriction. Planning Board will be updating the housing element for the fair share housing plan. Planning Board is working on changing the zoning update to match the Master Plan.

Fire Department – New fire truck is here. Gold leafing is being applied now and should be ready for the Memorial Day Parade

RBG – Had a meeting last week. Everyone is hopeful that the Developer's Agreement will be ready in June. Has a meeting scheduled with the Fire Department this week to give them updates about the options for the Fire House.

Councilmember Montferrat

Board of Health – Meeting was last Wednesday. Their main concern was the TB Clinic Shared Services Agreement.

Historic Preservation Commission – Next meeting is May 19th.

Harvest Fair Committee – Next meeting is May 18th.

Councilmember Bluth

Parks & Recreation – This Sunday they will be hosting Pilates in the Park from 2-4 at Association Park. The Farmers Market will begin the 3rd week of June. The Market will take place on Thursday's this year. Triathlon is scheduled for September 11th.

Cultural Arts Commission – Their Master Plan is complete. Their next meeting is Wednesday.

George Lang, CFO

Bond Anticipation Notes are coming due on June 3rd. These are used to finance Capital Projects. We will roll the notes until February 1, 2017 with hopes to sell bonds by the end of the year to take advantage of good rates.

Council President Hansen

Taxes – In response to Mr. Caster's comments regarding State Aid. How do we get our Legislatures involved? If Mr. Caster is willing to share this information on what the first small step is we can move forward in trying to get State Aid.

Chief of Police – Asked that someone who was involved in the process of appointing the Police Chief please get back to Ms. Woods with the information and procedure.

Henry Underhill, Borough Administrator

Dispatch – Started working out of East Windsor yesterday (5/15)

Enchantment – Asked Borough Attorney if the Ordinance needs to go to Planning Board for approval after introduction. Mr. Raffetto answered yes because we will be amending the land use and zoning section of the Borough Code.

Mayor Quattrone

Fire Department Golf Outing – Will be held August 29th at the Peddie Golf Course. \$125 per golfer.

Has met with several board and committees.

Sat in and observed several court sessions to make sure things are running smoothly and they are.

There is no executive session tonight. Thank you all for coming. If anyone has questions of Council they will meet with you. The Mayor is at Borough Hall on Thursday evenings if anyone needs to meet with him.

ADJOURNMENT

Councilmember Kurs motioned to adjourn at 9:25 pm. Council President Hansen seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk