

**Meeting Minutes
Hightstown Borough Council
Workshop Meeting
January 3, 2017
7:00 p.m.**

The meeting was called to order by Mayor Quattrone at 7:02 pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

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

Also in attendance: Debra Sopronyi, Borough Clerk/Administrator; and Fred Raffetto, Borough Attorney.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Mayor Quattrone requested that the public comment be moved up to prior to the approval of minutes and that Attorney-Client be added to resolution 2017-27 for executive session.

Council President Stults moved the agenda as amended; Councilmember Bluth seconded.

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

Agenda approved as amended 5-0.

APPROVAL OF MINUTES

Councilmember Bluth moved the December 5, 2016 open session minutes for approval; Council President Stults seconded.

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

Minutes approved 5-0.

Councilmember Bluth moved the December 5, 2016 executive session minutes for approval; Councilmember Misiura seconded.

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

Minutes approved 5-0.

Councilmember Hansen moved the December 19, 2016 open session minutes for approval; Council member Misiura seconded.

There was discussion regarding amending the minutes to include additional information in the public comments and Council President Stults moved to amend the minutes, Councilmember Bluth seconded.

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

Minutes amended 5-0.

Council President Stults moved the December 19, 2016 open session minutes as amended for approval; Council member Bluth seconded.

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

Minutes approved as amended 5-0.

Council member Bluth moved the December 19, 2016 executive session minutes for approval; Council President Stults seconded.

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

Minutes approved 5-0.

PUBLIC COMMENT I

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

Doug Mair, 536 South Main Street – commented that resolution 2017-24 takes away the public's freedom of speech and Council infringed on his right to speak at the last meeting; he encouraged Council to vote down this resolution.

Eugene Sarafin, 628 South Main Street – commented that he would prefer Council impose a maximum 30 minute public comment period rather than give each individual a three minute limit.

George Lang, CFO, arrived at this time and was now present.

Scott Caster, 12 Clover Lane – commented that it does not matter how long the public speaks, it is more important how the public is heard by Council.

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

ORDINANCES

2017-01 First Reading and Introduction – An Ordinance to Establish Salary Ranges for Certain Officers and Employees of the Borough of Hightstown

Councilmember Hansen moved Ordinance 2017-01 for introduction; Councilmember Bluth seconded.

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

Ordinance introduced 5-0, Public Hearing to be held on January 17, 2017.

Ordinance 2017-01

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

AN ORDINANCE TO ESTABLISH SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF HIGHTSTOWN

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

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

	RANGING FROM:	TO:
Mayor	\$4,800.00	\$4,800.00
Councilmember	\$3,600.00	\$3,600.00
Borough Clerk	\$40,000.00	\$75,000.00
Deputy Borough Clerk	\$30,000.00	\$50,000.00
Part-Time Treasurer	\$15,000.00	\$30,000.00
Accounts Payable Clerk	\$30,000.00	\$60,000.00
Tax/Water/Sewer Collector	\$20,000.00	\$57,000.00
Part-Time Tax/Water/Sewer Collector	\$10,000.00	\$15,000.00
Deputy Tax/Water/Sewer Collector	\$10,000.00	\$50,000.00
Tax/Utility Clerk	\$28,000.00	\$47,000.00
Tax Assessor	\$7,500.00	\$18,000.00
Registrar of Vital Statistics	\$2,500.00	\$5,000.00
Deputy Registrar of Vital Statistics	\$1,000.00	\$4,600.00
Municipal Court Administrator	\$40,000.00	\$65,000.00
Deputy Municipal Court Administrator	\$28,000.00	\$41,000.00
Municipal Magistrate	\$30,000.00	\$50,000.00
Records Management and System Administrator and Administrative Assistant to the Police Department	\$32,000.00	\$53,000.00
Planning Board Secretary	\$1,000.00	\$16,000.00
Technical Assistant	\$28,000.00	\$40,000.00
Construction Code Official	\$18,000.00	\$35,000.00
Fire Subcode Official	\$3,500.00	\$8,000.00
Building Subcode Official	\$3,500.00	\$8,000.00
Superintendent of Public Works	\$50,000.00	\$95,000.00
Assistant Superintendent of Public Works	\$50,000.00	\$66,000.00
Senior Water Plant Operator	\$35,000.00	\$80,000.00
Supervising AWWTP Operator	\$44,000.00	\$56,000.00
Superintendent of AWWTP	\$50,000.00	\$90,000.00
Lab Manager – AWWTP	\$35,000.00	\$65,000.00
Secretary Board of Health	\$500.00	\$1,500.00
Computer Systems Administrator	\$3,000.00	\$6,000.00

	RANGING FROM:	TO:
Chief Financial Officer	\$2,000.00	\$50,000.00
Building Inspector	\$3,500.00	\$4,500.00
Zoning Official	\$6,000.00	\$12,000.00
Health Officer	\$8,000.00	\$13,000.00
OEM Coordinator	\$2,000.00	\$ 5,000.00
Borough Administrator	\$40,000.00	\$90,000.00
Police Chief	\$120,000.00	\$140,000.00

Section 2. The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, whose compensation shall be on an hourly basis, is:

	RANGING FROM:	TO:
Administrative Assistant/Payroll Clerk	\$10.00	\$20.00
Violations Clerk	\$15.00	\$25.00
Disposition Clerk (Part-Time)	\$12.50	\$25.00
Special Officer – Municipal Court	\$25.00	\$35.00
Public Health Nurse	\$25.00	\$45.00
School Crossing Guard	\$15.00	\$25.00
Special Officer I	\$8.00	\$18.00
Special Officer II	\$18.00	\$30.00
Clerical Assistant	\$10.50	\$20.00
Administrative Assistant	\$13.50	\$30.00
Secretary	\$10.00	\$20.00
Public Works Foreman	\$17.00	\$28.00
Public Works Heavy Equipment Operator	\$16.00	\$26.00
Public Works Automated Vehicle Operator	\$16.00	\$26.00
Public Works Driver/Laborer	\$15.00	\$25.00
Public Works Laborer	\$14.00	\$22.00
Public Works Municipal Building Maintenance	\$8.00	\$16.00
Public Works Mechanic	\$16.00	\$26.00
Seasonal/Temporary Labor	\$8.00	\$16.00

	RANGING FROM:	TO:
Assistant Water Plant Operator	\$15.00	\$25.00
Water Plant Operator	\$25.00	\$35.00
Water Plant Lead Operator	\$40.00	\$49.00
AWWTP Maintenance	\$16.00	\$26.00
AWWTP Maintenance (Out of Title)	+\$2.00	+\$4.00
AWWTP Operator Trainee (up to 1 year exp)	\$13.00	\$16.00
AWWTP Operator – Class I (min. 1 year exp)	\$15.00	\$25.00
Recreation Director (part-time)	\$20.00	\$40.00
Assistant Recreation Director (part-time)	\$8.00	\$20.00
Junior Recreation Counselor (part-time)	\$6.00	\$12.00
Housing Inspector	\$14.00	\$35.00
Fire Inspector	\$14.00	\$35.00
Building Inspector	\$14.00	\$35.00
Code Enforcement Officer	\$15.00	\$25.00
Fire Official	\$14.00	\$35.00
Zoning Officer	\$14.00	\$35.00
Electric Subcode Official	\$14.00	\$40.00
Plumbing Subcode Official	\$14.00	\$40.00

Section 3. This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2016.

Section 4. The salary ranges 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.

RESOLUTIONS

Resolution 2017-23 Authorizing Payment of Bills

Councilmember Bluth moved Resolution 2017-23; Councilmember Misiura seconded.

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

Resolution adopted 5-0.

Resolution 2016-23
*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 \$147,045.26 from the following accounts:

Current		\$48,301.49
W/S Operating		25,748.84
General Capital		5,119.00
Water/Sewer Capital		62,529.66
Grant		0.00
Trust		1,807.37
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>3,538.90</u>
Total		<u>\$147,045.26</u>

Resolution 2017-24 Adopting Guidelines for the Conduct of Business at Hightstown Borough Council Meetings

Councilmember Misiura moved Resolution 2017-24; there was no second.

Resolution 2016-24

Resolution ~~2016~~2017-4824

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

**~~AMENDING RESOLUTION 2016-13 WHICH ADOPTED~~ ADOPTING GUIDELINES FOR THE
CONDUCT OF BUSINESS AT HIGHTSTOWN BOROUGH COUNCIL MEETINGS**

WHEREAS, pursuant to N.J.S.A. 40A:60-6, the Borough Council is the legislative body of the municipality and may adopt a resolution for any purpose required for the government of the municipality and possesses all of the executive responsibilities of the municipality not placed, by law, in the Office of the Mayor; and

~~**WHEREAS**, the Mayor and Borough Council established guidelines for conduct at all public meetings held by the~~

~~Governing Body in resolution 2016-13 adopted on January 1, 2016; and~~

~~WHEREAS, the Mayor and Borough Council wish to amend resolution 2016-13, so that the guidelines for conduct at all public meetings to be held by the Governing Body in 2016 shall be as set forth below.~~

WHEREAS, the Mayor and Borough Council wish to establish guidelines for conduct at all public meetings held by the Governing Body.

~~NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown that resolution 2016-13 is hereby amended to contain the following rules and procedures which~~ the following rules and procedures shall govern at all Borough Council Meetings for the year ~~2016~~ 2017:

A. Conduct at Meetings.

1. The Mayor shall serve as Presiding Officer and shall conduct all meetings.
2. The Council President shall serve as Presiding Officer and conduct the meeting when the Mayor is absent.
3. If the Mayor and Council President are both absent, the Municipal Clerk shall call the meeting to order and appoint the senior member of Council to serve as Presiding Officer. The Temporary Chairperson shall conduct the meeting, but shall have no powers beyond those necessary to conduct the meeting.
4. A majority of the whole number of members of the Borough Council shall constitute a quorum for the transaction of business at a meeting.
5. If a quorum is not present fifteen minutes after the appointed time for any meeting, the Presiding Officer or the Municipal Clerk may declare the meeting cancelled due to a lack of a quorum.
6. While the Borough Council is in session, the members thereof shall preserve order and decorum, and a member shall not, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Borough Council, nor disturb any member while speaking, or refuse to obey the order of the Borough Council or its Presiding Officer, unless such action is in accordance with proper Parliamentary procedure.
7. Members of the Governing Body shall not utilize their cell phones while the meeting is in session, either during an Executive session or during the open public portion of any meeting, whether verbally or by text, except for emergent circumstances. If an emergency should arise necessitating the use of a cell phone, then the member shall excuse himself or herself from the dais and leave the meeting room to engage in cell phone communications.
8. The Borough Attorney shall be the Parliamentarian.
9. Meetings shall be conducted in accordance with relevant State statutes and these regulations, ~~and along with~~ Robert's Rules of Order for items not covered by State statute or in these regulations.

B. Addressing the Mayor and Council.

Any person desiring to address the Mayor and Council shall proceed to the podium during the appropriate time and give his or her name and address. Remarks shall be confined to the order of business prescribed by this section:

1. There shall be two (2) "Public Comment periods" held during each regular meeting of the Mayor and Council.
 - a. During the first "Public Comment" period of the meeting, any person may address the Mayor and Council on any matter that is listed in a substantive manner on the agenda adopted for the current meeting (this does not include items that merely appear in the meeting minutes of a prior Council meeting when said meeting minutes are scheduled for approval, and which items are not themselves listed in a substantive respect on the meeting agenda of the current meeting); said comment shall be limited to a maximum of three minutes per person. A response may be provided, either directly following the public comment period or during the "Mayor/Council/Administrative Comments" portion of the meeting.
 - b. During the second "Public Comment" period of the meeting, any person may address the Mayor and Council on any matter that the person feels may be of concern to the residents of the municipality; said comment shall be limited to a maximum of three minutes per person. A response may be provided, either directly following the public comment period or during the "Mayor/Council/Administrative Comments" portion of the meeting.

2. Any person(s) who disrupts the orderly conduct of any meeting shall be called to order by the Presiding Officer. If such conduct continues to disrupt the meeting despite the Presiding Officer's warning(s), then the Presiding Officer, at his or her discretion, may order such person removed from the meeting.
3. During a statutorily prescribed public hearing on a particular agenda item (such as the public hearing associated with the potential adoption of any Ordinance), or during any other specifically described public hearing, comments made by members of the public shall be limited to the particular subject matter of the hearing.
4. Members of the public shall not be permitted to transfer all or any portion of their three minute public comment time to another person during the "Public Comment" period of any Council meeting.

BE IT FURTHER RESOLVED, that the Mayor and Borough Council of Hightstown Borough may, according to law, amend these guidelines as needed from time to time.

Resolution 2017-25 Authorizing the Renewal of a Shared Services Agreement with Robbinsville Township for Emergency Medical Services

Councilmember Hansen moved Resolution 2017-25; Council President Stults seconded.

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

Resolution adopted 5-0.

Resolution 2016-25

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

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

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

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

WHEREAS, Resolution 2015-117 renewed said agreement for the period January 1, 2016 through December 31, 2016 with the option to renew for one additional one year period; and

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

WHEREAS, the Mayor and Council wish to renew the Shared Services Agreement for Emergency Medical Service for the period January 1, 2017 through December 31, 2017; and

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

WHEREAS funds for this expenditure will be made available in the 2017 budget;

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

1. The extension of the Shared Services Agreement with the Township of Robbinsville for Emergency Medical Service for the period January 1, 2017 through December 31, 2017 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. This agreement is approved subject to the provision of adequate funds in the Borough's 2017 budget.

Resolution 2017-26 Awarding a Contract for Mixed Oxidant Odor Control Formulation – George S. Coyne Chemical Co., Inc.

Council President Stults moved Resolution 2017-26; Councilmember Montferrat seconded.

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

Resolutions adopted 5-0.

Resolution 2017-26

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

**AWARDING A CONTRACT FOR MIXED OXIDANT ODOR CONTROL FORMULATION –
GEORGE S. COYNE CHEMICAL CO., INC.**

WHEREAS, two (2) bids were received on November 29, 2016 for Mixed Oxidant Odor Control Formulation for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bid submitted by Evoqua of Sarasota, Florida was for an “equal” product that has been tested by the Superintendent of the AWWTP and the polymer was found not to be considered an equivalent; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer’s recommendation that a two year contract for the Mixed Oxidant Odor Control Formulation be awarded to the next lowest bidder, George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania at a per unit price of \$10.299 per gallon with a total contract price of \$24,923.58; and

WHEREAS, said contract shall be effective January 1, 2017; and

WHEREAS, the Borough Attorney has reviewed the bid and determined that the bid submitted by George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2017 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that a one year contract for Mixed Oxidant Odor Control Formulation, be awarded to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania effective January 1, 2017.

PUBLIC COMMENT PERIOD II

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

Keith LePrevost, 213 Greeley Street – gave a definition of communication and noted that at the reorganization meeting the Mayor stated that the Housing Authority has become disconnected from the Council and has problems, and he is confused; cited the history and recent accomplishments of the Housing Authority; noted that open communication is important and that his door is always open; he encouraged the Mayor to attend the Housing Authority meetings.

Doug Mair, 536 South Main Street – thanked Denny Hansen for her term as Council President; congratulated Lee Stults on his appointment as Council President; thanked the Mayor and Council for all their hard work and their reconsideration of resolution 2017-24; encouraged the Mayor and Council to speak openly to the public about things that will affect them; suggested that one person be appointed to receive e-mails from the public; stated that he will strive to be less critical this year.

Eugene Sarafin, 628 South Main Street – commented that this is a nice beginning to the new year; and spoke regarding religious beliefs and the acceptance of change. He looks forward to the coming year.

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

SUBCOMMITTEE REPORTS

Councilmember Montferrat inquired as to the status of the vacant property ordinance. The Borough Attorney replied that the ordinance will be ready for the next agenda.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Hansen

Noted that the water/sewer meeting was held last week and the UV project and other important matters were discussed, and Mr. Underhill requested the submission of capital budget requests; the Housing Authority meeting and dinner will be held tomorrow evening; noted that when attending the Housing Authority meetings this past year she noticed there is a sense of discord between the Borough Council and Housing Authority due to a breakdown in communications and attitudes, adding that it was her idea to put a Councilmember on the Housing Authority as a Commissioner to assist with improved communication which is important.

