

Meeting Minutes
Hightstown Borough Council
May 21, 2018
7:00 p.m. – Executive Session
7:30 p.m. – Public Session

The meeting was called to order by Mayor Quattrone at 7:00 p.m. and he read the Open Public Meetings Act statement which stated, “Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk’s office.”

The flag salute followed Roll Call.

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

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk and Fred Raffetto, Borough Attorney.

EXECUTIVE SESSION

Executive Session

2018-105 Authorizing a Meeting that Excludes the Public

Councilmember Montferrat moved Resolution 2018-105; Councilmember Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2018-105

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 May 21, 2018 at 7:00 p.m. 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:

Personnel

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: August 21, 2018, 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 7:30 p.m. and again read the Open Public Meetings Statement.

Monika Patel, Deputy CFO, arrived after executive session and is now present.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Councilmember Montferrat requested that Professional Services – Grant writer be added to discussion.

Mayor Quattrone moved Resolution 2018-110 out of Consent to be voted on separately.

Councilmember Musing moved the agenda as amended; Councilmember Bluth seconded.

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

Agenda approved as amended 5-0.

APPROVAL OF MINUTES

April 2, 2018 Executive Session – Moved by Councilmember Montferrat; Seconded by Councilmember Bluth

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

Minutes approved 4-0 with 1 abstention.

April 21, 2018 Public Session – Moved by Councilmember Bluth; Seconded by Councilmember Montferrat.

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

Minutes approved 4-0 with 1 abstention.

PUBLIC COMMENT I

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

Eugene Sarafin, 628 South Main Street – Asked if there was a public hearing for the Budget this evening. Deputy Borough Clerk, Peggy Riggio, advised that the public hearing for the budget is 28 days after introduction and is scheduled for the June 4, 2018 meeting.

Gary Evers, 101 Joseph Street – Spoke in opposition of the Ordinance 2018-11, “Parking on Joseph Street prohibited during certain hours”

Patricio Quezada, 365 Stockton Street - Spoke in opposition of the Ordinance 2018-11, “Parking on Joseph Street prohibited during certain hours”

Hector Torres, 369 Stockton Street - Spoke in opposition of the Ordinance 2018-11, “Parking on Joseph Street prohibited during certain hours”

Brian Quezada, 365 Stockton Street - Spoke in opposition of the Ordinance 2018-11, “Parking on Joseph Street prohibited during certain hours”

Judy Quezada, 365 Stockton Street - Spoke in opposition of the Ordinance 2018-11, “Parking on Joseph Street prohibited during certain hours”

Doug Mair, 536 South Main Street – Asked Council since there is so much opposition to this ordinance, will this be tabled.

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

ORDINANCES

Proposed Knox Box Ordinance

Fire Official, Chad Reed, explained how the knox box works. This would be for businesses in town. Mr. Reed explained how having a knox box is easier then forcing a door or window and safer than waiting for the owner to arrive. The cost for a knox box is approximately \$200 - \$300 and is at the expense of the business owner. Discussion ensued. There were concerns regarding the knox boxes being “hacked” and owners being bitter for having to do this. There was also questions regarding if the Fire Official can require the knox box or if we need an ordinance. It was determined that there is still discussion to be had.

Ordinance 2018-08 Final Reading and Public Hearing Amending Chapter 13, Entitled “Housing”, Section 13-12, Entitled “Registration Required” of the Revised General Ordinances of the Borough of Hightstown

Mayor Quattrone opened the public hearing for Ordinance 2018-08 and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – Questioned if we always had a ordinance for landlord registration.

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

Councilmember Montferrat moved Ordinance 2018-08 for adoption; Councilmember Hansen seconded. Discussion ensued.

Councilmember Montferrat stated that property maintenance is a serious problem in town and this is one way to deal with it. Councilmember Bluth stated that she feels that annual inspection is discriminatory. Borough Attorney, Fred Raffetto, stated that the law is unsettled but he believes that we are within the law with the new wording in the ordinance. After further discussion, Council decided that paragraph 12c should not be changed and should remain as it had in previous versions. Councilmember Montferrat withdrew his motion for adoption; Councilmember Hansen withdrew her seconded for adoption.

Councilmember Misiura moved to amend Ordinance 2018-08; Councilmember Bluth seconded.

Roll Call Vote: Councilmembers Bluth, Hansen, Misiura and Musing voted yes. Councilmember Montferrat voted no.

Ordinance Amended 4-1.

Councilmember Hansen moved Ordinance 2018-08 as amended for adoption; Councilmember Bluth seconded.

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

Ordinance adopted as amended 5-0.

ORDINANCE 2018-08

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

AMENDING CHAPTER 13, ENTITLED “HOUSING”, SECTION 13-12, ENTITLED “REGISTRATION OF RESIDENTIAL RENTAL PROPERTIES”, SUBSECTION 13-12-2, ENTITLED “REGISTRATION REQUIRED” OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*

WHEREAS, the Housing Inspector, in coordination with the Construction/Zoning Official recommends that a copy of the current executed rental lease for the property be submitted with the Rental Registration and this requirement be added to the Rental Registration requirements of the Borough; and

WHEREAS, The Mayor and Council of Hightstown Borough have determined that said revision to the Housing ordinance is beneficial to assure proper compliance with the Rental Registration requirement.

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

1. Section 1. Chapter 13, entitled “Housing”, Section 13-12, entitled “Registration of Residential Rental Properties”, Subsection 13-12-2, entitled “Registration Required” of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended as follows (additions are shown with underline, deletions are shown :

Subsection 13-12-2 Registration Required

(a) Owners of every residential rental facility located within the Borough are required to register annually with the Borough Clerk or his/her designee, on forms supplied by the Borough. A separate registration shall be required for each rental unit, even if more than one (1) rental unit is contained in the property. Such registration shall contain, at minimum, the following information:

- 1) The name and address of the record owner or owners of the premises and the record owner or owners of the rental business if not the same persons. In the case of a partnership the names of all general partners shall be provided;
- 2) If the record owner is a corporation, the name and address of the registered agent and corporate officers of said corporation;
- 3) If the address of any record owner is not located in Mercer County, the name and address of a person who resides in Mercer County and is authorized to accept notices from a tenant and to issue receipts

therefor and to accept service of process on behalf of the record owner;

- 4) The name and address of the managing agent of the premises, if any;
- 5) The name and address, including the dwelling unit, apartment or room number of the superintendent, janitor, custodian or other individual employed by the record owner or managing agent to provide regular maintenance service, if any;
- 6) The name, address and telephone number of an individual representative of the record owner or managing agent who may be reached or contacted at any time in the event of an emergency affecting the premises or any unit of dwelling space therein, including such emergencies as the failure of any essential service or system, and who has the authority to make emergency decisions concerning the building and any repair thereto or expenditure in connection therewith;
- 7) The name and address of every holder of a recorded mortgage on the premises;
- 8) If fuel oil is used to heat the building and the landlord furnishes the heat in the building, the name and address of the fuel oil dealer servicing the building and the grade of fuel oil used.
- 9) The number of rental units located in the facility;
- 10) The type of unit being licensed (i.e. room, apartment, single family home, duplex, condo, townhouse, etc.); and
- 11) The full names (first and last) of all tenants residing in the unit, including children over two (2) years of age.
- 12) A copy of the page(s) of the current lease showing the tenants as listed on the application and the signature page showing said tenants signature(s) shall be submitted with the application.

(b) Registrations shall cover a one-year period running from April 1 through March 31. Initial registrations under this Section are due no later than April 30th. Newly acquired units must be registered prior to their rental and annually thereafter.

(c) Inspections shall be performed and a Certificate of Occupancy obtained whenever tenancy changes or, in any event, at least once every two years. It shall be the responsibility of the owner to arrange for inspections when there is a change in occupancy. Routine biennial inspections will be scheduled by the Housing Officer.

(d) It shall be a violation of this article for a person to knowingly provide false or inaccurate information on any form submitted to the rental housing coordinator pursuant to this article.

(e) Any change pertaining to this rental (rental status, ownership, tenant, emergency contact, etc.) must be reported to the Code Enforcement/Housing Inspector within twenty (20) days.

(f) Any failure to receive notice from the Borough shall not constitute grounds for failing to register.

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.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Ordinance 2018-10 Final Reading and Public Hearing An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Mayor Quattrone opened the public hearing for Ordinance 2018-10 and the following individuals spoke:

Eugene Sarafin, 628 South Main Street – Inquired as to why this ordinance is needed.

Doug Mair, 536 South Main Street – Stated that he is against this ordinance. If you budget correctly you wouldn't need this.

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

Councilmember Misiura moved Ordinance 2018-10; Councilmember Hansen seconded.

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

Ordinance adopted 5-0.

Ordinance 2018-10

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

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

WHEREAS, the Local Government Cap Law, *N.J.S. 40A: 4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

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

WHEREAS, the Mayor and Council of the Borough of Hightstown in the County of Mercer finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$56,818.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$198,864.96, and that the CY 2018 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

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

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

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

Ordinance 2018-11 Final Reading and Public Hearing Amending Chapter 7, Entitled “Traffic”, Subsection 7-14-1. Entitled “Parking Prohibited During Certain Hours on Certain Streets” of the Revised General Ordinances of the Borough of Hightstown

Mayor Quattrone opened the public hearing for Ordinance 2018-11 and the following individuals spoke:

There being no one coming forward Mayor Quattrone closed the public comment period.

Discussion ensued. It was decided that the Mayor and Administrator would follow up with the Chief of Police to ascertain his recommendation regarding this ordinance.

Councilmember Musing moved to table Ordinance 2018-11; Councilmember Bluth seconded.

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

Ordinance tabled 5-0.

The next public hearing for Ordinance 2018-11 will be June 18, 2018.

ORDINANCE 2018-11

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

AMENDING CHAPTER 7, ENTITLED “TRAFFIC”, SUBSECTION 7-14-1. ENTITLED “PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS” OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*

WHEREAS, It has been determined by the Borough Administrator, Police Chief, East Windsor Regional School Superintendent, and East Windsor Regional School Administrator in conjunction with the Mercer County Engineer, that the crosswalk at the intersection of Stockton Street and Oak Lane, which contains a school crossing post for both Walter C. Black School and Grace N. Rogers School, will be moved to the intersection of Stockton Street and Joseph Street for the safety of students and pedestrians; and

WHEREAS, this change in crosswalk location will effectuate more pedestrian and student traffic on Joseph Street during school hours; and

WHEREAS, The Hightstown Police Chief and East Windsor Regional School Superintendent, as well as the Principals of both schools, have expressed concern with the narrowness of Joseph Street and the obstruction of visibility of the students when using the sidewalk, as well as the ability of busses to pass when vehicles are parked on Joseph Street; and

WHEREAS, the Hightstown Police Chief has recommended that parking on both sides of Joseph Street be restricted Monday through Friday from 7:30am to 3:30pm, to assure the safety of the students and permit bus traffic to pass without incident; and

WHEREAS, The Mayor and Council of Hightstown Borough agree with said recommendation.

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

2. Section 1. Chapter 7, entitled “Traffic”, Subsection 7-14-1, entitled “Parking” of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended as follows (deletions are crossed out; additions are underlined):

Section 7-14

PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS

Subsections:

7-14-1 Parking Prohibited During Certain Hours on Certain Streets.

Subsection 7-14-1 Parking Prohibited During Certain Hours on Certain Streets.

No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

Name of Street	Side	Hours/Days	Location
Glen Drive	Both	9:00 a.m. to 3:00 p.m./ Monday thru Friday	From Spring Crest Drive to end
<u>Joseph Street</u>	Both	7:30 a.m. to 3:30 p.m./ Monday thru Friday	Entire Length
Leshin Lane	Both	9:00 a.m. to 3:00 p.m./ Monday thru Friday	From South Main Street to Westerlea Avenue
Monmouth Street	South	8:00 a.m. to 6:00 p.m.	From North Main Street to Pennsylvania Railroad tracks
Rogers Avenue	South	8:00 a.m. to 6:00 p.m.	From Stockton Street to Railroad Avenue
Spring Crest Drive	Both	9:00 a.m. to 3:00 p.m./ Monday thru Friday	From South Main Street to Westerlea Avenue
Spruce Court	Both	9:00 a.m. to 3:00 p.m./ Monday thru Friday	From Leshin Lane to end of Spruce Court, including the cul-de-sac

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.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

RESOLUTIONS

Resolution 2018-106 Payment of Bills

Councilmember Montferrat moved Resolution 2018-106; Councilmember Musing seconded.

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

Resolution adopted 5-0.

Resolution 2018-106

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

AUTHORIZING PAYMENT OF BILLS

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$1,902,145.77 from the following accounts:

General Capital		15,554.72
Water/Sewer Capital		1,800.50
Grant		5,000.00
Trust		149.78
Housing Trust		0.00
Animal Control		57.50
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>6,917.41</u>
Total		<u>\$1,902,145.77</u>

2018-107 Authorizing Payment #1 (Final) to Earle Asphalt Company – Emergency Repair to Sewer Lines

Councilmember Misiura moved Resolution 2018-107; Councilmember Bluth seconded.

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

Resolution adopted 5-0.

Resolution 2018-107

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

**AUTHORIZING PAYMENT #1 (FINAL) TO EARLE ASPHALT COMPANY –
EMERGENCY REPAIR TO SEWER LINES**

WHEREAS, on March 27, 2018, by Resolution 2018-80, Borough Council approved an immediate emergency repair for the sanitary sewer which runs from Bank Street along the Rocky Brook down to Glenbrook; and

WHEREAS, on May 7, 2018, the Borough Council awarded a contract for the emergency repair to Earle Asphalt Company of Farmingdale, New Jersey at a cost not to exceed \$155,000.00; and

WHEREAS, the contractor has submitted a request payment in the amount of \$148,112.67 for work related to the Emergency Sewer Main Replacement; and

WHEREAS, the Project Engineer has recommended approval of payment #1 (final) in the amount of \$148,112.67.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown a payment in the amount of \$148,112.67 to Earle Asphalt Company of Farmingdale, New Jersey is hereby approved as detailed herein upon confirmation that the project is completed to the satisfaction of the Borough Engineer.

Councilmember Bluth moved Resolution 2018-110; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2018-110

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

APPOINTING AN ACTING MUNICIPAL COURT ADMINISTRATOR

WHEREAS, due to the resignation of Kristy Gilsenan, a vacancy exists in the position of Municipal Court Administrator; and

WHEREAS, Gretchen Gilroy has served as Deputy Court Administrator for the Borough since April 26, 2016 and has completed a majority of the requirements needed to become certified as a Municipal Court Administrator in the

State of New Jersey; and

WHEREAS, the Borough Administrator and Municipal Court Judge have recommended that Gretchen Gilroy be appointed to the position of Acting Municipal Court Administrator pending receipt of her certification as a Municipal Court Administrator; and

WHEREAS, Gretchen shall receive a \$10,000.00 stipend annually, and an increase to \$220.00 per DUI session, for assuming the position of Acting Municipal Court Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Gretchen Gilroy is hereby appointed to the position of Acting Municipal Court Administrator pending receipt of her New Jersey State certification as a Municipal Court Administrator beginning on May 21, 2018; and

BE IT FURTHER RESOLVED that the Acting Municipal Court Administrator, effective May 21, 2018, shall be compensated with a stipend in the amount of \$10,000.00 per annum, with additional compensation set at \$220.00 per DUI session.

CONSENT AGENDA

Councilmember Musing moved Resolutions 2018-108; 2018-109; 2018-111; 2018-112; 2018-113 as a Consent Agenda; Councilmember Misiura seconded.

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

Resolutions adopted 5-0.

Resolution 2018-108

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

**AUTHORIZING AN AGREEMENT WITH RALPH'S ICE CREAM FOR USE OF
PUBLIC RIGHT-OF-WAY**

WHEREAS, Ralph's Ice Cream (referenced herein as the "Applicant"), having an address of 122 Main Street, Hightstown, New Jersey, is a tenant in the property known and designated as Block 33, Lot 34.01 on the Hightstown Borough Tax Map (referenced herein as the "property"), which is adjacent to Main Street; and

WHEREAS, the Applicant conducts a restaurant at the property known as the "Ralph's Ice Cream", and has requested permission to place tables and chairs outside of its business for the exclusive use of patrons of Ralph's Ice Cream and to conduct normal business activities associated with the Ralph's Ice Cream within the said area; and

WHEREAS, the area adjacent to the property encompasses a certain right-of-way area owned by the State of New Jersey (referenced herein as the "State"); and

WHEREAS, the State, through the New Jersey Department of Transportation (referenced herein as the "D.O.T."), has advised the Borough that there are no permits required from, nor is there any other formal process necessary through, the State in order for the Applicant to install the desired outdoor tables and chairs or to conduct normal business activities within the area in question, which encompasses part of the right-of-way area owned by the State; and

WHEREAS, rather, the State, through the D.O.T., has advised the Borough that such approval is a local matter to be handled by the Borough so long as the proposed outdoor tables, chairs and/or other equipment do not block and/or interfere with pedestrian traffic; and

WHEREAS, the Borough is willing to allow the Applicant to utilize the area in question upon the terms and

conditions set forth in the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, that the Borough hereby permits the Applicant to utilize the area in question for the uses referenced above in consideration of the mutual promises and covenants set forth in the Agreement, and the Mayor and Borough Clerk are hereby authorized to execute said Agreement on behalf of the Borough.

Resolution 2018-109

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

ADOPTING A GREEN PURCHASING POLICY

WHEREAS, It is the policy & practice of the Borough of Hightstown to institute practices that reduce waste by increasing product efficiency and effectiveness, and

WHEREAS, The Borough purchases products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and

WHEREAS, The Borough purchases products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible; and

WHEREAS, The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the Borough of Hightstown by including environmental considerations in purchasing decisions while remaining fiscally responsible.

WHEREAS, The Brough Administrator/Qualified Purchasing Agent for the Borough recommends adoption of the attached Green Purchasing Policy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of Hightstown Borough that the attached Green Purchasing Policy is hereby adopted to encourage and increase environmental considerations in purchasing decisions while remaining fiscally responsible to Hightstown Borough.

**BOROIUGH OF HIGHTSTOWN
MERCER COUNTY
GREEN PURCHASING POLICY**

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING POLICY)

1.1 STATEMENT OF THE POLICY

It is the policy & practice of the *Borough of Hightstown* to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness, and
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and
- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible.

1.2 PURPOSE & OBJECTIVES OF THE POLICY

The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the *Borough of Hightstown*. By including environmental considerations in purchasing decisions, *Borough of Hightstown* can promote practices that improve public and worker health, conserve natural resources, and reward environmentally conscious manufacturers, while remaining fiscally responsible.

The policy objectives are to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets,
- Reduce materials that are routinely land filled or disposed of,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products & associated distribution systems,
- Reward manufacturers & vendors with contracts that reduce environmental impacts in their production & distribution systems or services,
- Collect & maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products,
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.3 RESEARCH, EVALUATION & IMPLEMENTATION OF THE POLICY

The *Borough of Hightstown* Qualified Purchasing Agent and members of the Green Team, which shall be composed of representatives from various *Borough of Hightstown* departments/divisions, commissions/committees and volunteer organizations shall research, evaluate, and implement the environmental purchasing objectives. The Green Team Committee shall focus its research, evaluation and the implementation of the Green Policy in the following areas:

- Recycled Content Products (e.g. paper products, playground/recreation equipment, toner/printer cartridges, motor oils & lubricants, furniture, carpets & flooring materials,

matting, plastic/composite lumber/building materials, trash bags, parking stops, ceiling tiles, etc...)

- Less Harmful & Non-toxic Materials & Processes (e.g. janitorial/cleaning products, pest management chemicals, phosphates, paint, solvents, fuels & lubricants, etc...)
- Energy & Water Efficient Products & Processes (e.g. solar applications, energy efficient lighting, energy star appliances, water saving devices, vehicles & motorized equipment, etc...)
- Natural Resource & Landscaping Management (e.g. integrated pest and vegetation management, drought tolerant/indigence plants & shrubs, recycled mulches & natural composts, etc...)
- Renewable Products (e.g. FSC certified forests products, renewable energy resources, etc...)
- Disposal & Pollution Reduction (e.g. integrated waste management, duplex copies, retread tires, reusable holiday trees, recycling programs for used ceiling tiles & flooring materials, etc...)
- Packaging (e.g. bulk packaging, reusable boxes, recycled packing materials, shipping pallets, etc...)
- Green Building Program (e.g. using recycled products in the construction and renovation, disposal of building materials in an environmentally sensitive manner, designing and renovating for energy and resource conservation)

The Committee is aware that the evaluation and implementation phases of the project will require changes in awareness, behaviors, practices and operating procedures. To the extent possible, it is the Committee's intention to have a participative process as it researches, evaluates and implements the policy recommendations. It is also the Committee's intention to meet annually after implementation to monitor and evaluate the *Borough of Hightstown* progress in this area.

1.4 SPECIFICATIONS

1.4.1 Source Reduction

- * To the extent practicable the *Borough of Hightstown* shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or overall workplace quality.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.1 Source Reduction (Continued)

- * To the extent practicable the *Borough of Hightstown* shall purchase remanufactured products such as toner/printer cartridges, retread tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness.
- * To the extent practicable the *Borough of Hightstown* shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in the policy, when & where practicable.
- * All buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes the evaluation of the total costs expected during the lifetime of the product, including, but not limited to, acquisition, extended warranties,

operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.

- * Products that are durable, long lasting, reusable or refillable shall be preferred whenever available & practicable.
- * To the extent practicable the *Borough of Hightstown* requests vendors to eliminate excess packaging or to utilize the minimum amount necessary for product protection, to the greatest extent practicable.
- * Packaging that is reusable, recyclable or compostable shall be preferred, when suitable uses and programs readily exist.
- * Vendors shall be encouraged to take back and reuse wooden pallets and other shipping and packaging materials when & where practicable.
- * Suppliers of electronic equipment, including but not limited to computers, monitors, printers, fax machines and photocopiers, shall be required to take back the equipment for reuse or environmentally safe recycling when the *Borough of Hightstown* discards or replaces such equipment, whenever & where practicable.
- * To the extent practicable the *Borough of Hightstown* shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally safe recycling when the *Borough of Hightstown* discards or replaces such equipment, whenever practicable.
- * All documents shall be printed and photocopied on both sides (duplex) to reduce the use and purchase of photocopy paper, whenever & where practicable.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.2 Recycled Content Products

- * All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines in the Agency's Comprehensive Procurement Guidelines, such as those for printing paper, photocopy paper, janitorial paper products, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous and non-paper office products, shall contain the highest postconsumer content practicable to the application, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.
- * Photocopiers and printers purchased or leased by the *Borough of Hightstown* shall be compatible with the use of recycled content and remanufactured products.
- * To the extent practicable, the *Borough of Hightstown* shall purchase re-refined lubricating and industrial oil for use in its vehicles and other motorized equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in

such equipment.

- * When specifying asphalt concrete, aggregate base or Portland Cement Concrete for road construction projects, the *Borough of Hightstown* shall utilize recycled, reusable or reground materials when & where practicable.
- * To the extent practicable the *Borough of Hightstown* shall specify and purchase recycled content transportation products, including signs, traffic cones, parking stops, delineators, channelizers and barricades, which shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- * All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content of a minimum of thirty (30%) percent recycled postconsumer content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content that the paper contains.

1.4.3 **Energy & Water Savings**

- * Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.
- * When practicable, the *Borough of Hightstown* shall replace inefficient interior lighting with energy-efficient equipment and bulbs.
- * When practicable, the *Borough of Hightstown* shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment and bulbs. Exterior lighting shall be minimized when and where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.3 **Energy & Water Savings (Continued)**

- * All products purchased by the *Borough of Hightstown* and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable and available. When Energy Star labels are not available, *Borough of Hightstown* shall choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.
- * To the extent practicable the *Borough of Hightstown* shall purchase water-saving/conservation products. This includes, but is not limited to, high-performance fixtures such as toilets, low-flow faucets and aerators, and upgraded landscape irrigation

systems.

1.4.4 **Green Buildings & LEED IM Ratings**

All building and renovations undertaken by the *Borough of Hightstown* shall follow Green Building Practices for design, construction, and operation, where appropriate and practicable, as described in the LEED IM Rating System. Architects and engineers for procured for said work shall be required to have LEED certified members on their staff assigned to the project when & where practicable.

1.4.5 **Landscaping & Hardscaping**

All landscape renovations, construction and maintenance performed by the *Borough of Hightstown*, including workers and contractors providing landscaping services for the *Borough of Hightstown*, shall employ sustainable landscape management techniques for design, construction and maintenance whenever & where possible, including, but not limited to, integrated pest management (IPM), grass recycling, drip irrigation, composting, and the procurement and use of mulch and compost that give preference to those products produced from regionally generated plant debris and/or food and sludge waste programs.

Plants should be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted to them, and perennials rather than annuals for color variations should be utilized. Native and drought-tolerant plants that require no or minimal watering once established are preferred over others when & where practicable.

Hardscapes and landscape structures constructed of recycled content materials are encouraged to be utilized. The *Borough of Hightstown* shall limit the amount of impervious surfaces in the landscape, when & where practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

1.0 **ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)**

1.4 **SPECIFICATIONS (CONTINUED)**

1.4.6 **Toxics & Pollution**

To the extent practicable, the *Borough of Hightstown* shall purchase, or require janitorial contractors to supply, industrial and institutional cleaning products that meet and/or exceed the Green Seal Certification Standards for environmental preferability and performance.

To the extent practicable, the *Borough of Hightstown* shall purchase, or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute “Green Label” Testing Program — Vacuum Cleaner Criteria, are capable of capturing 96% of particulates 0.3 microns in size, and operate with a sound level less than 70dBA. Where possible and as applicable, other janitorial cleaning equipment shall be capable of capturing fine particulates, removing sufficient moisture so as to dry within

twenty-four (24) hours, operate with a sound level less than 70dBA, and use high-efficiency, low-emissions engines.

The use of chlorofluorocarbon, Halon & Freon containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.

All surfactants & detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.

When maintaining buildings and landscapes, *Borough of Hightstown* shall manage pest problems through prevention and physical, mechanical and biological controls. The *Borough of Hightstown* may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control method as a last resort.

When maintaining buildings, the *Borough of Hightstown* shall utilize products with the lowest amount of volatile organic compounds (VOCs), highest recycled content, and low or no formaldehyde or lead when practicable when purchasing materials such as paint, carpeting, flooring materials, adhesives, furniture, filing cabinetry, ceiling tiles, coving, moldings and casework.

To the extent practicable, the *Borough of Hightstown* shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Photocopier paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever & where possible and that possess a minimum of thirty (30%) percent recycled postconsumer waste content.
- Prohibiting purchase of products that use halogens, polyvinyl chloride (PVC), lead, phthalates and asbestos such as, but not limited to, office binders, chair/floor mats, casework, moldings, furniture, carpeting, flooring materials, ceiling tiles and medical supplies whenever & where practicable.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.4 SPECIFICATIONS (CONTINUED)

1.4.6 Toxics & Pollution (Continued)

To the extent practicable, the *Borough of Hightstown* shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, *Borough of Hightstown* shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

To the extent practicable, the *Borough of Hightstown* shall specify that desktop computers, notebooks and monitors purchased shall meet, at a minimum, all Electronic Product Environmental Assessment Tool (EPEAT) environmental criteria designated as “required” as

contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, whenever practicable.

When replacing vehicles, the *Borough of Hightstown* shall consider less-polluting alternatives to diesel such as bio-based fuels, hybrids, electric batteries, and fuel cells, as may be available for the application.

1.4.7 **Forest Conservation**

To the extent practicable, the *Borough of Hightstown* shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, *Borough of Hightstown* shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council (FSC) certification.

To the extent practicable, the *Borough of Hightstown* encourages the purchase or use of previously utilized and/or salvaged wood and wood products whenever practicable & where available.

1.4.8 **Bio-Based Products**

Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever practicable and available.

Paper and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

Bio-based plastic products that are biodegradable and compostable, such as bags, film, food and beverage containers, and cutlery, are encouraged whenever practicable.

Compostable plastic products purchased shall meet American Society for Testing and Materials (ASTM) standards as found in ASTM D6400-04. Biodegradable plastics used as coatings on paper and other compostable substrates shall meet ASTM D6868-03 standards.

Proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products shall be provided by vendors of such products, upon request. One acceptable proof of compliance for compostable plastic products shall be the certification by the Biodegradable Products Institute (BPI).

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.5 PRIORITIES

The health & safety of workers & citizens is of the utmost importance and takes precedence over all other policies and practices.

To the extent practicable, the *Borough of Hightstown* has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.

Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Nothing contained in this policy shall be construed as requiring the *Borough of Hightstown*, department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

1.6 IMPLEMENTATION OF THE POLICY

The Business Administrator, Purchasing Manager/Agent, Director of Finance, Director of Public Works and other responsible directors/managers shall implement this policy in coordination with other appropriate *Borough of Hightstown* personnel.

As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with New Jersey State Law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.

Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.

Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the *Borough of Hightstown*, where practicable.

1.7 PROGRAM EVALUATION

The Business Administrator, Purchasing Manager/Agent, Director of Finance, the “Green Team” Committee and other positions responsible for implementing this policy, shall periodically meet and evaluate the success of this policy’s implementation.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.8 DEFINITIONS

“American Society for Testing & Materials” means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.

“Bio-Based Products” means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

“Biodegradable Plastic” means the degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.

“Biodegradable Products Institute” (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.

“Buyer” means anyone authorized to purchase or contract for purchases on behalf of the *Borough of Hightstown* or its subdivisions.

“The Carpet & Rug Institute” (CRI) is the national trade association representing the carpet and rug industry. CRI has developed and administered the “Green Label” indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners.

“Chlorine Free” means products processed without chlorine or chlorine derivatives.

“Compostable Plastic” means plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.

“Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the *Borough of Hightstown* or serves in a subcontracting capacity with the *Borough of Hightstown* or with an entity having a contract with Borough of Hightstown for the provision of any goods or services.

“Degradable Plastic” means plastic that undergoes significant changes in its chemical structure under specific environmental conditions.

“Dioxins & Furans” are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the U.S. Environmental Protection Agency (EPA).

“Energy Star” means the U.S. EPA’s energy efficiency product labeling program.

“Energy Efficient Product” means a product that is in the upper twenty-five (25%) percent of energy efficiency for all similar products, or that is at least ten (10%) percent more efficient than the minimum level that meets Federal standards and guidelines.

“Electronic Product Environmental Assessment Tool” (EPEAT) is a procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.8 DEFINITIONS (CONTINUED)

“Federal Energy Management Program” is a program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products.

“Forest Stewardship Council” (FSC) is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.

“Green Building Practices” means a whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED IM Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.

“Green Seal” is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA’s criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products.

“Integrated Pest Management (IPM)” is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

“LEED IM Rating System” means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED IM Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

“Organic Pest Management” prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of New Jersey Certified Organic Foods (NJOF).

“Postconsumer Material” means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

“Practical” & “Practicable” mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING) (CONTINUED)

1.8 DEFINITIONS (CONTINUED)

“Preconsumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Preconsumer material does not include mill and manufacturing trim, scrap or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

“Recovered Material” means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and postconsumer material but does not include excess resources of the manufacturing process.

“Recycled Content” means the percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

“Recycled Content Standard” means the minimum level of recovered material and/or postconsumer material necessary for products to qualify as “recycled products.”

“Recycled Product” means a product that meets *(Insert Borough’s, City’s or Township’s)* recycled content policy objectives for postconsumer and recovered material.

“Remanufactured Product” means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.

“Reused Product” means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.

“Source Reduction” refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced packaging.

“U.S. EPA Guidelines” means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.

“Water-Saving Products” are those that are in the upper twenty-five (25%) percent of water conservation for all similar products, or at least ten (10%) percent more water-conserving than the minimum level that meets the Federal standards.

Resolution 2018-111

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

**A RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION
OF MAY 21 – JUNE 3, 2018**

WHEREAS, there were 626 motor vehicle fatalities in New Jersey in 2017; and

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

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

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

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 21 – June 3, 2018 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 94% to 95.5%; and

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

NOW, THEREFORE, BE IT RESOLVED, be is resolved that the Mayor and Council of Hightstown Borough declares it's support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May

21 – June 3, 2018 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Resolution 2018-112

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

OBSERVING MAY 20 – MAY 26, 2018 AS PUBLIC WORKS WEEK

WHEREAS, Public Works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and program such as water, sewers, streets and highways, public building, and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that we hereby recognize the week of May 20 – May 26, 2018 as Public Works Week in the Borough of Hightstown and call upon its citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.

Resolution 2018-113

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2018 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2018 temporary budget; and

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

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

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2018 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	275,000.00	955,381.00	1,230,381.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	230,000.00	240,526.00	470,526.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	505,000.00	1,195,907.00	1,700,907.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2018 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

PUBLIC COMMENT PERIOD II

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

Doug Mair, 536 South Main Street – Stated that Council was unprepared for tonight’s meeting. Asked if the landlord registration ordinance pertaining to inspections apply to the Peddie School.

Eugene Sarafin, 628 South Main Street – Enjoyed tonight’s legal debate.

Keith LePrevost, 213 Greely Street – Didn’t know that knox boxes were available in Hightstown. They save lives and property. Regarding annual inspection of rental property, the Housing Authority inspects their units annually. This is a life safety issue and keeps property in good condition.

Scott Caster, 12 Clover Lane – Not sure if knox boxes are the best route to take to protect property.

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

DISCUSSION

Grant Writer

Councilmember Montferrat explained that they received two (2) proposals for Grant Writer. We are currently contracted with Triad. Discussion ensued. It was decided that Council would like to go back out for proposals for Grant Writer.

SUBCOMMITTEE REPORTS

Rugmill

Councilmember Misiura stated that RBG has submitted their application for the project. Hightstown Planner and Engineer requested clarification on the application. They will be resubmitting the application for the June Planning Board Meeting.

Sidewalk & Streets

The streets and sidewalks committee will be meeting on May 30th.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Bluth

The Girl Scouts will be painting a piano to be put into Association Park. More details to follow regarding a ribbon cutting. Fun Fridays will begin June 15th at Memorial Park. Mayor's Wellness Walk will be June 16th at 8:30 a.m. and will start at Memorial Park.

Councilmember Montferrat

All is well with the Board of Health. The Harvest Fair Committee is looking to rent a stage for the fair in October. Thanked the residents of Joseph Street for voicing their concerns. Stated that Council was not unprepared this evening. Councilmembers had a difference of opinion on these issues.

Councilmember Misiura

Planning Board reviewed capital projects at their last meeting. Joe Cialese was sworn in as the newest member.

Councilmember Musing

HPC is getting the application completed for JCP&L for the hanging of the banners. Spoke about the need for the Cap Bank Ordinance.

Councilmember Hansen

Stated that parking is an issue all over town. Our main objective is to make the school crossing safer for students.

Peggy Riggio, Deputy Clerk

Reminded everyone of the Memorial Day Parade. Parking Permits will be renewed in the month of June. New permits will be effective July 1st.

Monika Patel, Tax Collector/Deputy CFO

Informed Council that Tax Collection rate is 97%.

Fred Raffetto, Borough Attorney

Stated that he feels it is unfair to accuse Council of being unprepared. The Knox box ordinance was on the agenda for discussion for the first time. The rental registration ordinance has been talked about at several meetings where Council raised concerns and they have been asking questions so an informed decision could be made. There was good discussion tonight and a good compromise was made on the rental ordinance.

Mayor Quattrone

Stated that this is the best Council he has ever worked with. Stated that he met with the residents of Maple Avenue regarding the placement of an island on their street. It was the consensus that the residents do not want the island. They are looking for curb, sidewalk repair and new driveway aprons.

ADJOURNMENT

Councilmember Montferrat moved to adjourn at 9:35 p.m.; Councilmember Hansen seconded. All Ayes

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk