

**Meeting Minutes**  
**Hightstown Borough Council**  
**April 2, 2018**  
**6:30 p.m. Executive Session**  
**7:30 p.m. Public Session**

The meeting was called to order by Mayor Quattrone at 6:38 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; Debra Sopronyi Borough Clerk/Administrator; Fred Raffetto, Borough Attorney and Amy Guerin, Labor Counsel.

**EXECUTIVE SESSION**

**Resolution 2018-81 Authorizing a Meeting that Excludes the Public**

Councilmember Musing moved Resolution 2018-81; Councilmember Misiura seconded.

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

Resolution adopted 4-0.

Resolution 2018-81

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

**AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on April 2, 2018 at 6:30 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: July 2, 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.

Amy Guerin, Labor Counsel, departed after executive session and is no longer present. Monika Patel, Deputy CFO and George Lang, CFO, arrived after executive session and are now present.

The Flag Salute followed roll call.

## **APPROVAL OF AGENDA**

Borough Administrator/Clerk, Debra Sopronyi, informed Council that Fire Official, Chad Reed, is unable to attend the meeting this evening. He was on the agenda to discuss the Knox Box Ordinance. Councilmember Musing requested to remove the discussion regarding the Knox Box Ordinance from the agenda.

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

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

Agenda approved as amended 4-0.

## **PUBLIC COMMENT I**

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

**Scott Caster, 12 Clover Lane** – Stated that there is a better way to help lower the tax rate in Hightstown. Hightstown is fundamentally different than other municipalities in the State. Hightstown has the 10<sup>th</sup> highest tax rate in New Jersey. Council needs to go to Trenton to receive additional funding.

**Eugene Sarafin, 628 South Main Street** – Spoke about the Pledge of Allegiance and gun control.

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

## **PRESENTATION**

**Habitat for Humanity**

Anthony Infosino, President Millstone Basin Area Habitat for Humanity, spoke regarding the current project on Academy Street. He stated that the project is moving along and the work required is weather dependent. Spring is coming and they are looking for volunteers. Those interested in volunteering can visit [www.habitatmba.org](http://www.habitatmba.org) for information. Always looking for partner families, which requires 350 sweat equity hours. If a family is unable to complete the hours in their home, they can complete in another home. Applications are on the website. He is hoping to have a family in by the end of the year. Borough Administrator/Clerk, Debra Sopronyi, stated that REHABCO, the Borough's Affordable Housing agent, may be able to help in finding a family for the property.

## **ORDINANCES**

### **2018-02 Final Reading and Public Hearing – Amending Chapter 7, Entitled “Traffic”, of the Revised General Ordinances of the Borough of Hightstown, Regarding Parking Regulations in Municipal Parking Lots**

Mayor Quattrone opened the public hearing and the following individuals spoke:

**Eugene Sarafin, 628 South Main Street** – Please pass this ordinance.

**Scott Caster, 12 Clover Lane** – Please pass and please enforce this.

There being no one else coming forward, Mayor Quattrone closed the public hearing

Councilmember Bluth moved Ordinance 2018-02 for adoption; Councilmember Montferrat seconded.

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

Ordinance adopted 4-0.

#### **ORDINANCE 2018-02**

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

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

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

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

**WHEREAS**, limiting the permit parking requirement to business hours on weekdays would permit the additional open parking needed for customers to the downtown businesses; and

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

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

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

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

d. **Permit Parking.**

No person shall park a vehicle at the below-described locations during the hours of 8am to 6pm, Monday – Friday, unless said vehicle shall have a valid permit displayed. Said permit shall have been issued in accordance with the provisions of Section 7-37.1(h) herein.

<b>Name of Street</b>	<b>Sides</b>	<b>Hours</b>	<b>Location</b>
Stockton Street lot – Lot “E”	South	Monday – Friday 8:00 a.m. – 6:00 p.m.	As indicated on the site plan
Stockton Street lot – Lot “B”	North	Monday – Friday 8:00 a.m. – 6:00 p.m.	As indicated on the revised site plan

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.

**2018-03 Final Reading and Public Hearing – Amending Chapter 13, Entitled “Housing”, of the Revised General Ordinances of the Borough of Hightstown**

Mayor Quattrone opened the public hearing and the following individuals spoke:

**Eugene Sarafin, 628 South Main Street** – Likes that we are giving good time for residents to comply. Please pass.

There being no one else coming forward, Mayor Quattrone closed the public hearing

Councilmember Bluth moved Ordinance 2018-03 for adoption; Councilmember Musing seconded.

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

Ordinance adopted 4-0.

ORDINANCE 2018-03

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**AMENDING CHAPTER 13, ENTITLED “HOUSING”, OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN***

**WHEREAS**, the Housing Inspector, in coordination with the Construction/Zoning Official recommends certain changes to the Housing ordinance of the Borough; and

**WHEREAS**, The Mayor and Council of Hightstown Borough have determined that said revision to the Housing ordinance is required pursuant to the request.

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

1. Section 1. The following subsections of Chapter 13, “Housing”, of the *Revised General Ordinances of the Borough of Hightstown* are hereby amended and supplemented as follows:

**Subsection 13-7-1 Certificate of Compliance Required for Occupancy/Transfer of Title.**

Pursuant to N.J.S. 40:48-2.2(a), at least thirty (30) days prior to the scheduled date of a new occupancy of any dwelling house which has been sold or is under contract to be sold, the seller or buyer thereof, or the authorized agent of either, shall apply to the Housing Office for a certificate stating that the building and premises comply with the requirements of this chapter. A Certificate of Compliance is still required for any dwelling house which has been sold and in which occupancy is not immediately planned. The new owner has to obtain the Certificate of Compliance within ten (10) business days after closing on the house. The Housing Inspector needs to determine the safety of the house and inform First Responders of any hazardous conditions in the dwelling unit. In the event occupancy is to take place more than one hundred (120) days after the issuance of the certificate, an additional inspection and new certificate shall be required prior to occupancy. No such dwelling shall be occupied prior to the issuance of such a certificate unless such occupancy is permitted in writing, on a temporary basis, by the Housing Inspector, for a term to be determined by him depending upon the particular circumstances of each case; provided, however, that such term shall not exceed a cumulative period of one hundred twenty (120) days. The Housing Inspector may, upon receiving a written petition detailing unique circumstances, and upon good cause shown, permit an extension of the one hundred twenty (120) day term for an additional sixty (60) days. A dwelling house shall mean an owner-occupied single-family house or an owner-occupied dwelling unit in a building containing more than one (1) owner-occupied dwelling unit, including a condominium unit. See subsection 13-8.1 for Certificate of Occupancy requirements for rental units. (1991 Code § 121-46; Ord. No. 823 § 6; Ord. No. 94-6 § 4)

**Subsection 13-7-2 Fees; Inspections.**

The Housing Code Certificate required by subsection 13-7.1 hereof shall be secured from the Borough Housing Inspector. At the time of the fully completed application for such certificate, a fee of one hundred (\$100.00) dollars shall be paid, if submitted a minimum of 10 business days prior to the closing date. For fully completed applications submitted less than 10 business days prior to the closing date, a fee of one hundred fifty (\$150.00) dollars shall be paid. For fully completed applications submitted less than 5 business days prior to the closing date, a fee of two hundred (\$200.00) dollars shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the Certificate. In the event that any additional inspections of the premises are required because of a failure of the owner to comply with the provisions of this chapter,

an additional fee of fifty (\$50.00) dollars shall be paid for each additional inspection required. All fees shall be made payable to the Borough of Hightstown and be delivered to the Borough Offices and turned over to the Borough Treasurer. In the event of cancellation of a requested inspection, the Housing Department must be notified within twenty-four (24) hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee. (1991 Code § 121-47; Ord. No. 823 § 6; Ord. No. 94-6 § 4; Ord. No. 2004-31 § 4; Ord. No. 2008-09 § 7; Ord. No. 2015-22)

#### **Subsection 13-12-10 Violations; Penalties**

- a. **General Penalty.** Except as otherwise set forth herein, any person who shall violate any of the provisions of this chapter shall be subject to penalties as set forth in Section 1-5 of the Revised General Ordinances of the Borough of Hightstown. Each violation of any of the provisions of this chapter and each day that such violation shall continue shall be deemed to be a separate and distinct offense.

b. **Payable violations.**

Subsection 13-3-1	Maintenance.	
Subsection 13-3-3	Water Supply.	
Subsection 13-3-2	Sump Pump and Sewer Line Clean-Outs.	
Subsection 13-3-4	Plumbing and Heating	
Subsection 13-3-5	Electrical.	
Subsection 13-3-6	Smoke and Carbon Monoxide Alarms Required	
Subsection 13-3-7	Fences	
<b>First offense</b>		<b>\$100</b>
<b>Second offense</b>		<b>\$200. Court appearance required</b>
<b>Subsequent Offenses</b>	<b>Not to Exceed \$2,000</b>	<b>Court appearance required</b>
Subsection 13-3-12	Signs	
Subsection 13-4-4	Minimum Standards for Heating	
Subsection 13-4-5	Egress.	
Subsection 13-4-7	Additional Maintenance Requirements	
Subsection 13-4-8	Additional Responsibilities Concerning Garbage, Rubbish and Recyclable Materials	
Subsection 13-4-9	Additional Responsibilities Concerning Insects and Rodents	
Subsection 13-4-10	Owner Responsible	
<b>First offense</b>		<b>\$150</b>
<b>Second offense</b>		<b>\$300 Court appearance required</b>
<b>Subsequent Offenses</b>	<b>Not to Exceed \$2,000</b>	<b>Court appearance required</b>
Subsection 13-3-8	Use and Occupancy of Space.	
Subsection 13-6-13	Compliance Required	
Subsection 13-7-1	Certificate of Compliance Required for Occupancy	
Subsection 13-8-1	Certificate of Compliance Required	
Subsection 13-12-2	Registration Required	
Subsection 13-12-6	Maximum Number of Occupants; Posting	
Subsection 13-12-8	Occupant Standards	
<b>First offense</b>		<b>\$250</b>
<b>Second offense</b>		<b>\$500 Court appearance required</b>
<b>Subsequent Offenses</b>	<b>Not to Exceed \$2,000</b>	<b>Court appearance required</b>

- c. **Lien to be Placed on Property.** In addition to the foregoing, and all other remedies available to the Borough, the Borough Treasurer, upon appropriate notification from the Mayor and Council and appropriate certification from the enforcement officer, shall place a lien on any property determined by the enforcement officer to be in violation of the provisions of this code, in the amount of any and all administrative expenses and any and all actual expenditures for work necessary in order to maintain the

property and/or abate the violation, including the cost of removal of any offensive construction materials, refuse, hazards, overhanging objects or any other offending physical object. The lien placed upon such lands shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this Chapter.

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.

**2018-04 Final Reading and Public Hearing – Amending Chapter 14, Entitled “Property Maintenance,” Section 14-12, Entitled “Enforcement and Penalties”, of the Revised General Ordinances of the Borough of Hightstown**

Mayor Quattrone opened the public hearing and the following individuals spoke:

**Eugene Sarafin, 628 South Main Street** – Please pass this ordinance.

There being no one else coming forward, Mayor Quattrone closed the public hearing

Councilmember Bluth moved Ordinance 2018-04 for adoption; Councilmember Musing seconded.

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

Ordinance adopted 4-0.

ORDINANCE 2018-04

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**AMENDING CHAPTER 14, ENTITLED “PROPERTY MAINTENANCE”, Section 14-12, ENTITLED  
“ENFORCEMENT AND PENALTIES”, OF THE *REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF HIGHTSTOWN***

**WHEREAS**, the Housing Inspector, in coordination with the Construction/Zoning Official recommends certain changes to the Property Maintenance ordinance of the Borough; and

**WHEREAS**, The Mayor and Council of Hightstown Borough have determined that said revision to the Property Maintenance ordinance is required pursuant to the request.

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

2. Section 1. The following subsections of Chapter 14, "Property Maintenance", of the *Revised General Ordinances of the Borough of Hightstown* are hereby amended and supplemented as follows:

#### **Section 14-12**

#### **ENFORCEMENT AND PENALTIES**

**14-12.1 Enforcement officers.** The Construction Official, Fire Inspector, Fire Official, Fire Chief, Electrical Inspector, Plumbing Inspector, Housing Inspector, Health Officer or his/her designee, Health Department, all police officers and all municipal officials referenced in Section 14-10(f) of the Borough Code are authorized enforcement officers for the purposes of enforcing the provisions of this code. This Chapter shall also be enforced by the Code Enforcement Officer, whose position is hereby created, for the sole purpose of enforcing the provisions of this Chapter. The Code Enforcement Officer shall receive such salary as provided by Ordinance and shall be appointed by the Borough Council for a term as specified in the Resolution of Appointment.

**14-12.2 Procedure.** Except as otherwise set forth herein, whenever any enforcement officer determines, after appropriate **investigation**, that there exists a violation of any provision of this chapter, he or she shall give written notice of such alleged violation to the person or persons responsible therefor. Such notice shall include a statement of the reasons for its issuance, and shall be served upon the owner or occupant of the premises, or the agent of either. Notice shall be deemed to be properly served if a copy thereof is served upon such person personally or sent by certified mail or registered mail to his last known address, or posted in a conspicuous place in or about the premises affected by the notice. Such notice shall state that unless, within five calendar days from service of the notice, the condition complained of is abated, a municipal court summons will be issued and/or the Borough will undertake to abate the violation and place a lien on the property as hereinafter provided. A copy of the Notice shall be provided to the Borough Clerk.

**14-12.3 Special Procedure in Emergency Conditions.** Whenever the enforcement officer finds that an emergency exists which requires immediate attention to protect the health or safety of the public, he or she may, without notice, issue and order reciting the existence of such an emergency and requiring that such action be taken as he or she deems necessary to meet the emergency. Notwithstanding any other provisions in this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the enforcement officer, shall be afforded a hearing as soon as possible. In the event that the order is disregarded by the property owner or person to whom the order is directed, the enforcement officer shall have the right to notify the Borough Clerk for the purpose of instituting immediate remedial action, the cost of which shall result in a lien on the premises. After such hearing, the enforcement officer shall continue such order in effect, or modify or withdraw it.

**14-12.4 Violations and Penalties.**

- a. **General Penalty.** Except as otherwise set forth herein, any person who shall violate any of the provisions of this chapter shall be subject to penalties as set forth in Section 1-5 of the *Revised General Ordinances of the Borough of Hightstown*. Each violation of any of the provisions of this chapter and each day that such violation shall continue shall be deemed to be a separate and distinct offense.
- b. **Payable Offenses.**



14-5.2 Appearance.

14-5.5 Hedges, Brush and Grass.

**Second offense                      \$150 Court appearance required**

**Subsequent Offenses**                      **Not to Exceed \$2,000 Court appearance required**

### 14-6.5 Recyclables.

#### 14-6.6 Open or Overflowing Waste Disposal Bins.

#### 14-6.7 Harboring of Rodents.

#### 14-6.9 Construction Sites.

**First offense** **\$50**

**Second offense** **\$100 Court appearance required**

**Subsequent Offenses**                      **Not to Exceed \$2,000 Court appearance required**

### 14-9.1 Windows.

### 14-9.2 Store fronts.

### 14-9.3 Reconstruction.

#### 14-9.4 Awnings and marquees.

#### 14-9.5 Signs, Light Stanchions and Poles.

**First offense** **\$100**

**Second offense** **\$200 Court appearance required**

**Subsequent Offenses** **Not to Exceed \$2,500 Court appearance required**

- c. **Lien to be Placed on Property.** In addition to the foregoing, and all other remedies available to the Borough, the Borough Treasurer, upon appropriate notification from the Mayor and Council and appropriate certification from the enforcement officer, shall place a lien on any property determined by the enforcement officer to be in violation of the provisions of this code, in the amount of any and all administrative expenses and any and all actual expenditures for work necessary in order to maintain the property and/or abate the violation, including the cost of removal of any offensive construction materials, refuse, hazards, overhanging objects or any other offending physical object. The lien placed upon such lands shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this Chapter.

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.

**2018-05 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 29 Entitled “Signs”, Sections 3 and 8, Entitled “General Regulations” and “Changeable Copy Signs”, Respectively of the Revised General Ordinances of the Borough of Hightstown, New Jersey**

Mayor Quattrone opened the public hearing and the following individuals spoke:

**Eugene Sarafin, 628 South Main Street** – Does not object to these changes. Please pass this ordinance.

There being no one else coming forward, Mayor Quattrone closed the public hearing

Councilmember Misiura moved Ordinance 2018-05 for adoption; Councilmember Montferrat seconded.

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

Ordinance adopted 4-0.

ORDINANCE 2018-05

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 29,  
ENTITLED "SIGNS", SECTIONS 3 AND 8, ENTITLED "GENERAL  
REGULATIONS" AND "CHANGEABLE COPY SIGNS",  
RESPECTIVELY OF THE REVISED GENERAL ORDINANCES OF**

## THE BOROUGH OF HIGHTSTOWN, NEW JERSEY

**WHEREAS**, it is the public policy of the Borough of Hightstown, a municipal corporation in the County of Mercer, State of New Jersey, to protect the rights of expressive speech and viewpoint communication, as secured by the Constitution of the United States and the Constitution of the State of New Jersey, to the full extent of all applicable law, for all persons within its jurisdiction, and;

**WHEREAS**, the Borough seeks to protect the rights and opportunities for commercial speech within an environment, the aesthetics of which present a quality of attractiveness, so as to enhance the opportunities for development and growth of business enterprises, and for that purpose presents a pleasing and uncluttered business milieu intended to be attractive to patrons and residents alike, and;

**WHEREAS**, the Borough seeks to protect and enhance the safety and efficacy of vehicular traffic flow, and to protect pedestrian and other persons and their property within the public right of way, and;

**WHEREAS**, research indicates that built-up clutter, meaning signage or similar distractions existing in large size or numerical profusion of items or content within a fixed area visible to motorists, induces a greater distraction to drivers than non-complex distractions; and

**WHEREAS**, research further indicates that illuminated signage visible to drivers causes a longer duration of distraction than non-illuminated signage; and

**WHEREAS**, research has shown that blinking, flashing, moving, or otherwise animated signage produces a longer distraction time for drivers than ordinary signage without added distractive elements or characteristics; and

**WHEREAS**, research has demonstrated that variable message signs, consisting of changing moveable images or text, product, when visible to motorists, a longer duration of distraction time than static signs, and correlate to an increase in vehicular accidents; and

**WHEREAS**, The Borough Council of the Borough of Hightstown finds that the public health, safety, morals and general welfare of the community shall be promoted by the revision and amendment of Chapter 29 of the Revised General Ordinances pertaining to signs; and

**WHEREAS**, the Planning Board of the Borough of Hightstown has adopted a Master Plan that comprehensively provides for the appropriate use, regulation, and development of lands in the Borough in a manner which will promote the public health, safety, morals and general welfare; and

**WHEREAS**, the Municipal Land Use Law, N.J.S.A. 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partially inconsistent with such land use plan element provided that the reasons for doing so are set forth in a resolution and recorded in its minutes, and;

**WHEREAS**, the Planning Board has determined that the revisions and amendments to the Revised General Ordinances are consistent with said Master Plan, represent sound land use regulation, and therefore favorably recommends to the Borough Council that the regulations pertaining to signs be so amended, and;

**WHEREAS**, this Ordinance does not involve a classification and boundary change requiring individual property owner notice pursuant to N.J.S.A. 40:55D-62.1.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council and the Borough of Hightstown that Chapter 29 of the Revised General Ordinances be hereby amended as follows:

**Section 1.** Chapter 29 "Signs", Section 3, entitled, "General Regulations" is hereby amended to

add Paragraphs K and L as follows:

- K. Sign Luminance. No sign shall exhibit a luminance exceeding 12.54 lumens per square foot (135 candelas per square meter) measured at right angles and 60 feet distant therefrom the face of the illuminated sign.

**Section 2.** Chapter 29 "Signs", Section 8, entitled, "Changeable Copy Signs" is hereby amended to read as follows:

**29-8. Changeable Copy Signs.**

Changeable copy signs, where permitted, shall comply with the provisions of this chapter, including the following additional requirements:

- A. The purpose of a changeable copy sign is to apprise the public of special events, attractions, or similar time-related information. Changeable copy shall not be used to advertise merchandise or special sales events, provided, however, that the prices of motor fuel may be displayed on a changeable copy sign on the premises where such motor fuel is sold.
- B. All such signs shall be permanently affixed to the ground or to a structure.
- C. Copy shall be changed by means of moveable lettering, which is more than one eighth (1/8) inch in thickness and shall not be changed more than once every twenty-four (24) hours. Changeable copy signs that are changed more frequently shall be considered animated signs and shall not be permitted.
- D. Changeable copy may not be located in any residential zoning district, excepting institutional uses.
- E. Changeable copy signs may be either freestanding signs or canopy signs and shall conform to the height limitations of such signs.
- F. No more than one (1) freestanding changeable copy sign shall be permitted per street frontage.
- G. The changeable portion of the sign shall be limited to three (3) lines of wording or, in the case of a cinema with more than one (1) theater, two (2) line per theater.
- H. The sign area of a changeable copy sign shall be included in the total permissible sign area for freestanding or canopy signs, as the case may be, excepting institutional uses. Changeable copy signs for institutional uses shall not exceed twelve (12) square feet in area.
- I. No portion of the lighting source for changeable copy signs shall be visible to the public traveling upon a public way.

**Section 3.** Continuation. In all other respects, the Revised General Ordinances of the Borough of Hightstown shall remain unchanged.

**Section 4.** Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Revised General Ordinances as a whole, or any other part thereof.

**Section 5.** Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 6.** Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Borough Clerk of the Borough of Hightstown in the manner prescribed by law.

**2018-06 Final Reading and Public Hearing – An Ordinance Amending and Supplementing the “Revised General Ordinances of the Borough of Hightstown,” Regarding Containers, Portable Storage Units and Dumpsters**

Mayor Quattrone opened the public hearing and the following individuals spoke:

**Eugene Sarafin, 628 South Main Street** – Thinks this is a good idea.

There being no one else coming forward, Mayor Quattrone closed the public hearing

Councilmember Bluth moved Ordinance 2018-06 for adoption; Councilmember Musing seconded.

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

Ordinance adopted 4-0.

Ordinance 2018-06  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN.” REGARDING CONTAINERS, PORTABLE STORAGE UNITS AND DUMPSTERS**

**WHEREAS**, the Construction and Zoning Official of the Borough finds there is a need to amend Subsection 18-1-4 entitled “Containers” and Subsection 28-10-16 entitled “Portable Storage units and Dumpsters” of the “Revised General Ordinances of the Borough of Hightstown”; and

**WHEREAS**, the Mayor and Council concur with the recommended changes for the health, safety and quality of life for the Borough residents.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED**, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 18, entitled “Garbage and Rubbish” Subsection 18-1-4, entitled “Containers” of the “Revised General Ordinances of the Borough of Hightstown”; is hereby amended and supplemented in order to add the:

**Subsection 18-1-4 Containers.**

a. One garbage container shall be provided by the Borough to each residential dwelling unit and non-residential user and shall remain the property of the Borough. Each dwelling can only place their one designated garbage container out for pickup. Placing more than one container per dwelling out for pickup is a violation of this ordinance. Each container shall be identified with a serial number and a log shall be maintained by the Public Works department of all containers distributed and their location. Users shall have a choice of a 95-gallon or 65-gallon container. Containers shall be maintained by the user in a clean, safe and good condition..

b. The Borough shall not be obligated to furnish more than one garbage container for each residential dwelling unit or nonresidential user within the Borough. Requests for additional garbage

containers shall be submitted to the Borough Clerk on forms provided by him or her. Each such request shall be investigated by the Borough to determine if the requestor is in compliance with all portions of Chapter 18 of the *Revised General Ordinances of the Borough of Hightstown* and all laws regarding recycling and the disposal of solid waste. Additional containers will be provided only in cases of extraordinary and documented need, as determined by the Solid Waste Committee, following review of the information submitted in writing by the applicant.

c. Except as provided in subsection 18-1.5, garbage will not be collected unless contained within containers provided by and registered with the Borough.

**BE IT FURTHER ORDAINED**, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 28, entitled “Zoning” Subsection 28-10-16, entitled “Portable Storage Units and Dumpsters” of the “Revised General Ordinances of the Borough of Hightstown”; is hereby amended and supplemented in order to add the following (additions are shown with underline, deletions are shown with ~~striketrough~~):

**Subsection 28-10-16      Portable Storage Units and Dumpsters.**

a. Usage of Portable Storage Unit. A portable storage unit may be used for holding personal property when work in a structure may require personal property to be placed elsewhere, or for loading or unloading personal property when moving to or from a structure.

b. Usage of Dumpsters. A dumpster may be used for holding refuse, garbage, waste, construction materials, debris or recyclables while work in a structure is under way requiring a place to throw away large amounts of waste materials, or for holding waste materials. The dumpster shall not be used to hold construction debris or any hazardous, harmful or offensive materials from offsite locations.

c. Frequency and Duration. An “event” shall consist of the delivery and pick-up of the portable storage unit or multiple deliveries and pick-ups within thirty (30) days. Temporary portable storage units and dumpsters may not exceed the following durations of stay:

(1) In any of the Residential Zoning Districts, events shall be a maximum of thirty (30) calendar days per event with a maximum of four (4) events per structure per calendar year. There shall be at least one (1) month between each event.

(2) In Residential Zoning Districts, the Zoning Officer may approve an event lasting more than the maximum of thirty (30) calendar days described above, but not more than ninety (90) days provided a permit for construction or rehabilitation has been obtained for the subject property.

d. Placement. Portable storage units and dumpsters may not be placed in streets or public rights-of-way or on easements for utility maintenance or forward of the front wall of the principal structure unless authorized by the Zoning Officer. Such authorization shall be controlled by the availability and practicality of placing the portable storage unit or dumpster elsewhere on the property.

e. Responsibility of user. Portable storage units and dumpsters shall be in good condition, free from deterioration, weathering, discoloration, rust, ripping, tearing or other holes, breaks or leaks. When not in use, the portable storage unit shall be kept locked. Dumpster lids and doors shall be kept tightly and completely closed when not in use. The user is responsible to ensure no hazardous substances are stored or kept within a portable storage unit or dumpster. The area surrounding the dumpster shall also be kept clean and free of debris. (Ord. No. 2010-08)

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

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

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

**2018-07 Final Reading and Public Hearing – Ordinance of the Borough of Hightstown, in the County of Mercer Approving an Amendment to Redevelopment Plan for Main Street Redevelopment Area**

Mayor Quattrone opened the public hearing and the following individuals spoke:

**Eugene Sarafin, 628 South Main Street** – Strongly supports this ordinance.

There being no one else coming forward, Mayor Quattrone closed the public hearing

Councilmember Bluth moved Ordinance 2018-07 for adoption; Councilmember Musing seconded.

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

Ordinance adopted 4-0.

Ordinance 2018-07

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

**ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER  
APPROVING AN AMENDMENT TO REDEVELOPMENT PLAN FOR MAIN STREET  
REDEVELOPMENT AREA**

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

**WHEREAS**, a revised redevelopment plan (“Redevelopment Plan”) containing development standards for that portion of the Redevelopment Area which is known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 of the Borough Council on April 20, 2015, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006 and October 6, 2008, and which was subsequently further amended by ordinance adopted March 6, 2017; and

**WHEREAS**, on March 10, 2017, the Borough and RBG Hightstown, LLC (the “Redeveloper”) entered into that certain Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), pursuant to which, among other things, the Redeveloper agreed to redevelop the portion of the Redevelopment Area consisting of Block 30, Lots 1-7, Block 30, Lots 10-13, and Block 21, Lots 1-13 & 26 on the Borough’s tax map (collectively, the “Original Project Area”), which constitutes part of Sub-Area I (Bank Street), by constructing thereon a mixed-use project (the “Project”); and

**WHEREAS**, the Redeveloper expressed a desire to also redevelop the parcel designated on the Borough’s

tax map as Block 21, Lot 20 (the “Additional Property”), located directly adjacent to the Original Project Area, in order to effectively access the Project; and

**WHEREAS**, on March 19, 2018, the Borough Council adopted a resolution designating the Additional Property as an area in need of redevelopment

**WHEREAS**, the Borough Council now desires to amend the Redevelopment Plan to also apply to the Additional Property.

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

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

Section 2. The Redevelopment Plan shall also apply to Block 21, Lot 20, which shall be part of “Sub-Area I (Bank Street)”, notwithstanding the fact that maps and figures contained therein do not depict such parcel or that the narrative descriptions of the area governed by THE Redevelopment Plan do not include the Additional Property. The standards and other provisions set forth in the Redevelopment Plan applicable to Sub-Area I (Bank Street) shall also apply to the Additional Property.

Section 3. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby rescinded.

Section 5. A copy of this ordinance shall be forwarded to the Secretary of the Planning Board for action consistent herewith.

Section 6. This ordinance shall take effect in accordance with applicable law.

## **RESOLUTIONS**

### **Resolution 2018-82 Authorizing Payment of Bills**

Councilmember Bluth moved Resolution 2018-82; Councilmember Musing seconded.

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

Resolution adopted 4-0.

Resolution 2018-82

*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 \$280,728.70 from the following accounts:

Current		\$108,333.34
W/S Operating		57,054.44
General Capital		94,771.30
Water/Sewer Capital		2,140.50
Grant		935.00
Trust		0.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>17,494.12</u>
Total		<u>\$280,728.70</u>

**Resolution 2018-83 Authorizing Renewed Shared Services Agreement with East Windsor Township for Senior Services**

Councilmember Musing moved Resolution 2018-83; Councilmember Bluth seconded.

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

Resolution adopted 4-0.

Resolution 2018-83

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

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

**WHEREAS**, with the adoption of Resolution 2017-83 on April 3, 2017, the Borough Council approved a Shared Services Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2017 through February 28, 2018 at a cost of Thirty-Eight Thousand Sixty-Three Dollars and Twenty-One Cents (\$38,063.21) for the 12-month period; and

**WHEREAS**, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 28, 2019; and

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

**WHEREAS**, the Mayor and Council have reviewed the proposed Shared Services Agreement for Senior Services for the period March 1, 2018 through February 28, 2018; and

**WHEREAS**, the Borough's net share of costs for these services, by the terms of this agreement, for the period March 1, 2018 through February 28, 2019 will be Forty-Five Thousand Nine Hundred Forty-two Dollars and Fifty Two Cents (\$45,842.52) for this 12-month period; and

**WHEREAS** it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2018 and 2019 budgets;

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

1. The Shared Services Agreement with the Township of East Windsor for Senior Services for the period March 1, 2018 through February 28, 2019 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement for same.
3. This agreement is approved subject to the provision of adequate funds in the Borough's 2018 and 2019 budgets.

### **CONSENT AGENDA**

Councilmember Bluth moved Resolutions 2018-84; 2018-85; 2018-86; 2018-87; 2018-88; 2018-89 and 2018-90 as a Consent Agenda; Councilmember Montferrat seconded.

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

Resolutions adopted 4-0.

Resolution 2018-84

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

### **DESIGNATING SATURDAY, APRIL 21, 2018 AS ARBOR DAY IN THE BOROUGH OF HIGHTSTOWN**

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

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

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

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

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

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

**WHEREAS**, trees in our Borough increase property values, enhance the economic vitality of business areas,

and beautify our community and spiritual renewal; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown hereby does proclaim and designate Saturday, April 21, 2018, as **ARBOR DAY** in the Borough of Hightstown and to observe this occasion a tree planting ceremony will take place on this day in Memorial Park;

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

**BE IT FURTHER RESOLVED** that all residents and members of our community are urged and encouraged to plant trees where appropriate, to gladden hearts and promote the well-being of present and future generations.

Resolution 2018-85

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

**SUPPORTING AND AUTHORIZING THE ASSOCIATION OF NEW JERSEY  
ENVIRONMENTAL COMMISSION (ANJEC) OPEN SPACE STEWARDSHIP  
GRANT APPLICATION**

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

**WHEREAS**, The Borough of Hightstown strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, The Borough of Hightstown is participating in ANJEC; and

**WHEREAS**, one of the purposes of ANJEC Open Space Grants Program is to provide resources to municipalities to make progress on advancing open space stewardship, and to help raise the profile of the environmental commission in the community through publicity and public participation or collaboration with local groups on various projects.

**WHEREAS**, the Borough Council of the Borough of Hightstown has determined that the Hightstown Borough Environmental Commission should apply for the aforementioned grant.

**THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Hightstown, State of New Jersey, supports and authorizes the submission of the aforementioned ANJEC grant.

Resolution 2018-86

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

**RESOLUTION AUTHORIZING EXTENSION TO MEMORANDUM OF UNDERSTANDING  
BETWEEN HIGHTSTOWN BOROUGH AND ROBBINSVILLE TOWNSHIP**

**WHEREAS**, Hightstown Borough (“Hightstown”) is in need of facilities for police and court operations (the “Services”); and

**WHEREAS**, Robbinsville Township (“Robbinsville”) is planning to build such a facility; and

**WHEREAS**, the Governing Bodies of both Robbinsville and Hightstown (the “Parties”) find that it would be in the best interest of the Parties to engage in negotiations relating to the proposed collective provisions of the Services at the new facility to be constructed by Robbinsville through a Shared Services Agreement; and

**WHEREAS**, in furtherance thereof, the Parties have executed a Memorandum of Understanding, which memorialized the steps to be undertaken and establish responsibilities as it relates to the negotiation of the Shared Services Agreement regarding the Services; and

**WHEREAS**, said memorandum of understanding was finally executed on September 18, 2017 and the 120 day period contained within the agreement expired on January 16, 2018; and

**WHEREAS**, the parties would like to extend the MOA until May 18, 2018.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Hightstown, County of Mercer, authorizes the Mayor to execute an extension to Memorandum of Understanding with Robbinsville Township as noted above.

Resolution 2018-87

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

**A RESOLUTION SUPPORTING THE 2018 UDRIVE. UTEXT. UPAY  
DISTRACTED DRIVING CRACKDOWN – APRIL 1 – 21, 2018**

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

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

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

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

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

**WHEREAS**, the State of New Jersey will participate in the nationwide *Distracted Driving 2018 Crackdown* from April 1 - 21, 2018 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

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

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

**THEREFORE, BE IT RESOLVED** that the Mayor and Council of Hightstown Borough declares its support for the *Distracted Driving 2018 Crackdown* both locally and nationally from April 1 - 21, 2018 and pledges to increase awareness of the dangers of distracted driving.

Resolution 2018-88

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

**RESOLUTION OF COMPLIANCE REGARDING THE 2016 AUDIT**

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

**WHEREAS**, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S. 40A:5-6*, and a copy has been received by each member of the governing body; and

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

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

**General Comments  
Recommendations**

; and

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

**General Comments  
Recommendations**

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

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

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

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

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

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

Resolution 2018-89

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

**RESOLUTION APPROVING THE 2016 ANNUAL AUDIT CORRECTIVE ACTION  
PLAN AND AUTHORIZING THE FILING OF SAID PLAN WITH THE DIVISION OF LOCAL  
GOVERNMENT SERVICES**

**WHEREAS**, the Borough of Hightstown is required, pursuant to the Single Audit Act Amendments of 1996, to prepare a Corrective Action Plan based on the findings and recommendations contained in the Annual Audit for 2016; and

**WHEREAS**, the Borough is required to submit a Corrective Action Plan to the Division of Local Government Services as part of the annual audit process, and to file a copy of said Plan with the Borough Clerk; and

**WHEREAS**, the Borough Council has received the 2016 Annual Audit – Corrective Action Plan.

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

1. That the 2016 Annual Audit – Corrective Action Plan, a copy of which is attached hereto and incorporated herein by reference, is hereby approved.
2. That the proper Borough officials are hereby authorized and directed to file said Corrective Action Plan with the Division of Local Government Services, and to file a copy in the Borough Clerk's office.

**BOROUGH OF HIGHTSTOWN**

**MERCER COUNTY**

**CORRECTIVE ACTION PLAN**

**DECEMBER 31, 2016**

**BOROUGH OF HIGHTSTOWN  
MERCER COUNTY  
AUDIT REPORT YEAR: DECEMBER 31, 2016**

DEPARTMENT: FINANCE  
GEORGE J. LANG  
CHIEF FINANCIAL OFFICER

**FINDINGS**

**16-01**

**Finding** - The financial statements and related notes were not completed in a timely manner to allow the audit to be completed by the statutory deadline.

**Criteria** -N.J.S.A. 40A:5-4 requires the audit to be completed within six months after the close of the fiscal year.

**Response** -Unlike a majority of towns in New Jersey the Borough of Hightstown's Chief Financial Officer prepares the Annual Financial Statement and Financial Statements for Audit Report. These other municipalities either have the auditor or an outside accounting professional prepare the financial documents for an additional cost. Having the auditor prepare the documents could create an independence issue.

**Recommendation** - That the financial statements and related notes be completed in a timely manner to permit the audit to be submitted by the statutory deadline.

**Corrective Action Plan** -The financial statements and related notes are currently being finalized to assist in the completion of the audit.

**Implementation Date** - 2018 for 2017 Audit

Resolution 2018-090  
*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:

	<b><i>THIS RESOLUTION</i></b>	<b><i>PREVIOUS TOTAL</i></b>	<b><i>CUMULATIVE TOTAL</i></b>
Current	711,381.00	244,000.00	<b>955,381.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service - Current	0.00	0.00	<b>0.00</b>
Water/Sewer	140,526.00	100,000.00	<b>240,526.00</b>
Capital Outlay – W/S	0.00	0.00	<b>0.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>851,907.00</b>	<b>344,000.00</b>	<b>1,195,907.00</b>

**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:

**Scott Caster, 12 Clover Lane** – Stated again that Hightstown has the 10<sup>th</sup> highest tax rate in New Jersey. There is something wrong; the culture needs to shift. We need to ask for more money from Trenton.

**Eugene Sarafin, 628 South Main Street** – Stated that you can't do much about the tax increase. Council does a marvelous job for this beautiful town.

**Frank Rivera, 110 Broad Street** – Taxpayers need to understand the tax rate. Stated that he is hoping for the best and looking forward to the budget.

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

## **DISCUSSION**

### **Subdivision – The Lofts at Hightstown**

Borough Administrator/Clerk, Debra Sopronyi, reviewed a letter from Mercer County dated March 23, 2018 stating that the application from RGB has been deemed incomplete. Councilmember Misiura stated that he does not think the Borough needs to do anything at this point. The County approval should come after Borough approval. Ms. Sopronyi also stated that in speaking with Ken Pacera, Borough Tax Assessor, the developer should be consolidating all lots.

## **SUBCOMMITTEE REPORTS**

### **Lincoln Avenue Project – Trees**

Councilmember Montferrat stated that this subcommittee consists of himself; Carmela Roberts, Borough Engineer; Keith LePrevost, Chair Environmental Commission; David Zaiser, Shade Tree Commission; Jan Troizier, Environmental Commission and Sandra Johnson, Resident. They will be meeting soon.

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

### **Councilmember Musing**

HPC did not meet last month. They will be meeting later this month.

### **Councilmember Montferrat**

Stated that the Environmental Commission submitted their concerns regarding the Lofts Project to Planning Board. The Harvest Fair committee has a meeting tomorrow night. The Board of Health meets next week.

### **Councilmember Misiura**

Wanted to thank the Police Department. Sgt. Mill has been very responsive regarding traffic at the High School. The school does not want the Police Department enforcing traffic on school property. The Police are looking into this.

### **Councilmember Bluth**

Cultural Arts Commission's annual Empty Bowls event was a huge success attended by over 400 people. Parks and Rec will be meeting next week.

### **Borough Administrator/Clerk, Debra Sopronyi**

Public Works has submitted information regarding the March 21<sup>st</sup> snowstorm. Some of these expenses will be reimbursed due to the State of Emergency. We have received complaints regarding taxicabs littering on Wycoff's Mill Road. The Police Department is looking in this issue and will address it.

### **Deputy Borough Clerk, Peggy Riggio**

Today, 4:00 p.m. was the deadline to receive petitions for the June 5<sup>th</sup> Primary. From the Democratic Committee 1 Mayor, 2 Councilmember and 8 County Committee petitions were received. There were no petitions received from the Republican Committee.

### **Deputy CFO, Monika Patel**

Utility billing went out last Friday. Budget books will be ready by the end of the week.

### **Borough Attorney, Fred Raffetto**

We are currently working on the closing of the YMCA and the sale of the old Municipal Building. Rick Brodsky, Esq., Ansell, Grimm and Aaron, will be attending the Planning Board meeting on April 30<sup>th</sup>.

**Mayor Quattrone**

His petition has been submitted to the Clerk's office; He will be running for re-election this year.

**ADJOURNMENT**

Councilmember Bluth moved to adjourn at 8:46 p.m.; Councilmember Musing seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio  
Deputy Borough Clerk