Councilmember Bluth

Noted that the Cultural Arts Commission has scheduled the following events: Artist Pop-Up from January 20th through the 28th at 125 Mercer Street; National Parks Photo display at Meadow Lakes on January 29th from 3 to 5; and Empty Bowls at the Firehouse on March 25th from 6 to 8 pm, to benefit the RISE and the Cultural Arts Commission.

Councilmember Montferrat

Commented that the Board of Health and Environmental Commission meetings are forthcoming; he has spoken with Public Works and all is good.

Councilmember Misiura

Noted that he is looking forward to the Rug Mill Redevelopment; he moved resolution 2017-24 for discussion, but there was no second, does this mean we still go by the old rules?

The Borough Attorney replied that it does, but he encouraged Council to adopt a new resolution this year.

Councilmember Misiura continued that he served as liaison to the Housing Authority and takes exception to Mr. LePrevost's comments noting that he set up special meetings and brought Borough Professionals and others to the meetings to assist. He noted that it started with COAH and since it was a litigation matter he could not disclose specific information. Esther served well and this is not about her, it is about improving communication between the Housing Authority and Council. This appointment is a Council decision.

Clerk/Administrator Sopronyi

Advised that the Borough will go paperless for the meetings this year with the use of tablets and an agenda program.

George Lang, CFO

Noted that everything is looking good for end of year.

Borough Attorney Raffetto

Inquired as to whether Council will be doing a conduct at meetings resolution this year.

Mayor Quattrone advised that they would and that the resolution on this agenda should be on the next agenda so it can be discussed and a resolution adopted.

Council President Stults

Commented that he looks forward to representing Council and the residents as Council President this year; Construction and Fire inspections are being performed; Downtown Hightstown is in the process of compiling a list of business owners and landlords

with emergency contact information; the next business meeting will be Monday at the Cranbury Design Center; we are also working with NJDOT on various items.

Mayor Quattrone

Commented that the business meeting has grown and now the business owners actually run the meeting; noted that regarding the Housing Authority, the Borough has taken the first step to correct the communication problem; advised that he has office hours at Borough Hall on Thursday evenings 6:30 to 7:30 pm. Mayor Quattrone noted that he is glad he spoke with Mr. Mair; communication is key.

Mayor Quattrone noted that he met with Mr. Chow, the owner of the blue building at the end of the Rug Mill project, and let him know that he will not permit anything to interfere with the progress of the Rug Mill redevelopment project.

Regarding the Housing Authority, Mayor Quattrone commented that there are no personal issues and it is not because of personalities, the suggestion of putting a Councilmember on the Housing Authority was brought to his attention and will be discussed with Council further.

EXECUTIVE SESSION

Resolution 2017-27 Authorizing a Meeting that Excludes the Public

Councilmember Montferrat moved Resolution 2017-27 as amended; Council President Stults seconded. All Ayes.

Resolution adopted as amended, 5-0.

Resolution 2016-27

*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 January 3, 2017 following the regularly scheduled Borough Council meeting 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 Court
Municipal Facilities
Borough Engineer
Attorney-Client Privilege

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: April 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 returned to open session at 9:43pm.

Resolution 2017-28 Appointing and Authorizing an Agreement for Professional Engineering Services – Carmela Roberts

Councilmember Montferrat moved resolution 2017-18; Councilmember Hansen seconded.

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

Resolution adopted 5-0.

Resolution 2017-28

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL
ENGINEERING SERVICES – CARMELA ROBERTS**

WHEREAS, there exists the need for specialized engineering services during 2017; and

WHEREAS, the Borough Council wishes to appoint Carmela Roberts of Roberts Engineering Group of Hamilton, New Jersey as Borough Engineer effective January 1, 2017; and

WHEREAS, the cost for the proposed services shall not exceed \$50,000.00 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 for one (1) year, 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, Roberts Engineering Group 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 Carmela Roberts regarding the above-referenced professional engineering 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 Roberts Engineering Group is a firm whose engineers 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.

ADJOURNMENT

Council President Stults moved to adjourn the meeting at 9:45 pm; Councilmember Montferrat seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk