

Meeting Minutes
Hightstown Borough Council
April 3, 2017
7:00 p.m.

The meeting was called to order by Council President Stults at 7:00 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; Debra Sopronyi Borough Clerk/Administrator and Fred Raffetto, Borough Attorney.

EXECUTIVE SESSION

Resolution 2017-80 Authorizing a Meeting that Excludes the Public

Mayor Quattrone requested that the Resolution be amended to include Litigation – Krupa and Litigation COAH.

Councilmember Bluth moved Resolution 2017-80 as amended; Councilmember Hansen seconded.

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

Resolution adopted as amended 6-0.

Resolution 2017-80

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 3, 2017 at 7:00pm at 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:

Contract Negotiations – Municipal Facilities

Litigation - Krupa
Affordable Housing

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 3, 2017, 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.

Council President Stults called the public meeting to order at 7:30 p.m. and again read the Open Public Meetings Statement.

The Flag Salute followed roll call.

George Lang, CFO, arrived and is now present.

APPROVAL OF AGENDA

Councilmember Kurs requested that the agenda be amended to add a presentation from the Fire Company

Councilmember Misiura moved the agenda as amended; Councilmember Hansen seconded.

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

Agenda approved as amended 6-0.

APPROVAL OF MINUTES

Councilmember Kurs moved the March 20, 2017 Executive Session minutes for approval; Councilmember Hansen seconded.

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

Minutes approved 5-0 with 1 abstention.

Councilmember Kurs moved the March 20, 2017 Open Session minutes for approval; Councilmember Montferrat seconded.

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

Minutes approved 5-0 with 1 abstention.

Councilmember Kurs moved the March 18, 2017 Budget workshop minutes for approval; Councilmember Hansen seconded.

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

Minutes approved 5-0 with 1 abstention.

PRESENTATION

Mackenzie Hoeflinger and Jackie Masone, of Girl Scout Troop 71583, presented Council with their Silver Award Proposal. Their project is the construction of a Planetary Walk. They are requesting the location of Rocky Brook Park or the Greenway. Council was very interested in their project and advised the girls to present their project to the Parks and Recreation Commission for approval. Once approval is received from the Parks and Recreation Commission, Council can approve their project through a resolution.

Scott Jenkins, Chief, Hightstown Fire Company #1 informed Council that Roosevelt Borough is currently accepting bids for Fire Services. He was contacted by Roosevelt to submit a bid. Roosevelt is currently without a fire company. Mr. Jenkins informed Council that Roosevelt does not generate a large amount of calls and that Hightstown has the manpower to handle the additional calls. Councilmember Kurs pointed out that Roosevelt's Fire Company is being dissolved and by law, all municipalities must have fire coverage. Discussion ensued. Council agreed that they are interested in submitting a bid to provide Fire Services to Roosevelt Borough. Clerk/Administrator Sopronyi will work to get the information together for the bid. After further discussion, Council agreed to offer Roosevelt Borough fire coverage for 30 days (if needed) or until Roosevelt secures the coverage needed.

PUBLIC COMMENT I

Council President Stults opened public comment period I and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – Questioned why Council is considering rescinding 2004-257. What is the economic problem with animal welfare.

Doug Mair, 536 South Main Street – Questioned who is responsible for Resolution 2017-82. The AWC has done more than the TNR program. Stated that he does not think that RISE should have a Councilmember as liaison; this is biased to the public. Applauded the Borough's efforts for the Route 33 Corridor and asked that we move forward without East Windsor's participation.

Keith LeProvost, 213 Greely Street – Stated that the Trap, Neuter & Return (TNR) program works. Without the Animal Welfare Committee there will be feral cats everywhere. Questioned if Council had thought this through.

Scott Caster, 12 Clover Lane – Reiterated his concern with East Windsor not sharing their burden with the cost of the regional school district.

There being no further comments, Council President Stults closed the public comment period.

ORDINANCES

2017-04 Final Reading and Public Hearing An Ordinance Amending and Supplementing Chapter 2, Entitled "Administration", Section 2-29, Entitled "Housing Authority", Subsection 2-29.2, Entitled "Appointment of Commissioners: Terms; Vacancies" of the "Revised General Ordinances of the Borough of Hightstown."

Council President Stults opened the public hearing for Ordinance 2017-04 and the following individuals spoke:

Keith LeProvost, 213 Greely Street – Thanked Council for bringing the Housing Authority into compliance with the Federal Statute.

Eugene Sarafin, 628 South Main Street – Stated that he thought this was a good idea.

There being no further comments, Council President Stults closed the public hearing.

Councilmember Kurs moved Ordinance 2017-04 for adoption; Councilmember Montferrat seconded.

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

Ordinance adopted 6-0.

Ordinance 2017-04

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2, ENTITLED “ADMINISTRATION”, SECTION 2-29, ENTITLED “HOUSING
AUTHORITY”, SUBSECTION 2-29.2, ENTITLED “APPOINTMENT OF COMMISSIONERS; TERMS;
VACANCIES” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN.”**

WHEREAS, it has been brought to the Borough Council’s attention that the Housing Authority shall contain one member of the Resident Advisory Committee of the Housing Authority; and

WHEREAS, the Borough finds that this requirement should be contained in the Borough ordinances for the appointment of Commissioners to the Housing Authority.

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

Section 1. That Chapter 2, entitled “Administration”, Section 2-29, entitled “Housing Authority”, Subsection 2-29.2, entitled “Appointment of Commissioners; Terms; Vacancies”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Subsection 2-29.2 Appointment of Commissioners; Terms; Vacancies.

The Authority shall consist of seven (7) members, of whom five (5) shall be appointed by the Borough Council, one (1) by the Mayor, and one (1) by the Commissioner of Community Affairs. The members shall serve for terms of five (5) years and until their respective successors have been appointed and qualified. Members of the Authority appointed pursuant to N.J.S.A. 55:14A-4 (repealed) shall continue in office until the expiration of the terms for which they are appointed and qualified. All vacancies shall be filled in the same manner as the original appointments were made, but for the unexpired term only. If a vacancy is not filled by the Borough Council or the Mayor within ninety (90) days of the occurrence of the vacancy, the Commissioner of the Department of Community Affairs shall notify the Mayor or the Council of his intent to fill the vacancy if it is not filled in thirty (30) days. If the vacancy is not filled within that thirty (30) days period, the Commissioner may appoint a member for the unexpired term. No more than one (1) member of the Housing Authority may be an officer or employee of the Borough. One Commissioner of the Housing Authority shall be a member of the Housing Authority Resident Advisory Committee, provided that an application for the vacant Commissioner seat is received as dictated by applicable law. Authority members shall receive no compensation for their services, but shall be entitled to reimbursement for actual expenses necessarily incurred in the discharge of the duties of membership, including travel expenses.

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

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

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

2017-05 First Reading and Introduction An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Councilmember Kurs moved Ordinance 2017-05 for introduction; Councilmember Bluth seconded.

CFO, George Lang, explained what the Cap Bank was and how this is done annually.

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

Ordinance introduced 6-0. Public Hearing April 17, 2017.

Ordinance 2017-05

*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 0.5% 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 2017 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 3.0% increase in the budget for said year, amounting to \$158,477.49 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 2017 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 \$184,890.41, and that the CY 2017 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.

RESOLUTIONS

Resolution 2017-81 Authorizing Payment of Bills

Councilmember Kurs moved Resolution 2017-81; Councilmember Misiura seconded.

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

Resolution adopted 6-0.

Resolution 2017-81

*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 \$40,800.42 from the following accounts:

Current		\$27,568.11
W/S Operating		9,326.14
General Capital		3,130.00
Water/Sewer Capital		596.51
Grant		179.66
Trust		0.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>0.00</u>
Total		<u>\$40,800.42</u>

Resolution 2017-82 Rescinding Resolution 2004-257, So as to Discontinue the Borough's Trap, Neuter & Return (TNR) Program, and Disband the Borough's TNR Program Committee (A/K/A Animal Welfare Committee)

Councilmember Montferrat moved Resolution 2017-82; Councilmember Misiura seconded.

Councilmember Misiura questioned how we came to consider discontinuing the Animal Welfare Committee (AWC). Mayor Quattrone and Clerk/Administrator Sopronyi explained that a massive OPRA request for

information regarding the AWC was received. Because the AWC is not an official Borough committee, items such as minutes, public notices and other information required by law did not exist. When the members of the AWC were made aware that documents such as emails and adoption records were public information, they were upset and uncomfortable with the lack of privacy. After further discussion with the Mayor and the Clerk/Administrator, the members of the AWC decided to disband effective April 1, 2017.

Discussion ensued. While members of Council believe in what the committee has done, the Borough carries liability because they are operating under Hightstown Borough. Council all agreed that further discussion needs to be had to see how we move forward with animal welfare in the Borough is concerned. Borough Clerk/Administrator Sopronyi stated that she and the Mayor are meeting with the Health Officer on April 5th to discuss how the Animal Control Officer will handle stray cats in town. CFO, George Lang, explained that once all bills have cleared the AWC Trust Account any remaining funds will go to a non-profit organization. Borough Attorney Raffetto, stated that if the Borough chooses to move forward with a new AWC, this should be done by ordinance.

Roll Call Vote: Councilmembers Hansen, Kurs, Misiura and Montferrat voted yes; Councilmembers Bluth and Stults voted no.

Resolution adopted 4-2.

Resolution 2017-82

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

**RESCINDING RESOLUTION 2004-257, SO AS TO DISCONTINUE THE
BOROUGH'S TRAP, NEUTER & RETURN (TNR) PROGRAM, AND DISBAND
THE BOROUGH'S TNR PROGRAM COMMITTEE
(A/K/A ANIMAL WELFARE COMMITTEE)**

WHEREAS, on September 20, 2004, a prior Borough Council adopted Resolution 2004-257, which supported the establishment of a Trap-Neuter-Return (TNR) Program in the Borough of Hightstown in order to reduce the population of stray cats, and authorized the Borough to establish a TNR Program Committee (a/k/a Animal Welfare Committee) comprised of volunteers to administer the TNR Program and to perform related matters; and

WHEREAS, the Borough has determined that it is no longer in the best interests of the Borough to maintain the TNR Program or the said Committee.

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

1. That Resolution 2004-257 is hereby rescinded.
2. That the TNR Program referenced in said Resolution shall no longer be continued within the Borough, and the TNR Program Committee (a/k/a "Animal Welfare Committee"), also referenced in said Resolution, shall hereby be disbanded and discontinued as an official committee of the municipality.
3. That any funding remaining on deposit in Borough account(s) relating to the Committee shall be disbursed appropriately by the Borough's Chief Financial Officer, so that the account(s) may be closed.
4. That all relevant Borough officials are hereby authorized and directed to perform any necessary activities that are required in order to effectuate the intentions of this Resolution.

Resolution 2017-83 Authorizing Shared Services Agreement with East Windsor Township for Senior Services

Councilmember Montferrat moved Resolution 2017-83; Councilmember Hansen seconded.

Councilmembers Bluth, Hansen, Kurs, Misiura, Montferrat and Stults voted yes.

Resolution adopted 6-0.

Resolution 2017-83

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

**AUTHORIZING RENEWED SHARED SERVICES AGREEMENT WITH EAST
WINDSOR TOWNSHIP FOR SENIOR SERVICES**

WHEREAS, with the adoption of Resolution 2015-76 on March 21, 2017, the Borough Council approved a Shared Services Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2016 through February 28, 2017 at a cost of Thirty Thousand Five Hundred Twenty-Five Dollars and Ninety-Seven Cents (\$30,525.97) for the 12-month period; and

WHEREAS, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 28, 2018; 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 Senior Services for the period March 1, 2017 through February 28, 2018; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, for the period March 1, 2017 through February 28, 2018 will be Thirty Eight Thousand Sixty-Three Dollars and Twenty-One Cents (\$38,063.21) for this 12-month period; and

WHEREAS it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2017 and 2018 budgets;

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

1. The Shared Services Agreement with the Township of East Windsor for Senior Services for the period March 1, 2017 through February 28, 2018 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 2017 and 2018 budgets.

Resolution 2017-84 Authorizing a Shared Services Agreement with Robbinsville Township for Municipal Court Facilities

Councilmember Kurs recused himself from the meeting at this time.

Councilmember Hansen moved Resolution 2017-84; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2017-084

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH ROBBINSVILLE
TOWNSHIP FOR MUNICIPAL COURT FACILITIES**

WHEREAS, there is a need for Municipal Court Facilities; 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, N.J.S.A. 2B:12-1(c) provides that "two or more municipalities, by ordinance or resolution, may agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint judges and administrators without establishing a joint municipal court;" and

WHEREAS, Hightstown and Robbinsville have previously entered into Shared Services Agreement(s) in order to share facilities and equipment relating to their respective municipal court operations (collectively, the "Services") in accordance with N.J.S.A. 2B:12-1(c) in order to conserve resources and to provide for a more efficient and more economically sound municipal court system, while each municipality has maintained its right to appoint its own judge, prosecutor and public defender; and

WHEREAS, the Parties wish to continue this arrangement for the Services for the term of July 1, 2017 to December 31, 2018, in accordance with the terms and conditions set forth in the within Agreement, effective upon the following: (1) execution of the within Agreement; and (2) approval of the Administrative Office of the Courts (hereinafter, the "AOC") and the Assignment Judge of the Superior Court of New Jersey, Mercer County Vicinage (hereinafter, the "Assignment Judge"), whichever occurs later; and

WHEREAS, the Governing Bodies of both Robbinsville and Hightstown find that it would be in the best interests of the Parties to continue to collectively provide for the Services under the terms and conditions in the agreement; and

WHEREAS, the term of the prior arrangement between the Parties shall be extended pursuant to the Agreement for an additional 18 (eighteen) month period, commencing on July 1, 2017 and terminating on December 31, 2018; and

WHEREAS, the Borough's net cost under this agreement is \$5,000 per month to be paid on the first of each month of the agreement, and such others fees as listed in the agreement; and

WHEREAS funds for this expenditure will be made available in the 2017 and 2018 budgets.

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

4. The Shared Services Agreement with the Township of Robbinsville for Municipal Court Facilities for an 18 (eighteen) month period is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
5. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement for same.

6. This agreement is approved subject to the provision of adequate funds in the Borough's 2017 and 2018 budgets.
7. This agreement is contingent upon and subject to the approval of the AOC and the Assignment Judge.

Councilmember Kurs rejoined the meeting at this time.

CONSENT AGENDA

Resolutions 2017-85; 2017-86; 2017-87; 2017-88; 2017-89; 2017-90; 2017-91; 2017-92 and 2017-93

Councilmember Bluth moved Resolutions 2017-85; 2017-86; 2017-87; 2017-88; 2017-89; 2017-90; 2017-91; 2017-92 and 2017-93 as a Consent Agenda; Councilmember Kurs seconded.

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

Resolutions adopted 6-0.

Resolution 2017-85

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

DESIGNATING SATURDAY, APRIL 29, 2017 AS ARBOR DAY IN THE BOROUGH OF HIGHTSTOWN

WHEREAS, it is widely reported as historical fact that, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, the Borough is a designated Tree City USA by the Arbor Foundation; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, raw material for sculpture and painting and limitless works of art, and source materials for countless other wood products; and

WHEREAS, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community and spiritual renewal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown hereby does proclaim and designate Saturday, April 29, 2017, as **ARBOR DAY** in the Borough of Hightstown and to observe this occasion a tree planting ceremony will take place on this day in Memorial Park;

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Hightstown, that all residents and members of our community are urged and encouraged to support efforts to protect our trees, walkways, riparian banks and woodlands throughout our Borough and our surrounding environment;

BE IT FURTHER RESOLVED that all residents and members of our community are urged and encouraged to

plant trees where appropriate, to gladden hearts and promote the well-being of present and future generations.

Resolution 2017-86

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

**ACCEPTING MEMBERSHIP OF DEWON WILSON IN
HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Dewon Wilson of East Windsor, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

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

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

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

Resolution 2017-87

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

**ACCEPTING MEMBERSHIP OF JAKUB ZAJDEL IN
HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Jakub Zajdel of East Windsor, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

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

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

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

Resolution 2017-88

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

**ACCEPTING MEMBERSHIP OF LILIANA MATAMOROS IN
HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Liliana Matamoros of East Windsor, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

WHEREAS Ms. Matamoros has undergone and passed the required physical examination, and her membership application has been reviewed and approved by Fire Chief Scott Jenkins;

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

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

Resolution 2017-89

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

**A RESOLUTION SUPPORTING THE 2017 UDRIVE. UTEXT. UPAY
DISTRACTED DRIVING CRACKDOWN – APRIL 1 – 21, 2017**

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2014 alone distracted driving-related crashes resulted in 3,179 deaths and 431,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

WHEREAS, the State of New Jersey will participate in the nationwide *Distracted Driving 2017 Crackdown* from April 1 - 21, 2017 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

THEREFORE, BE IT RESOLVED that the Mayor and Council of Hightstown Borough declares its support for the *Distracted Driving 2017 Crackdown* both locally and nationally from April 1 - 21, 2017 and pledges to increase awareness of the dangers of distracted driving.

Resolution 2017-90

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

PROCLAIMING APRIL 2017 AUTISM AWARENESS MONTH

WHEREAS, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it; and,

WHEREAS, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 68 children nationally and 1 in 45 in New Jersey; and,

WHEREAS, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment throughout their lives, they lead significantly improved lives; and,

WHEREAS, individuals with autism often require a lifetime of specialized and community support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism can present; and

WHEREAS, the Borough of Hightstown is honored to take part in the annual observance of Autism Awareness Month in the hope that it will lead to a better understanding of the disorder.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of Hightstown Borough that Hightstown Borough does recognize April 2017 as Autism Awareness Month and call this observance to the attention of Hightstown Borough residents.

Resolution 2017-91

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL
AFFORDABLE HOUSING LEGAL SERVICES – JOLANTA MAZIARZ, ESQ.**

WHEREAS, there exists the need for specialized affordable housing legal services during 2017; and

WHEREAS, the Borough Council wishes to appoint Jolanta Maziarz, Esq. of Woolson Anderson Maziarz, P.C. of Somerville, New Jersey as the Affordable Housing Attorney effective April 3, 2017; and

WHEREAS, the cost for the proposed services shall not exceed \$10,000.00 without further approval by the Borough Council; and,

WHEREAS, funds for this purpose will be made available in the 2017 budget; and,

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

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

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

WHEREAS, the anticipated term of this contract is April 3, 2017 – December 31, 2017, and it may only be renewed upon further action of the Borough Council; and

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

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

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

1. That the Mayor is authorized to execute and the Borough Clerk to attest an Agreement between the Borough of Hightstown and Jolanta Maziarz, Esq. regarding the above-referenced professional affordable housing legal services, as set forth herein.
2. That this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because Woolson Anderson Maziarz, P.C. is a firm is authorized by law to practice a recognized profession .
3. That this contract is being awarded in accordance with the Local Unit Pay-to-Play Law and Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, and the Business Disclosure Entity Certification, and other certifications required pursuant to same shall be placed on file with the contract.

Resolution 2017-92

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

**SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL
CERTIFICATION PROGRAM**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Hightstown Borough is previously Sustainable Jersey certified; and

WHEREAS, this Resolution is for the renewal of Sustainable Jersey; and

WHEREAS, Hightstown Borough strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Hightstown Borough hereby acknowledges that the residents of Hightstown desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Hightstown Borough wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Hightstown Borough is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Hightstown Borough, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Hightstown Borough on matters of sustainability, the Mayor and Council of Hightstown Borough wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Hightstown that we do hereby authorize Connor Montferrat, Councilmember, to serve as Hightstown Borough's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf Hightstown

Borough.

Resolution 2017-93

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2017 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2017 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 2017 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	641,318.00	99,100.00	740,418.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	139,316.00	200,000.00	339,316.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	780,634.00	299,100.00	1,079,734.00

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 2017 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 Chief Finance Officer.

PUBLIC COMMENT PERIOD II

Council President Stults opened the public comment period II and the following individuals spoke:

Keith LeProvost, 613 Greely Street – Spoke about the Animal Welfare Committee lacking leadership along the way. Council should not disband due to their lack of minutes. Also stated that he has been on several committees over the years and the personal information required is not too onerous. Asked that Council please think about a new program with established leadership and structure.

Scott Jenkins, 200 Mechanic Street – Stated that he is an animal lover and read Phyllis Deal's comments from the March 20th meeting. Asked Council to please consider something else in place of the Animal Welfare Committee.

Frank Rivera, 110 Broad Street – Shared a personal experience where he was approached by a Latino women in town that had been assaulted. He referred to an article in the March 28th edition of the New York times. Ended by stating that Hightstown needs to revisit their thoughts on being a Sanctuary City.

Doug Mair, 536 South Main Street – Commented that a new program should take the place of the Animal Welfare Committee. Questioned why the Historic Preservation Commission (HPC) is not being budgeted the funds they requested for 2017 while donations are being made to RISE and Better Beginnings. Both of those organizations are self-funded. The HPC depends on funds from the Borough. If the money cannot be found in the budget, RISE and Better Beginnings should not receive a donation. Ended by commenting that the reverse 9-1-1 regarding snow removal did not state the option of using sand or salt on frozen snow mounds; this is in the Borough Code and residents should have been made aware of the option.

Scott Caster, 12 Clover Lane – Commented that East Windsor should be paying Hightstown a hosting fee for the public schools. Issues with taxis have been going on for years and no action has been taken. The Borough needs to stop dragging their feet; an Economic Development Commission is needed.

Eugene Sarafin, 628 South Main Street – Stated that East Windsor does not owe us money for the schools. We are paying on tax basis not per pupil; Hightstown would be paying more if it were per pupil.

Doug Mair, 536 South Main Street – Commented that since the Mayor was not running the meeting tonight he could not vote to break a tie. Requested that Councilmember Montferrat consider changing his vote on Resolution 2017-82, regarding the AWC. This would force a tie, which would defeat the resolution. Borough Attorney Raffetto stated that the Mayor was present and could in fact vote to break a tie. Councilmember Montferrat declined to change his vote.

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

DISCUSSION

RISE Liaison – It was brought to the Borough's attention that East Windsor Township has a Councilmember on the board at RISE. There was discussion as to whether Hightstown would like a representative from Council to act as a liaison. It was decided that Hightstown Borough has no interest in having a liaison for RISE.

SUBCOMMITTEE REPORTS

Route 33 Corridor

Councilmember Montferrat informed Council that the changes to the Route 33 Corridor had been made. This included removing tattoo parlors and drug and alcohol rehabilitation center from prohibited uses. After review, Council agreed to send the study to the Planning Board for their comments.

Rug Mill

There was a meeting with Borough Officials and RBG regarding the Rug Mill project. RBG is anxious to start the project. Minutes from the meeting will be distributed to Mayor and Council once they are approved. Site cleanup and mobilization is set to be completed by April 21st.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Bluth

The Empty Bowl Event for the Cultural Arts Commission was a success with over 300 people in attendance and raising over \$10,000. The next Parks and Rec meeting is next Thursday and the next Cultural Arts Commission meeting is Wednesday, April 19th.

Councilmember Montferrat

The Empty Bowl was a great event. He would like more information on the next steps for replacing the Animal Welfare Committee. April 29th is designated as Arbor Day. The Environmental Commission will choose a tree to plant and a location. Thanked Council for approving Sustainable Jersey. The draft should be ready in June.

Councilmember Misiura

Unfortunately missed the last Historic Preservation Commission meeting. The Planning Board will meet next Monday. There has been a decrease in feral cats thanks to the Animal Welfare Committee. He would like to see a sub-committee formed to decide the next steps for the TNR program. This should continue in some form.

Councilmember Kurs

Had no updates.

Councilmember Hansen

Would like to know the next steps regarding the Animal Welfare Committee, the Animal Control Officer and animal shelter. Thanked Doug Mair for pointing out the issues with snow removal from the sidewalks. Planning Board will be discussing Fair Share Housing at their next meeting.

Council President Stults

Thanked the Mayor for letting him run the meeting this evening. Thanked Council for the great discussions on everything. The next downtown business meeting is next Monday. The parking issue downtown needs to be resolved. This will be done by ordinance. Was happy to see that the Empty Bowl event just about doubled in size this year. Pointed out that funding to both RISE and Better Beginnings has been cut once again this year.

Borough Clerk/Administrator Sopronyi

A claim was filed with the insurance company regarding the recent cyber attack of the Borough's computer server. She is working with the insurance company and will keep Council up to date with developments.

Deputy Clerk Riggio

Radon kits are still available in the Clerk's Office.

Mayor Quattrone

Thanked Council President Stults for running the meeting and commented that he did a good job. April is Autism Awareness Month. We need a different approach regarding the Animal Welfare Committee. The Borough needs to be protected and the committee needs to follow the rules and regulations of Borough Committees. He believes that this committee will come back in some form. Attended the DARE Graduation at the Drew School. Downtown Hightstown is now working with the downtown businesses. There is a lot going on in the Borough and all is good. Thanked Council for a good meeting and for working with Council President Stults.

ADJOURNMENT

Councilmember Hansen moved to adjourn at 9:56. Councilmember Montferrat seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk