

**Meeting Minutes  
Hightstown Borough Council  
July 17, 2701  
7:00 p.m.**

The meeting was called to order by Mayor Quattrone at 7:01 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 2017-130 Authorizing a Meeting that Excludes the Public**

Councilmember Stults moved Resolution 2017-130; Councilmember Kurs seconded.

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

Resolution adopted 5-0.

Resolution 2017-130

*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 July 17, 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:

Litigation – Krupa

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: October 17, 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.

Mayor Quattrone called the public meeting to order at 7:34 p.m. and again read the Open Public Meetings Statement.

George Lang, CFO, arrived after executive session and is now present.

The Flag Salute followed roll call.

### **APPROVAL OF AGENDA**

Councilmember Kurs requested that Resolution 2017-143 be added to the agenda.

Council President moved the agenda as amended; Councilmember Kurs seconded.

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

Agenda approved as amended 5-0.

### **APPROVAL OF MINUTES**

Councilmember Montferrat moved the June 19, 2017 Executive Session minutes for approval; Councilmember Kurs seconded.

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

Minutes approved 5-0.

Councilmember Kurs moved the June 19, 2017 Public Session minutes for approval; Councilmember Bluth seconded.

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

Minutes approved 5-0.

### **PUBLIC COMMENT I**

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

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

## **ORDINANCES**

### **2017-07 Final Reading and Public Hearing – Amending Chapter 7 of the Revised General Ordinances of the Borough of Hightstown, Regarding Parking Regulations in Municipal Parking Lots**

Mayor Quattrone opened the Public Hearing for Ordinance 2017-07 and the following individuals spoke:

**Doug Mair, 536 South Main Street** – Commented that there is a lack of signs pertaining to permit parking. Without proper signage, the ordinance is not enforceable. Clearly marked signs must be posted for permit parking. Suggested possibly marking the pavement for permit parking. Also commented that the handicap spaces in the lots need new signs.

**Scott Caster, 12 Clover Lane** – Commented that the signage into the upper parking lot is inadequate. All signage in Hightstown is inadequate. Council should pay attention and deal with all the signs in town.

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

Councilmember Hansen moved Ordinance 2017-07 for adoption; Councilmember Montferrat seconded.

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

Ordinance adopted 5-0.

#### **ORDINANCE 2017-07**

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

#### **AMENDING CHAPTER 7, ENTITLED “TRAFFIC”, OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*, REGARDING PARKING REGULATIONS IN MUNICIPAL PARKING LOTS**

**WHEREAS**, Business owners in downtown Hightstown have expressed concern about inefficiencies in the Stockton Street Parking Lot; and

**WHEREAS**, the Chief of Police has reviewed the situation with the Council Liaison to Downtown Hightstown; and

**WHEREAS**, it has been determined that there are many underutilized permit parking spaces resulting in fewer customer parking spaces; and

**WHEREAS**, consolidating as many permit spaces as possible together in upper Lot “E” will free up spaces in Lot “B” for transient customers; and

**WHEREAS**, it is the desire of the Mayor and Council to amend the Revised General Ordinances of the Borough of Hightstown to implement these changes.

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

1. Section 1. Subsection 7-37-1, “Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property is hereby amended as follows(deletions in strikeout text, additions underlined):

Paragraph (d). “Permit Parking,” is hereby amended as follows:

d. **Permit Parking.**

No person shall park a vehicle at the below-described locations unless said vehicle shall have a valid permit displayed. Said permit shall have been issued in accordance with the provisions of Section 7-37.1(h) herein.

Name of Street	Sides	Hours	Location
Stockton Street lot – Lot “E”	South	All	As indicated on the site plan
Stockton Street lot – Lot “B”	North	All	As indicated on the revised site plan

Paragraph (m). “Permits, Qualification, Issuance”, is hereby amended as follows:

m. **Permits; Qualification; Issuance.**

A person seeking issuance of a parking permit for the Stockton Street lot shall file an application with the Borough Clerk on forms provided by the Borough Clerk.

1. *Qualification.* Permits shall be issued only to:

- a. Residents of Block 33 and residents of those lots situated in Block 23 which border Main Street.
- b. Owners of businesses located in Block 33 and in those lots situated in Block 23 which border Main Street.
- c. Employees of businesses located in Block 33 and in those lots situated in Block 23 which border Main Street.
- d. Owners of businesses located in Block 21.01 which have no onsite parking.
- e. Employees of businesses located in Block 21.01 which have no onsite parking.
- f. Residents of Block 21.01 which have no onsite parking.
- g. Owners of businesses located in Block 54.
- h. Employees of businesses located in Block 54.

Proof of eligibility shall be provided at the time of application, and shall consist of: for residents, a valid New Jersey driver’s license showing address of residence; and for business owners or employees, a notarized statement by the business owner, on forms supplied by the Borough Clerk, attesting to eligibility of applicant. Owners and employees of industrial businesses shall not be eligible to obtain parking permits under this subsection.

Permits issued to owners or employees of businesses located in Block 54 shall be valid only in the permit parking area leased by the Borough, located at 105 South Main Street, and shall not be valid in the Stockton Street municipal parking lot.

2. *Permit Period.* Permits issued shall cover the period from the date of issuance through the following June 30.

3. *Contents.* The application shall contain the following information:

- a. The name, address and day and evening telephone numbers of the applicant.
- b. Proof of eligibility as detailed herein.

If, while the application is pending or during the term of any permit granted thereunder, there is any change that would alter the information given in the application, the applicant shall notify the Borough Clerk, in writing, within twenty-four (24) hours after such change.

4. *Fee.* The fee for parking permits in the Stockton Street lot shall be one hundred (\$100.00) dollars per permit period and shall be paid at the filing of the application. Such fee shall be prorated on a monthly basis if application is made after the first month of the permit period and the monthly rate shall be charged for each month or partial month remaining in the permit period.

5. *Regulation.* The issued permit shall be conspicuously displayed in the vehicle, at the time of use of the appropriate parking lot. If the parking permit is not conspicuously displayed, the vehicle owner shall be found in violation of this ordinance.

Paragraph (o). "Penalties"," is hereby amended as follows:

**o. Penalties.**

Unless another penalty is expressly provided for by New Jersey statute, every person convicted of a violation of this Ordinance or any supplement thereto shall be liable to a penalty of not more than two hundred dollars (\$200.00) or imprisonment for a term not exceeding fifteen (15) days, or both.

(Ord. No. 2002-03; Ord. No. 2003-20; Ord. No. 2003-24; Ord. No. 2004-24; Ord. No. 2006-04; Ord. No. 2006-12; Ord. No. 2006-26; Ord. No. 2008-03; Ord. No. 2008-20; Ord. No. 2015-08)

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.



**2017-08 Final Reading and Public Hearing – An Ordinance Amending Certain Salary Ranges of Officers and Employees of the Borough of Hightstown and Establishing the Title and Salary Range of Deputy Chief Finance Officer**

Mayor Quattrone opened the Public Hearing for Ordinance 2017-08 and the following individuals spoke:

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

Councilmember Bluth moved Ordinance 2017-08 for adoption; Councilmember Montferrat seconded.

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

Ordinance 2017-08

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

**AN ORDINANCE AMENDING CERTAIN SALARY RANGES OF OFFICERS AND  
EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN AND ESTABLISHING THE TITLE  
AND SALARY RANGE OF DEPUTY CHIEF FINANCE OFFICER**

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

**Section 1.** The following official employment designation is hereby confirmed and the rate of compensation of this officer of the Borough of Hightstown, excluding longevity, whose compensation shall be on an annual basis, is:

	<b>RANGING FROM:</b>	<b>TO:</b>
Deputy Finance Officer	\$10,000.00	\$25,000.00

**Section 2.** The following official employment designations and the rate of compensation of the following officers and employees of the Borough of Hightstown, excluding longevity, whose compensation shall be on an annual basis, is hereby amended to:

	<b>RANGING FROM:</b>	<b>TO:</b>
Borough Administrator	\$30,000.00	\$90,000.00
Deputy Tax/Water/Sewer Collector	\$10,000.00	\$60,000.00

**Section 3.** The following official employment designations and the rate of compensation of the following officers and employees of the Borough of Hightstown, excluding longevity, whose compensation shall be on an hourly basis, is hereby amended to:

	<b>RANGING FROM:</b>	<b>TO:</b>
Public Works Foreman	\$17.00	\$40.00
Public Works Heavy Equipment Operator	\$16.00	\$40.00

**Section 4.** This Ordinance shall take effect after final passage and publication as provided by law, but the range of compensation herein provided shall be effective July 1, 2017.

**Section 5.** The salary range established in this ordinance supersede any established for the same positions in previous salary ordinances, and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

**2017-09 First Reading & Introduction – Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$850,000 Therefor and Authorizing the Issuance of \$554,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof**

Council President Stults moved Ordinance 2017-08 for introduction; Councilmember Hansen seconded.

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

Ordinance introduced 5-0.

Public Hearing scheduled for August 21, 2017.

Ordinance 2017-09

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

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL  
IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN  
THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING  
\$850,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$554,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART  
OF THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$850,000, including the \$275,000 grant expected to be received from the State of New Jersey Department of Transportation (the "State Grant") for improvements to First Avenue as more fully described in Section 3(a) hereof (the "State Grant Project"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the State Grant Project (in the amount of \$410,000) since the State Grant Project is being partially funded by the State Grant. The sum of \$21,000 is provided for the costs of the construction of a retaining wall, as more specifically described in Section 3(a) hereof (in the amount of \$440,000) as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement not covered by the State Grant and the other project not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$554,000 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 capital improvements, including the construction of a retaining wall and improvements to First Avenue, 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 general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$554,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

**2017-10 First Reading & Introduction – 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 \$1,270,000 Therefor and Authorizing the Issuance of \$1,270,000 Bonds or Notes of the Borough to Finance the Cost Thereof**

Councilmember Montferrat moved Ordinance 2017-09 for introduction; Councilmember Bluth seconded.

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

Ordinance introduced 5-0.

Public Hearing scheduled for August 21, 2017.

Ordinance 2017-10

*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 \$1,270,000 THEREFOR AND AUTHORIZING THE  
ISSUANCE OF \$1,270,000 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 \$1,270,000. 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 \$1,270,000 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 replacing and relining of the water mains and improvements to the sewer system, 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 \$1,270,000, 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 \$185,000 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.

**2017-11 First Reading & Introduction – Bond Ordinance Providing for the Acquisition and Installation of a Secondary Clarifier for the Water-Sewer Utility in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$245,000 Therefor and Authorizing the Issuance of \$245,000 Bonds or Notes of the Borough to Finance the Cost Thereof**

Councilmember Hansen moved Ordinance 2017-11 for introduction; Councilmember Bluth seconded.

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

Ordinance introduced 5-0.

Public Hearing Scheduled for August 21, 2017

Ordinance 2017-11

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

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND  
INSTALLATION OF A SECONDARY CLARIFIER FOR THE WATER-  
SEWER UTILITY IN AND BY THE BOROUGH OF HIGHTSTOWN, IN  
THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING  
\$245,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$245,000 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 \$245,000. 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 \$245,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition and installation of a secondary clarifier for the water-sewer utility, including all related costs and expenditures incidental thereto and further 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 \$245,000, 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 \$30,000 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. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct,

unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

## **RESOLUTIONS**

### **Resolution 2017-131 Authorizing Payment of Bills**

Council President Stults moved Resolution 2017-131; Councilmember Kurs seconded.

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

Resolution adopted 5-0.

Resolution 2017-131

*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 \$176,226.36 from the following accounts:

Water/Sewer Capital		1,116.50
Grant		5,900.00
Trust		1,155.99
Housing Trust		0.00
Animal Control		15.60
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>23,294.46</u>
Total		<u>\$176,226.36</u>

**Resolution 2017-132 Appointing an Agreement for Professional Services – Administrative Agent of Hightstown Borough Affordable Housing Program – Rehabco, Inc.**

Council President Stults moved Resolution 2017-132; Councilmember Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2017-132

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES – ADMINISTRATIVE AGENT OF HIGHTSTOWN BOROUGH AFFORDABLE HOUSING PROGRAM – REHABCO, INC.**

**WHEREAS**, there exists the need for an Administrative Agent to oversee the Affordable Housing Program in Hightstown Borough; and

**WHEREAS**, the Borough Council wishes to appoint Rehabco, Inc. of Brick, New Jersey as the Administrative Agent of the Hightstown Borough Affordable Housing Program effective August 15, 2017; and

**WHEREAS**, the cost for the proposed services shall be paid by the program, landlord, tenant or seller associated with each unit; 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 for one (1) year; 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**, Rehabco, Inc. 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 Rehabco, Inc. regarding the above-referenced professional administration



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 Rehabco, Inc. is a firm whose staff are authorized by law to practice a recognized profession.
3. That this contract is being awarded in accordance with the Local Unit Pay-to-Play Law and Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, and the Business Disclosure Entity Certification, and other certifications required pursuant to same shall be placed on file with the contract.

**Resolution 2017-133 Awarding a Contract for the Rehabilitation of East Ward Street – Earle Asphalt Company**

Council President Stults moved Resolution 2017-133; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2017-133

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

**AWARDING A CONTRACT FOR THE REHABILITATION OF EAST WARD STREET – EARLE ASPHALT COMPANY**

**WHEREAS**, three (3) bids were received on June 28, 2017 for the Rehabilitation of East Ward Street; and

**WHEREAS**, it is the Engineer's recommendation that a contract for the rehabilitation of East Ward Street be awarded to Earle Asphalt Company, of Farmingdale, New Jersey, in the amount of \$417, 213.13; and

**WHEREAS**, Van Cleef Engineering Associates has reviewed the bid and determined that the bid submitted by Earle Asphalt Company is in order with respect to legal compliance; and

**WHEREAS**, a portion of this project is funded through New Jersey Department of Transportation Municipal Aid Grants in the amount of \$300,000.00 and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the contract for the Rehabilitation of East Ward Street be awarded to Earle Asphalt Company, of Farmingdale, New Jersey in the amount of \$417,213.13.

**Resolution 2017-134 Appointing a Class II Special Officer, Joel B. Townsend, II**

Councilmember Kurs moved Resolution 2017-134; Councilmember Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2017-134

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

**APPOINTING A CLASS II SPECIAL OFFICER – JOEL B. TOWNSEND, II**

**WHEREAS**, the Mayor and Borough Council recognize that there is a need to hire a Class II Special Officer to assist the Police Department with various duties in accordance with the provisions of N.J.S.A. 40A:14-146.8 et. seq.; and,

**WHEREAS**, Frank Gendron, Chief of Police, has recommended that Joel B. Townsend, II, be appointed as a Class II Special Officer for the Borough of Hightstown Police Department; and,

**WHEREAS**, Joel B. Townsend, II is qualified to serve as a Class II Special Officer and to carry out all of the duties of a Class II Special Officer; as well, if qualified, carry a Borough issued firearm only during his hours of work for the Borough Police Department; and,

**WHEREAS**, Joel B. Townsend, II shall not be eligible to receive pay and/or time off for any leave (vacation, holiday, sick leave, personal days, etc), shall not be eligible for overtime and shall not be eligible for health benefits from the Borough of Hightstown.

**WHEREAS**, the Borough Council finds it in the best interest of the health, safety and welfare of the residents to appoint Joel B. Townsend, II as a Class II Special Officer, pending satisfactorily passing psychological and physical testing.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hightstown that Joel B. Townsend, II is hereby appointed as a Class II Special Officer to assist the Hightstown Police Department, effective July 17, 2017, for the remainder of calendar year 2017, pending satisfactorily passing psychological and physical testing.

**BE IT FURTHER RESOLVED** that Joel B. Townsend, II shall not be eligible for the following: (1) pay and/or time off for any leave (vacation, holiday, sick leave, personal days, etc); (2) overtime (whether in pay and/or compensatory time off); and, (3) health/insurance benefits of any kind from the Borough of Hightstown.

**Resolution 2017-143 Authorizing an Agreement for Archeological Services Associated with the greenway Walking Bridge Project**

Councilmember Montferrat moved Resolution 2017-143; Councilmember Hansen seconded.

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

Resolution adopted 5-0.

Resolution 2017-142

*BOROUGH OF HIGHTSTOWN*

*COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AUTHORIZING AN AGREEMENT FOR ARCHEOLOGICAL SERVICES  
ASSOCIATED WITH THE GREENWAY WALKING BRIDGE PROJECT**

**WHEREAS**, Hightstown Borough is reconstructing the Peddie Lake Greenway Walking Bridge; and

**WHEREAS**, it is required that archeological monitoring be conducted by an Archeologist qualified according to the Secretary of Interior's Professional Qualifications Standards during excavation of the new pedestrian bridge footings; and

**WHEREAS**, it is also required that an archeological monitoring plan be prepared and submitted to the State Historic Preservation Office for review and comment prior to project implementation; and

**WHEREAS**, the Borough wishes for RGA Resource Consultants of Cranbury, New Jersey to prepare said plan and provide monitoring services for the project; and

**WHEREAS**, the cost for said services shall not exceed \$12,000.00 without further authorization of the Governing Body; and

**WHEREAS**, the Chief Finance Officer has certified that funds are available for this expenditure.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized to execute an agreement with RGA Resource Consultants of Cranbury, New Jersey to provide archeological services for the Peddie Lake Greenway Walking Bridge project in an amount not to exceed \$12,000.00.

**Resolution 2017-143 Resolution Authorizing Settlement of Krupa v. Borough of Hightstown and further Authorizing the Mayor and the Borough Clerk to Execute All Documents in Furtherance of the Settlement of this Matter**

Councilmember Kurs moved Resolution 2017-143; Councilmember Stults seconded.

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

Resolution adopted 5-0.

Resolution 2017-143

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

**RESOLUTION AUTHORIZING SETTLEMENT OF KRUPA V. BOROUGH OF HIGHTSTOWN  
AND FURTHER AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE ALL  
DOCUMENTS IN FURTHERANCE OF THE SETTLEMENT OF THIS MATTER**

**WHEREAS**, a lawsuit has been brought in the matter of Janine Krupa v. Borough of Hightstown, Docket No. MER-L-543-17 in the Superior Court of New Jersey, Law Division-Civil Part, Mercer County; and,

**WHEREAS**, the Borough's interests are being represented through the Statewide Joint Insurance Fund ("Statewide JIF"); and,

**WHEREAS**, the Statewide JIF has entered into settlement discussions with legal representatives of Ms. Krupa and have recommended entering into a settlement agreement between the parties at this time.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey that, upon the recommendation of the Statewide JIF and its legal representatives in this case, the Borough agrees to a settlement of the litigation between Ms. Krupa and the Borough.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that:

- (1) The Borough's share of any settlement payments shall be in accordance with the bylaws of the Statewide JIF and the Borough's agreement with the Statewide JIF and the provisions of the settlement agreement as presented to the Mayor and Council on July 17, 2017 by the attorney appointed by the Statewide JIF to represent the Borough's interests (J. Andrew Kinsey, Esq. of Florio Perrucci Steinhardt & Fader); and,
- (2) The Mayor and Borough Clerk are hereby authorized to sign any and all documents in furtherance of the settlement of this matter on behalf of the Borough, which shall be in a form satisfactory to Borough's labor counsel.

#### **CONSENT AGENDA**

##### **Resolutions 2017-135; 2017-136; 2017-137; 2017-138; 2017-139; 2017-140; 2017-141**

Councilmember Montferrat moved Resolutions 2017-135; 2017-136; 2017-137; 2017-138; 2017-139; 2017-140; 2017-141 as a Consent Agenda; Councilmember Hansen seconded.

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

Resolution adopted 4-0 with 1 abstention.

Resolution 2017-135

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

#### **AUTHORIZING AN APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM**

**WHEREAS**, the Borough of Hightstown intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for improvements to the Borough's infrastructure consisting of the following:

- Stockton Street – Cleaning and lining of the water main and replacement of water services
- Forman Street – New main and new services
- First Avenue – Full replacement of existing water main between Center Street and Outcalt Street, including new fire hydrants and new water services

**WHEREAS**, the Borough Council has authorized the Borough Engineer, Carmela Roberts of Roberts Engineering Group, for an amount not to exceed \$3,000.00, to prepare the letter of intent for the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust application.

**NOW, THEREFORE BE IT RESOLVED**, that Debra L. Sopronyi, Borough Clerk/Administrator, is hereby authorized to act as the Authorized Representative to represent the Borough of Hightstown in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at the Borough of Hightstown, 156 Bank Street, Hightstown, NJ 08520, (609) 490-5100.

Resolution 2017-136

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

**AUTHORIZING A COST-SHARING COMMITMENT FOR A PEDESTRIAN CROSSING SIGN**

**WHEREAS**, in an effort to make the Borough safer for pedestrians, the Borough of Hightstown desires to install a pedestrian traffic light at the intersection of Route 33 and Grape Run Road; and

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) requires the Borough to submit a cost-sharing commitment before an investigation is initiated; and

**WHEREAS**, the cost-sharing commitment would obligate the Borough to pay 25% of the total cost of the project with a maximum cost to the Borough of \$18,500.00; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Hightstown, County of Mercer, State of New Jersey, authorize a cost-sharing commitment for the installation of a pedestrian crossing sign at Route 33 and Grape Run Road; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to New Jersey Department of Transportation.

Resolution 2017-137

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

**AUTHORIZING USE OF THE MUNICIPAL PARKING LOT FOR THE TRIATHLON**

**WHEREAS**, the Parks & Recreation Commission will require the use of the Memorial Parking Lot as a staging area for Triathlon to be held on September 10, 2017; and

**WHEREAS**, this event is sponsored by the Hightstown Borough Parks & Recreation Commission and will be held at no cost to the taxpayers; and

**WHEREAS**, the Borough Council is responsible for issuing permission for use of the municipal parking lot; and

**WHEREAS**, the Borough Council finds that such an event would benefit the residents of Hightstown Borough.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that permission is hereby granted to the Hightstown Borough Parks & Recreation Commission for the use of the Memorial Parking Lot for the Hightstown Triathlon to be held on September 10, 2017.

Resolution 2017-138

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

**RESOLUTION OF COMPLIANCE REGARDING THE 2015 AUDIT**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S. 40A:5-6*, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the audit entitled:

**General Comments  
Recommendations**

; and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments  
Recommendations**

as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

*R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.*

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Hightstown hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show

evidence of said compliance.

Resolution 2017-139

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

**AUTHORIZING RELEASE OF ESCROW FUNDS – DAVID BABCOCK  
(BLOCK 49, LOT 19)**

**WHEREAS**, David Babcock deposited escrow funds in the amount of \$1,600.00 for a project at Block 49, Lot 19 commonly known as 441 Stockton Street; and

**WHEREAS**, David Babcock has requested that the escrow funds on deposit with the Borough for Block 49, Lot 19 be released; and

**WHEREAS**, The Borough has inspected all improvements related to the above site and found all improvements to be completed satisfactorily and;

**WHEREAS**, The Borough has determined that there are no outstanding invoices for this project; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the CFO is authorized and directed to release the escrow funds on deposit with the Borough for the project at Block 49, Lot 19 to David Babcock, 445 Stockton Street, Hightstown, NJ 08520.

A certified copy of this Resolution shall be provided to the following:

- a. David Babcock
- b. George Lang, Hightstown Borough CFO
- c. George Chin, Hightstown Borough Construction Official
- d. Carmela Roberts, Borough Engineer

Resolution 2017-140

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

**AUTHORIZING RELEASE OF PERFORMANCE BOND FUNDS  
R. BLACK GLOBAL**

**WHEREAS**, R. Black Global deposited performance bond funds in the amount of \$2,300.00 for Demolition Permit #2016-0257; and

**WHEREAS**, R. Black Global deposited performance bond funds in the amount of \$135.00 for Demolition Permit #2017-0011; and

**WHEREAS**, R. Black Global has requested that the performance bond funds on deposit with the Borough for Demolition Permits 2016-0257 and 2017-0011 be released; and

**WHEREAS**, the Borough Construction Official has issued a Certificate of Approval for both permits and has recommended that the performance bond funds be released.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the CFO is authorized and directed to release the performance bond funds on deposit with the Borough to R. Black Global, 900 Broadway, Suite 202, New York, NY 10003, representing Demolition Permits #2016-0257 and 2017-0011 in the total amount of \$2,435.00

A certified copy of this Resolution shall be provided to the following:

- a. R. Black Global
- b. George Lang, Borough CFO
- c. George Chin, Borough Construction Official

Resolution 2017-141

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

**AUTHORIZING AND SUPPORTING AN APPLICATION FOR A LOCAL ARTS  
PROGRAM GRANT**

**WHEREAS**, the New Jersey State Council on the Arts, Mercer County Executive, Brian M. Hughes and the Mercer County Board of Chosen Freeholders have made funds available for support of the Arts through a State/County Block Grant Partnership for Arts Organization and County Art Agencies; and

**WHEREAS**, the Borough of Hightstown has established a Cultural Arts Commission for the development of artistic and cultural appreciation and expression as an important consideration in the progress and growth of our society; and

**WHEREAS**, the Cultural Arts Commission's pursuit through the presentation of cultural/artistic events and programs, and establishment of art installation sites and venues is declared to be a significant goal benefiting all Mercer County residents, as well as those who reside outside Mercer County; and

**WHEREAS**, a resolution authorizing this municipality to apply for the Local Arts Program Grant will memorialize the commitment of this municipality to the Arts, and will indicate the assent of the Mayor and Council of the Borough of Hightstown to the efforts undertaken by the Hightstown Borough Cultural Arts Commission;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the Borough of Hightstown hereby endorses the submission of a Local Arts Program Grant application in support of the Hightstown Borough Cultural Arts Commission.

**PUBLIC COMMENT PERIOD II**

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

**Scott Caster, 12 Clover Lane** – Questioned the details of the Krupa settlement. Borough Attorney, Fred Raffetto, stated that the litigation is a public document that can be requested through an OPRA request.

**Doug Mair, 536 South Main Street** – Spoke about agenda items being added at the meeting and transparency. Also spoke regarding the Marchione Litigation. Asked Council to reconsider their decision to appeal the court's decision.



**Bree Marchione, 5 Hidden Springs Lane, East Windsor** – Deferred her 3 minutes to Mr. Mair.

**Doug Mair, 536 South Main Street** – Continued to speak regarding the Marchione Litigation. Stated that there is a problem in Hightstown and urged Council to reconsider the appeal.

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

## **DISCUSSION**

### **Capital Budget**

Municipal Clerk/Administrator Sopronyi spoke about additional requests for capital items. Council had previously approved a new marked vehicle for the Police Department. The additional request was for a new unmarked car for the Police Chief. Ms. Sopronyi explained that the Chief's current vehicle is a 2001 that is in need of over \$5,000 of repairs to keep it operational. The quote received for a new vehicle is \$32,300. Discussion ensued. It was decided that Council would go ahead with the purchase of the additional vehicle for the Police Department.

Previously, Council had asked for a breakdown of costs for body cameras and dash board cameras for the Police Department. Ms. Sopronyi reviewed a quote from L3 Mobile-vision, Inc. The quote was for \$34,878.00. Discussion ensued. Council decided to add the body cameras and dash board cameras to the Capital Budget.

Ms. Sopronyi reviewed a Quote from National Auto Fleet Group for a new Dump Truck for Public Works. The quote was for \$68,791.50. Discussion ensued. Council decided to add the Dump Truck to the Capital Budget.

Ms. Sopronyi informed Council that the Fire Department had just come forward with their Capital Budget request. They were requesting an electric billboard for the front of the firehouse and a new generator that would power the entire building. Ms. Sopronyi had not been given any quotes for the requests. During discussion, there were questions as to why the Administrator had just received the Capital request from the Fire Company. Ms. Sopronyi also informed Council that we had pre-qualified for a USAD 40 year loan for renovations to the fire house.

The Bond Ordinance for Capital items will be introduced at the August 21<sup>st</sup> meeting.

### **Habitat Liaison**

Mayor Quattrone informed Council that he would like to have a Councilmember as a liaison to the Habitat for Humanity's project. The liaison would be required to attend the Habitat meetings that are held on the second Thursday of each month. Discussion ensued. Councilmember Bluth stated that she was interested in being the liaison to Habitat but it conflicted with Parks and Recreation meetings, which she is already the liaison for. Councilmember Hansen stated that she would take on the liaison position of Parks and Recreation. Mayor Quattrone then appointed Councilmember Bluth as liaison for Habitat and Councilmember Hansen the new liaison for Parks and Recreation.

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

### **Councilmember Bluth**

Cultural Arts Commission will be meeting this Wednesday. Fun Fridays will continue this Friday at Memorial Park. Theater in the Park will hold their performances July 28, 29 and 30 at Association Park.

### **Councilmember Montferrat**

There is a Harvest Fair meeting tomorrow night. The Latino Festival August 19<sup>th</sup> at Rocky Brook Park.

### **Council President Stults**

Downtown Hightstown Businesses will be starting a cross promotion event and Taste of Hightstown in September. Downtown Hightstown's new website is up and running. Spoke regarding the fire on Main Street; he was impressed with the help from our Police Department and the fire departments from neighboring towns. As a public service announcement, be aware that it is tick season, check yourselves and be careful.

### **Mayor Quattrone**

Gave an update on the fire downtown – The fire started from a lightning strike the night before which smoldered through the night. A resident smelled the smoke and called 9-1-1. Two police officers evacuated the building before the fire department responded. Thankfully, no one was injured. The apartment was overcrowded. At the moment the businesses are closed because electric has been turned off. Health Department needs to inspect the food establishments before reopening.

### **Borough Clerk/Administrator Sopronyi**

National Night Out will be held August 1<sup>st</sup> at Rocky Brook Park. The Borough received a letter from NJDOT denying the paving of Joseph Street. We will need to get prices once the sidewalks are completed.

### **Deputy Clerk Riggio**

Reminded everyone that Cat Licenses are being renewed this month.

### **CFO, Lang**

Tax bills have not gone out yet as we are waiting for the school district. This should be resolved in the next few days. If bills go out late, there will be an extension for the grace period.

### **Borough Attorney Raffetto**

Summarized the Krupa settlement agreement. Stated that a monetary settlement had been reached and since it is a public record it would be made available after tonight's meeting.

## **ADJOURNMENT**

Councilmember Kurs moved to adjourn at 8:50 p.m.; Council President Stults seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio  
Deputy Borough Clerk