

Meeting Minutes
Hightstown Borough Council
August 20, 2018
6:30 p.m.

The meeting was called to order by Mayor Quattrone at 6:35 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; George Lang, CFO; Monika Pate, Deputy CFO and Kevin McManimon, Bond Counsel.

EXECUTIVE SESSION

2018-147 Authorizing a Meeting that Excludes the Public

Moved by Council President Stults; Seconded by Councilmember Hansen.

Roll Call Vote: Councilmembers Hansen; Misiura, Musing and Stults voted yes.

Resolution adopted 4-0.

Resolution 2018-147

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 August 20, 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:

Contract Negotiations – Court and Police Department

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: November 20, 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 7:40 p.m. and again read the Open Public Meetings Statement.

Kevin McManimon departed during Executive Session and is no longer present. Carmela Roberts, Borough Engineer, arrived after executive session and is now present.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Mayor Quattrone requested that Public Comment I be moved to before Engineering Items. He also requested that Resolutions 158 and 159 be added to the consent agenda.

Moved by Council President Stults; Seconded by Councilmember Musing.

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

Agenda approved as amended 4-0.

APPROVAL OF MINUTES

May 21, 2018 – Executive Session

Moved by Councilmember Musing; Seconded by Councilmember Hansen.

Roll Call Vote: Councilmembers Hansen, Misiura and Musing voted yes; Council President Stults abstained.

Minutes approved 3-0 with 1 abstention.

June 4, 2018 – Executive Session

Councilmember Misiura stated that there were two typos in the minutes and asked Deputy Clerk, Peggy Riggio, to make the appropriate corrections.

Moved by Councilmember Misiura as amended; Seconded by Councilmember Musing.

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

Minutes approved as amended 4-0.

July 16, 2018 – Executive Session

Moved by Councilmember Misiura; Seconded by Councilmember Hansen.

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

Minutes approved 4-0.

July 16, 2018 – Public Session

Moved by Councilmember Musing; Seconded by Councilmember Hansen.

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

Minutes approved 4-0.

July 24, 2018 – Special Meeting, Executive Session

Moved by Council President Stults; Seconded by Councilmember Hansen.

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

Minutes approved 4-0.

July 24, 2018 – Special Meeting, Public Session

Moved by Councilmember Musing; Seconded by Councilmember Hansen.

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

Minutes approved 4-0.

PUBLIC COMMENT I

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

Tory Watkins, 68 Meadow Drive – Stated that he is happy to see that Council is dealing with traffic items. He hopes this ordinance has some teeth. Police need to enforce the ordinances.

Scott Caster, 12 Clover Lane – Stated that the staff in the municipal offices are always very accommodating. There is a need for the bicycle ordinance. Asked Council to change the definition in the ordinance to include adult tricycles, not just children's bicycles. Congratulated Mayor and Council for sticking with the bridge.

Darek Hahn, 18 Cranbury Neck Road, Cranbury – Chair of the Walking Bridge Committee. Thanked Carmela Roberts, Debra Sopronyi, Gary Grubb and the whole committee for sticking with the bridge project from the beginning. It was pointed out that Mr. Hahn no longer lives in town but continues to work on this project.

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

ENGINEERING ITEMS

Water Accountability Act

Carmela Roberts, Borough Engineer, reviewed her letter to Council dated July 27, 2018. In order for Hightstown Borough to comply with the Water Quality Accountability Act, a Water System Asset Management Plan must be prepared. This needs to be completed by April 2019. The cost for Ms. Roberts to prepare said plan will not exceed \$32,000.00. Ms. Roberts also explained to Council that NJDEP has proposed reducing the amount of water that Hightstown removes from the wells by 20%. Ms. Roberts asked Council for permission to go to the DEP regarding Hightstown's water allocation. After discussion, Council agreed to grant Ms. Roberts permission to move forward with both the Water System Asset Management Plan and contacting NJDEP regarding water allocation.

NJDOT Municipal Aid Grant 2019 Recommendation

Carmela Roberts, Borough Engineer, reviewed her letter to Council dated August 3, 2018. Ms. Roberts recommended an application for improvements to Hausser Avenue, Bennet Place and Prospect Drive be submitted. The work would include mill and overlay with base repairs as necessary, deteriorated curbs and sidewalks will be replaced as necessary, existing storm drain inlets will be upgraded and curb ramps will be reconstructed to meet current ADA standards. Ms. Roberts also recommended that the water main on Hausser be replaced at this time. The watermain portion of the project would be financed through NJEIT. Discussion ensued. Councilmember Misiura stated that the sidewalk subcommittee had higher priority streets to be redone as walkability in the Borough is a priority. Councilmember Misiura suggested the following streets be looked at: 1) Springcrest to Westerlea; There are no sidewalks, no crosswalks and the road is in terrible condition. 2) Maxwell between Franklin and Ward; 3) Summit Street only has partial sidewalks. After discussion, Council instructed Ms. Roberts to move forward with two project applications. One for Springcrest and one for Maxwell.

Retaining Wall Project Update

Carmela Roberts, Borough Engineer, stated that she met with DEP regarding the replacement of the retaining wall behind the First Aid Squad. There will be permitting required. According to DEP, the wall needs to remain where it is today. We may need to hire a Geo-engineer to determine alternative methods.

Bid Recommendation – Sunset & Maple

Carmela Roberts, Borough Engineer, reviewed her letter to Council dated July 31, 2018. Bids were received for Improvements to Maple Avenue and Sunset Avenue. S. Brothers, Inc. was found to be the apparent low bid. Ms. Roberts explained that there were alternatives in the bid specifications and Council needed to decide what alternatives they would like to move forward with. Discussion ensued. Council agreed to move forward to award the contract to S. Brothers for base amount of \$429,756.25 along with Alternate 'A-1' (+\$12,700) and Alternate 'A-2' (-\$31,600) for a total contract amount of \$410,856.25.

Resolution 2018-160 Awarding a Contract for Improvements to Maple Avenue and Sunset Avenue – S. Brothers, Inc.

Moved by Councilmember Musing; Seconded by Councilmember Hansen.

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

Resolution adopted 4-0.

Resolution 2018-160

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

**AWARDING A CONTRACT FOR IMPROVEMENTS TO MAPLE AVENUE AND
SUNSET AVENUE – S. BROTHERS, INC.**

WHEREAS, six (6) bids were received on July 26, 2018, for Improvements to Maple Avenue and Sunset Avenue; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a contract for the base bid (\$429,756.25) and Alternate 'A-1' (additional \$12,748.00) and Alternate 'A-2' (a reduction of \$31,640.00) for Improvements to Maple Avenue and Sunset Avenue be awarded to S. Brothers, Inc. of South River, NJ in the amount of \$410,864.25; and

WHEREAS, this project is partially funded by the New Jersey Department of Transportation Municipal Aid Grant program, the award of this contract is conditional upon approval by the New Jersey Department of Transportation; and

WHEREAS, the Borough Attorney has reviewed and approved the bid submitted by S. Brothers, Inc. with respect to legal compliance; and

WHEREAS, the CFO has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the Improvements to Maple Avenue and Sunset Avenue is hereby awarded to S. Brothers, Inc. of South River, New Jersey in the amount of \$410,864.25.

Resolution 2018-148 Awarding a Contract for the Construction of the Peddie Lake Dam Walking Bridge Replacement – Assuncao Brothers, Inc.

Moved by Councilmember Misiura; Seconded by Councilmember Musing.

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

Resolution adopted 4-0.

ORDINANCES

2013-14 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 and the following individuals spoke:

Gary Evers, 101 Joseph Street – Questions why the residents of Stockton Street were not notified. Also asked when this ordinance would go into effect.

Patricio Quezda, 365 Stockton Street – Spoke in opposition of the ordinance. There is no parking on Stockton Street so he and his family have nowhere to park.

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

Moved by Councilmember Misiura; Seconded by Council President Stults.

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

Ordinance adopted 4-0.

ORDINANCE 2018-14

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 the west side 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:

1. 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
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Glen Drive	Both	9:00 a.m. to 3:00 p.m./ Monday thru Friday	From Spring Crest Drive to end
Joseph Street	West	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.

2018-15 First Reading and Introduction – Amending Chapter 7, Entitled “Traffic”, Section 7-20 Entitled “Stop Intersection” of the Revised General Ordinances of the Borough of Hightstown

Borough Administrator/Clerk, Debra Sopronyi, explained that this ordinance will add a stop sign at Leshin Lane to complete the 4-way stop. This also gives the Police the authority to enforce the stop signs on Board of Education property.

Moved by Councilmember Misiura; Seconded by Council President Stults.

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

Ordinance introduced 4-0.

Public hearing scheduled for September 4, 2018.

ORDINANCE 2018-15

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**AMENDING CHAPTER 7, ENTITLED "TRAFFIC", SECTION 7-20, ENTITLED "STOP
INTERSECTIONS" OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN***

WHEREAS, The Board of Education has requested that the Borough officially designate the two stop signs located in the Hightstown High School parking lot, so police enforcement can occur at these locations; and

WHEREAS, The Board of Education has also requested that the Borough install a stop sign on Leshin Lane, at Westerlea, to complete a four-way stop at the entrance to the High School parking lot; and

WHEREAS, The Hightstown Police Chief and Borough Administrator, in conjunction with the East Windsor Regional School Administrator, have reviewed the intersection and agree that placing a stop sign on Leshin Lane at Westerlea, and police enforcement at the stop signs in the Hightstown High School parking lot will increase public, pedestrian, and student safety at this intersection; 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", Section 7-20, entitled "Stop Intersections" of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended as follows (deletions are crossed out; additions are underlined):

Section 7-20

STOP INTERSECTIONS

Subsections:

7-20-1 Stop Intersections.

Subsection 7-20-1 Stop Intersections.

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

Intersection(s)

STOP Sign(s) on:

Academy Street and

Morrison

Morrison Avenue--

Avenue--Railroad

Railroad Avenue

Avenue

Dutch Neck Road and

Gilman Place

Gilman Place

Grape Run Road and

Westerlea Avenue

Westerlea Avenue

Greeley Street and

Glen Brook Place

Glen Brook Place

Hagemount Avenue and

Rocky Brook Court

Rocky Brook Court

Harron Avenue and

Dutch Neck Road

Dutch Neck Road

Leshin Lane and

Leshin Lane

Westerlea Avenue

Lincoln Avenue and

Hagemount Avenue

Hagemount Avenue

Maxwell Avenue and

Clinton Street

Clinton Street

Meadow Drive and

Clover Lane

Clover Lane

Meadow Drive and

Clover Lane

Clover Lane

Morrison Avenue and

Harron Morrison Avenue

Morrison Avenue and

Center Street

Morrison Avenue

Oak Lane and

Lincoln Avenue

Lincoln Avenue

Intersection(s)

STOP Sign(s) on:

Orchard Avenue and

Meadow Drive

Meadow Drive

Orchard Avenue and

Schuyler Avenue

Schuyler Avenue

Prospect Drive and

Bennett Place

Bennett Place

Reed Street and

Purdy Street

Purdy Street

Springcrest Avenue

and Glen Drive

Glen Drive

Sunset Avenue and

Maple Avenue

Maple Avenue

Westerlea Avenue and

Springcrest Avenue

Springcrest Avenue

Wilson Avenue and

Mechanic Street

Mechanic Street

7-20-2 Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as Stop Intersections on East Windsor Regional Board of Education property in the High School parking lot and shall be enforced by the Hightstown Borough Police Department at the request of the Board of Education pursuant to their meeting of May 14, 2018:

1. In the bus loop at the intersection of Leshin Lane and Westerle Avenue
2. In the exiting lane of the student parking lot at the intersection of Leshin Lane and Westerlea Avenue

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.

2018-16 First Reading and Introduction – Amending Chapter 3, Entitled “Police Regulations”, Section 3-9, Entitled “Bicycles, Skateboards, Scooters, Skates and Roller Blades” of the Revised General Ordinances of the Borough of Hightstown

Moved by Councilmember Musing; Seconded by Councilmember Hansen

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

Ordinance introduced 4-0.

Public hearing scheduled for September 4, 2018.

ORDINANCE 2018-16
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**AMENDING CHAPTER 3, ENTITLED “POLICE REGULATIONS”, SECTION 3-9, ENTITLED
“BICYCLES, SKATEBOARDS, SCOOTERS, SKATES AND ROLLER BLADES” OF THE *REVISED*
GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN**

WHEREAS, The Hightstown Police Chief finds the current ordinance regarding bicycles, skateboards, scooters, skates and roller blades unenforceable and in order for the Police Department to enforce said ordinance, recommends revisions be made; 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:

3. Section 1. Chapter 3, entitled “Police Regulations”, Section 3-9, entitled “Bicycles, Skateboards, Scooters, Skates, and Roller Blades” of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended as follows (deletions are crossed out; additions are underlined):

Section 3-9

BICYCLES, SKATEBOARDS, SCOOTERS, SKATES AND ROLLER BLADES*

Subsections:

3-9.1 Definitions.

3-9.2 Rules and Regulations.

3-9.3 Riding Prohibited on Certain Sidewalks.

3-9.4 Violations and Penalties.

* **Editor's Note:** Helmets are required when riding a bicycle pursuant to N.J.S. 39:4-14.3q.

3-9.1 Definitions.

As used in this section:

“Bicycle” shall mean a device, with tires connected by a frame and arranged to be propelled by human or electric power. This definition shall not apply to vehicles used by individuals with disabilities per ADA regulations.

“Roadway” shall mean that portion of a highway improved, designated or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

“Sidewalk” shall mean that portion of a highway intended for the use of pedestrians between the curblin or the lateral line of a shoulder or, if none, the lateral line of the roadway and the adjacent right-of-way line. (1991 Code § 63-1; Ord. 2001-05, Amended, 06/04/2001)

3-9.2 Rules and Regulations.

a. The following rules and regulations shall be observed in the operation of bicycles, skateboards, scooters, skates and roller blades in the streets and public places of the Borough:

1. Every person operating a bicycle, skateboard, scooter, skates or roller blades shall at all times operate such vehicle with due regard for the safety of other persons and vehicles lawfully upon the streets, highways, parkways and public places, as well as for his own safety, and shall at all times and under all conditions yield the right-of-way to pedestrians on the streets, highways, public places and crosswalks.

2. No person shall operate a bicycle upon the streets, highways, parkways and public places of the Borough during the period of one (1) hour after sunset to one (1) hour before sunrise unless the bicycle is equipped with a front light casting a beam of white light in front of the bicycle visible for not less than five hundred (500) feet and also with a real signal, i.e., an official reflector or red light, visible for not less than three hundred (300) feet.

3. No person shall operate a bicycle upon the streets, highways, parkways and public places of the Borough that is not equipped with adequate brakes and warning signals, all of which shall be in proper working order during all the time of operation of the bicycle after police inspection and approval.

4. The hand signal shall be used to indicate that an operator is about to turn or change the direction of any bicycle.

5. No person operating a bicycle, skateboard, scooter, skates or roller blades upon any street, highway or parking or public place shall attach himself to any other moving vehicle.

6. No person operating a bicycle for carrying only the rider shall carry another person on the front or rear frame or handlebars of a bicycle.

b. These rules and regulations are intended to supplement the laws of the State of New Jersey and not to alter them. The laws of the State of New Jersey are incorporated herein as if set forth in detail. (1991 Code § 63-6; Ord. 2001-05, Amended, 06/04/2001)

3-9.3 Riding Prohibited on Certain Sidewalks.

In the following described areas, the riding of a bicycle, skateboard, scooter, skates or roller blades shall be prohibited on the sidewalks. In those areas, bicycles shall be walked on the sidewalk.

- a. On Mercer Street from the intersection of Ward Street north to Main Street.
- b. On South Main Street from the intersection of Ward Street north to Main Street.
- c. On Main Street from the intersection of Mercer Street and South Main Street north to the intersection of Franklin Street.
- d. On Stockton Street from the intersection of Academy Street to Main Street.
- e. On Franklin Street from the intersection of Broad Street to Main Street.
- f. On North Main Street from the intersection of Monmouth Street south to Main Street. (1991 Code § 63-7; Ord. 2001-05, Amended, 06/04/2001)

3-9.4 Violations and Penalties.

- a. Bicycles
 1. Any person under the age of eighteen (18) who violates any of the provisions of this section relating to vehicle and traffic laws or the bicycle safe-riding rules and regulations and the official police instructions for the safe operation of a bicycle shall be reprimanded for the first offense, in writing, by the Borough Police Department, addressed to the offender's parent or guardian, stating the nature of the violation and a warning that a repetition of the violation or any other violation shall cause the the violator's parent or guardian to be held responsible for additional offenses with penalties and fines as though the offender was over eighteen (18) years of age. On the second or any subsequent complaint

the offender's parent or guardian shall receive a summons subject to penalties and fines as though the violator was eighteen (18) years of age. (1991 Code § 63-8)

2. Any person over the age of eighteen (18) who violates any of the provisions of this section relating to vehicle and traffic laws or the bicycle safe-riding rules and regulations and the official police instructions for the safe operation of a bicycle shall be subject to penalties as set forth in Section 1-5, "General Penalty," of the *Revised General Ordinances of the Borough of Hightstown*.

b. Skateboards, Scooters, Skates and Roller Blades

1. Any person under the age of eighteen (18) who violates any of the provisions of this section relating to skateboards, scooters, skates or roller blades shall be reprimanded for the first offense, in writing, by the Borough Police Department, addressed to the offender's parent or guardian, stating the nature of the violation and a warning that a repetition of the violation or any other violation shall cause the the violator's parent or guardian to be held responsible for additional offenses with penalties and fines as though the offender was eighteen (18) years of age. On the second or any subsequent complaint, the offender's parent or guardian shall receive a summons subject to penalties and fines as though the violator was eighteen (18) years of age.
2. Any person over the age of eighteen (18) who violates any of the provisions of this section relating to skateboards, scooters, skates or roller blades shall be subject to penalties as set forth in Section 1-5, "General Penalty," of the *Revised General Ordinances of the Borough of Hightstown*. (Ord. 2001-05, Amended, 06/04/2001)

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.

2018-17 First Reading and Introduction – An Ordinance Amending and Supplementing Chapter 15, Entitled "Fire Prevention and Protection," of the Revised General Ordinances of the Borough of Hightstown, New Jersey," in Order to Establish a New Section thereof to be Known as Section 15-11, Entitled "Knox Box"

Moved by Councilmember Hansen; Seconded by Councilmember Misiura.

Discussion ensued. Councilmember Misiura stated that this ordinance does not address mixed use. He also suggested that maybe we can add a square footage requirement. Councilmember Stults stated that in speaking with business owners, they would rather have the firefighters knock the door down if there was a fire than to worry about the knox box being broken into. Councilmember Hansen asked if we could make this optional for business owners. Councilmember Musing dated that he is against this ordinance and read the following statement into the record.

"All Americans cherish their freedom. Or they should cherish their freedom. Whether we are aware of it or not, we enjoy a degree of personal, social and political freedom unrivalled and unparalleled in human history. Therefore, it's ironic and even tragic that some are willing to forfeit this freedom in pursuit of another value: safety.

Question that always has to be asked is safety from what? Too often we needlessly sacrifice freedom for safety. The problem is that every time a law is passed which sacrifices freedom for safety we are slowly undermining the very construct that has made the United States of America the best country in the world; ever. That what has made us

uniquely different to other countries in the world and which has made this country the greatest in the world is the Constitution and the Bill of Rights. I have had the opportunity to live in many countries in the world and travel to even more. I have seen different cultures and governments and I must tell you that the day I became an American citizen was both the proudest and happiest day of my life. For as a US citizen, we are "endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just Powers from the consent of the governed.

The mass media has done a great job of creating a conception of the world as a dangerous place and this narrative is depicted and reinforced every day. This is where the disconnect between reality and perception occur. Adding to this message are companies whose business it is to literally scare American's into buying their products. Ordinance 2018-17 plays nicely into this and wants you to believe that and I quote: "The health, safety, and welfare of the residents of the Borough of Hightstown are promoted by requiring certain structures to have a key lock box or rapid entry box, referenced herein as a Knox box installed on the exterior of the structure to aid the Borough's Fire Department in gaining access to the structure when responding to calls for emergency service". According to that argument why not place it in every home. The answer is simple and that is that our constitution prevents these sort of egregious assaults on our freedoms.

We must always remember that freedom is profoundly precious. Too many young men and woman have given their lives for us to have this unique inalienable right. Freedom has been costly and is too precious to be cast off needlessly or lightly.

I ask my fellow members of council to not forfeit freedom in pursuit of safety and either amend this ordinance to make it voluntary for the businesses who will be affected or to vote the whole piece down. Let the business owners decide if they want to have this system installed or if they are complacent with the possibility, and that is all it is, a possibility that their door will be broken down if the fire department sees either fire or smoke."

Roll Call Vote: Councilmembers Hansen, Misiura, Musing and Stults voted no.

Ordinance introduction defeated. 0-4.

ORDINANCE 2018-17

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 15, ENTITLED "FIRE PREVENTION AND PROTECTION," OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY," IN ORDER TO ESTABLISH A NEW SECTION THEREOF TO BE KNOWN AS SECTION 15-11, ENTITLED "KNOX BOX."

WHEREAS, the health, safety, and welfare of the residents of the Borough of Hightstown (the "Borough") are promoted by requiring certain structures to have a key lock box or rapid entry box (referenced herein as a "Knox Box") installed on the exterior of the structure to aid the Borough's Fire Department in gaining access to the structure when responding to calls for emergency service; and

WHEREAS, many buildings are equipped with automatic systems that may cause the Borough's Fire Department to be summoned at a time of emergency when the building or business is not occupied or when the occupant is not available to provide the Borough's Fire Department with entry into the building; and

WHEREAS, the Knox Box emergency system will eliminate costly damage from forcible entry into buildings equipped with automatic systems by the Borough's Fire Department checking for fire or other dangerous conditions; and

WHEREAS, the Borough's Fire Department can reduce the potential for rapid expansion of fire and other

hazardous conditions by quick access and decrease dangers for firefighters; and

WHEREAS, the Knox Box emergency access system has been adopted by Section 506 of the International Fire Code 2006, New Jersey Edition; and

WHEREAS, the Knox Box emergency access system will operate on a controlled master key basis by the Borough's Fire Department; and

WHEREAS, the Borough is authorized to pass this Ordinance pursuant to N.J.S.A. 40:48-2, and pursuant to the Borough's police powers.

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

Section 1. Chapter 15, entitled "Fire Prevention and Protection," of the Revised General Ordinances of the Borough of Hightstown," is hereby amended and supplemented in order to establish a new Section thereof, to be known as Section 15-11 and entitled "Knox Box," as follows:

Section 15-11

KNOX BOX

Subsections:

15-11-1	Definition(s).
15-11-2	Where Required; Continuing Responsibility; Exemptions.
15-11-3	Installation in Specific Location.
15-11-4	Cabinet-Style Vault.
15-11-5	Controlled Vehicle Parking Areas.
15-11-6	Key Lock Boxes/Keys Required.
15-11-7	Specifications.
15-11-8	Security.
15-11-9	Notification of Lock Change; Fine.
15-11-10	Applicability to New Structures; Renovations.
15-11-11	Existing Buildings.
15-11-12	Cost of Compliance.
15-11-13	Violations/Penalties.
15-11-14	Enforcement.

Subsection 15-11-1 Definition(s).

The following term(s) shall have the meaning(s) indicated below:

Knox box (also referenced as "key lock box" or "rapid entry box") shall refer to a secure rapid entry system that is designed to be used by Fire Department Personnel in the event of an emergency to gain entry into a structure by using the enclosed owner-provided key(s). The box involves a locking vault-like container that is usually mounted on the exterior of the building on a location that is specified by the Fire Official, and which is able to be opened through the central lock system. All boxes shall be UL (Underwriters Laboratories) certified, Knox Box brand, and approved by the Fire Official. The box shall contain a key(s) that will allow for full entrance into all parts of the structure or building for life-saving or fire-fighting purposes.

Subsection 15-11-2 Where Required; Continuing Responsibility; Exemptions.

a. In all non-residential buildings or structures, the owners and/or management agents shall install a Knox box, of a type and in a location approved by the Fire Official.

b. Once the Knox box is installed, the property owners and/or management agents shall keep the immediate area of the Knox box free and clear of any and all obstructions.

c. The following are exempt from the requirements set forth in this Subsection:

- (1) All properties protected by an on-site, 24 hours per day/7 days per week guard service; and
- (2) All properties having employees on duty and/or on site 24 hours per day/7 days per week.

d. For all buildings or structures where installation is not required per the provisions of this Subsection, such installation shall be permissible but not required. If the owner or management agent of a property which is not required to install a Knox box elects to do so, said owner or management agent shall be obligated to meet all criteria specified for buildings where Knox box installation is required.

Subsection 15-11-3 Installation in Specific Location.

Upon examination of the physical condition and characteristics of any property subject to this Section, and upon written notice to the owner and/or principal occupant thereof, the Fire Official may require a key lock box to be installed in a specific location whenever access to or within a building or structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes.

Subsection 15-11-4 Cabinet-Style Vault.

Cabinet-style vaults shall be required when deemed necessary by the Fire Official at premises containing hazardous materials or as otherwise required by the Fire Official, per MSDS data sheets, site plans and/or floor plans.

Subsection 15-11-5 Controlled Vehicle Parking Areas.

Owners and operators of controlled vehicle parking areas which use mechanical parking gates to control motor vehicle ingress and egress shall install and maintain an emergency override control on each gate. Said emergency override control devices shall contain a master key-operated type switch approved by the Fire Official.

Subsection 15-11-6 Key Lock Boxes/Keys Required.

a. Key lock boxes shall include two separate sets of keys. Each set shall contain the following individually labeled keys:

- (1) Keys to the locked point of egress whether on the interior or exterior of such buildings;
- (2) Keys to locked mechanical rooms;
- (3) Keys to locked electrical rooms;
- (4) Keys to fire alarm panels;
- (5) Keys to elevator controls, if elevators are present and equipped with a fire department bypass switch;
- (6) Keys to other areas in the building as directed by the fire marshal.

b. In addition, the key lock box shall contain the following:

- (1) A current list of personnel and telephone numbers for call back purposes in the event of an emergency;
- (2) All right to know records and MSDS data sheets pertinent to the subject premises;
- (3) In the alternative, a written direction card shall be located in the key box, indicating the location of those records for facilities having more MSDS sheets than the key box is capable of holding.

Subsection 15-11-7 Specifications.

The lock or key lock box to be installed in the structure shall meet at least one of the following specifications:

- a. UL 437--Standard for safety keylock;
- b. UL 1610--Standard for central station alarm units for use with UL listed alarm systems; or
- c. UL 1037--Standard for anti-theft alarms and devices.

Subsection 15-11-8 Security.

The Fire Department shall adopt procedures for protecting the integrity and security of the master keys system which allow access to Knox boxes within the Borough. Procedures shall include, but not be limited to:

- a. A definition of authorized uses and users of the system; specific means of access to the system;
- b. Protection against unauthorized or uncontrolled use of master keys or master key systems; secure storage systems for master keys;
- c. A system for release and control of master keys from a central dispatch location;
- d. The recording of individuals having access to the master key, including date, time and location of access; and
- e. Protections and safeguards against unauthorized duplication of master keys or access systems.

Subsection 15-11-9 Notification of Lock Change; Fine.

In the event that locks on the subject building are changed after the installation of the key lock box, the Fire Official shall be notified of such change in writing, and a key(s) to the new lock(s) shall be provided immediately. Failure to provide this written notification and new key(s) may result in the imposition of a fine of not less than Five Hundred Dollars (\$500.00) per violation.

Subsection 15-11-10 Applicability to New Structures; Renovations.

The requirements of this Section shall apply to all new construction in the Borough, and to all buildings or structures undergoing renovations in the Borough where the total cost of the renovations exceeds Ten Thousand Dollars (\$10,000.00).

Subsection 15-11-11 Existing Buildings.

All existing buildings or structures as described in Subsection 15-11-2 shall be required to comply with the installation of the Knox box system within six (6) months of the effective date of this Section.

Subsection 15-11-12 Cost of Compliance.

The cost of purchasing and installing the Knox box, along with any associated cost(s), shall be the responsibility of the property owner.

Subsection 15-11-13 Violations/Penalties.

For any violation of this Section, the penalties set forth in Section 1-5 of the Borough Code shall apply, except that the minimum penalty shall be not less than Five Hundred Dollars (\$500.00) per violation.

Subsection 15-11-14 Enforcement.

Enforcement of this Section shall be performed by the Fire Official or Construction Official pursuant to the provisions of N.J.A.C. 5:70-1.2, *et seq.*

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

2018-149 Payment of Bills

Moved by Councilmember Hansen; Seconded by Councilmember Musing.

Roll Call Vote: Councilmembers Hansen, Misiura and Musing voted yes; Council President Stults abstained.

Resolution adopted 3-0 with 1 abstention.

Resolution 2018-149

*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 \$403,505.57 from the following accounts:

Current		\$164,303.92
W/S Operating		100,193.74
General Capital		12,007.35
Water/Sewer Capital		104,173.33
Grant		15,000.00
Trust		1,304.90
Housing Trust		0.00
Animal Control		12.60
Law Enforcement Trust		1,535.31
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>4,974.42</u>
Total		<u>\$403,505.57</u>

2018-150 Authorizing Payment to Van Cleef Engineering Associates (Construction Administration and Inspection for the Rehabilitation of East Ward Street)

Moved by Councilmember Hansen; Seconded by Council President Stults.

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

Resolution adopted 4-0.

Resolution 2018-150

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

**AUTHORIZING PAYMENT TO VAN CLEEF ENGINEERING ASSOCIATES
(CONSTRUCTION ADMINISTRATION AND INSPECTION FOR THE
REHABILITATION OF EAST WARD STREET)**

WHEREAS, on March 21, 2016, the Borough Council awarded a contract for the Engineering Design and Inspection Services for the Rehabilitation of East Ward Street to Van Cleef Engineering of Hamilton, New Jersey at a cost not to exceed \$14,250.00 for design/bid services and a cost not to exceed \$22,750.00 for contract administration/inspection services for a total not to exceed amount of \$37,000.00; and

WHEREAS, the contractor has submitted a request payment in the amount of \$1,147.00 for construction administration and inspection services from June 1, 2018 – June 30, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown a payment in the amount of \$1,147.0000 to Van Cleef Engineering of Hamilton, New Jersey is hereby approved as detailed herein.

2018-117 Authorizing Payment to USA Architects for Architectural Services for Possible Joint Police and Municipal Court Complex with Robbinsville Township

Moved by Council President Stults; Seconded by Councilmember Musing

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

Resolution adopted 4-0.

Resolution 2018-117

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

**AUTHORIZING PAYMENT TO USA ARCHITECTS FOR ARCHITECTURAL
SERVICES FOR POSSIBLE JOINT POLICE AND MUNICIPAL COURT COMPLEX
WITH ROBBINSVILLE TOWNSHIP**

WHEREAS, on December 4, 2017, the Borough Council awarded a contract for architectural services to produce designs and cost estimates for a possible joint police and municipal court complex with Robbinsville Township to USA Architects of Somerville, New Jersey; and

WHEREAS, the total amount of said contract shall not exceed \$21,360.00 and shall be split evenly divided between Hightstown Borough and Robbinsville Township, each paying their portion of \$10,680.00 plus expenses; and

WHEREAS, the architect has submitted invoice #27964 in the amount of \$7,944.00 for work completed April 1, 2018 – April 30, 2018 which included a space needs assessment and concept planning for phase 1 of said project; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown payment in the amount of \$7,944.00 to USA Architects of Somerville, New is hereby approved as detailed herein.

2018-156 Resolution Providing for the Combination of \$5,154,000 Aggregate Principal Amount of General Improvement Bonds and \$903,000 Aggregate Principal Amount of Water Utility/Sewer Utility Bonds of the Borough of Hightstown, in the County of Mercer, New Jersey into Single Issues of General Improvements Bonds and Water Utility Bonds Respectively

Moved by Council President Stults; Seconded by Councilmember Hansen.

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

Resolution adopted 4-0.

Resolution 2018-156

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

RESOLUTION PROVIDING FOR THE COMBINATION OF \$5,154,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS AND \$903,000 AGGREGATE PRINCIPAL AMOUNT OF WATER UTILITY/SEWER UTILITY BONDS OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY INTO SINGLE ISSUES OF GENERAL IMPROVEMENT BONDS AND WATER UTILITY BONDS, RESPECTIVELY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY AS FOLLOWS:

Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the General Improvement Bonds (as defined herein) of the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough"), authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the aggregate principal amount of \$5,154,000 (the "General Improvement Bonds").

The principal amount of General Improvement Bonds authorized by each bond ordinance to be combined into a single issue as provided in Section 1 hereof, the bond ordinances authorizing the General Improvement Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Bond Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$39,000	2005-24, as supplemented by 2009-13	Peddie Lake dam improvements, finally adopted July 5, 2005, as supplemented August 3, 2009.	15 years
\$29,000	2008-01	Improvements to Westerlea Avenue, finally adopted January 22, 2008.	15 years
\$36,000	2009-01	Reconstruction of Morrison Avenue, finally adopted February 2, 2009.	10 years
\$29,200	2009-10	Improvements to Memorial Park parking lot, finally adopted May 18, 2009.	10 years
\$66,400	2009-20	Stockton Street Historic District Streetscape Infrastructure Project and improvements to surrounding areas, finally adopted September 21, 2009.	15 years
\$31,000	2010-16	Summit Street sidewalk improvements, finally adopted September 20, 2010.	20 years
\$90,000	2011-05	Milling and paving program for various roads, finally adopted June 6, 2011.	10 years

Principal Amount of Bonds	Bond Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$224,100	2011-11	Various capital improvements, finally adopted December 5, 2011.	8.29 years
\$589,400	2012-04	Funding an emergency authorization for damage incurred as a result of Hurricane Irene, finally adopted April 16, 2012.	10 years
\$224,600	2012-13	Various capital improvements, finally adopted September 18, 2012.	10.76 years
\$27,900	2012-15	Acquisition and installation of equipment, finally adopted September 18, 2012.	10 years
\$133,200	2013-04	Various capital improvements, finally adopted February 19, 2013.	10 years
\$179,000	2013-07	Improvements to Peddie Lake Dam walking bridge, finally adopted April 1, 2013.	15 years
\$136,300	2013-22	Various capital improvements, finally adopted September 3, 2013.	12.12 years
\$552,114	2023-23, as supplemented by 2015-6	Various capital improvements, finally adopted November 18, 2013, as supplemented May 20, 2015.	10 years
\$192,966	2014-06	Various capital improvements, finally adopted June 15, 2015.	14.85 years
\$148,700	2014-13	Various capital improvements, finally adopted July 21, 2014.	6.64 years
\$180,000	2015-07	Various capital improvements, finally adopted April 20, 2015.	10 years
\$952,000	2015-11	Acquisition of an aerial ladder truck, finally adopted June 1, 2015.	10 years
\$309,500	2015-20	Acquisition of an automated garbage truck finally adopted September 8, 2015.	5 years
\$75,800	2016-08	Various capital improvements, finally adopted March 7, 2016.	7.88 years
\$160,000	2016-12	Rehabilitation of East Ward Street finally adopted April 18, 2016.	10 years
\$248,820	2017-12	Various capital improvements, finally adopted September 5, 2017.	5.09 years

Principal Amount of Bonds	Bond Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$500,000	2018-12	Various capital improvements, finally adopted June 18, 2018.	30 years

The following matters are hereby determined with respect to the combined issue of General Improvement Bonds:

The average period of usefulness, computed on the basis of the respective amounts of General Improvement Bonds presently authorized to be issued pursuant to each of the bond ordinances set forth in Section 2 hereof and the respective periods or average period of usefulness therein determined, is not less than 12.02 years.

The General Improvement Bonds of the combined issue shall mature within the average period of usefulness set forth in Section 3(a) hereof.

The General Improvement Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the General Improvement Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of General Improvement Bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Water/Sewer Utility Bonds (as defined herein) of the Borough, authorized pursuant to the bond ordinances of the Borough heretofore adopted and described in Section 6 hereof shall be combined into a single and combined issue of Water Utility Bonds in the aggregate principal amount of \$903,000 (the "Water/Sewer Utility Bonds").

The principal amount of Water/Sewer Utility Bonds authorized by each bond ordinance to be combined into a single issue as provided in Section 5 hereof, the bond ordinances authorizing the Water/Sewer Utility Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Bond Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
\$100,000	2008-10, as amended by 2008-19	Various capital improvements, finally adopted June 2, 2008, as amended October 20, 2008.	13.04 years
\$28,300	2009-02	Morrison Avenue water and sewer capital improvements, finally adopted February 2, 2009.	40 years
\$250,000	2009-15	Water main extension improvements to roads, finally	40 years

Principal Amount of Bonds	Bond Ordinance Number	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
		adopted September 8, 2009.	
\$156,700	2011-03	Acquisition, construction and installation of various facilities, structures and equipment, finally adopted June 6, 2011.	20 years
\$92,500	2011-04	Refurbishment of water tanks for the water utility, finally adopted June 6, 2011.	40 years
\$109,100	2012-14	Water and sewer improvements, finally adopted September 8, 2012.	15 years
\$71,400	2013-19	Water and sewer improvements for Frape Run Road and the Pershing Avenue for the water utility, finally adopted August 19, 2013.	10 years
\$95,000	2014-12	Improvements to water plants, finally adopted July 21, 2014.	40 years

The following matters are hereby determined with respect to the combined issue of Water/Sewer Utility Bonds:

The average period of usefulness, computed on the basis of the respective amounts of Water/Sewer Utility Bonds presently authorized to be issued pursuant to each of the bond ordinances set forth in Section 6 hereof and the respective periods or average period of usefulness therein determined, is not less than 28.15 years.

The Water/Sewer Utility Bonds of the combined issue shall mature within the average period of usefulness set forth in Section 7(a) hereof.

The Water/Sewer Utility Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

The following additional matters are hereby determined, declared, recited and stated:

None of the Water/Sewer Utility Bonds described in Section 6 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 6 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Water/Sewer Utility Bonds set opposite the descriptions of the bond ordinances set forth in Section 6 hereof.

The several purposes or improvements authorized by the respective bond ordinances described in Section 6 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which a deduction may be taken in any annual or supplemental debt statement.

This resolution shall take effect immediately.

2018-157 Resolution Determining the Form Other Details of \$6,057, 000 General Obligation Bonds, Consisting of \$5,154,000 General Improvement Bonds and \$903,000 Water/Sewer Utility Bonds of the Borough of Hightstown, in the County of Mercer, New Jersey and Providing for their Sale

Moved by Councilmember Musing; seconded by Councilmember Hansen.

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

Resolution adopted 4-0.

Resolution 2018-157

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

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS
OF \$6,057,000 GENERAL OBLIGATION BONDS, CONSISTING OF
\$5,154,000 GENERAL IMPROVEMENT BONDS AND \$903,000
WATER/SEWER UTILITY BONDS OF THE BOROUGH OF
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY AND
PROVIDING FOR THEIR SALE.**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY AS FOLLOWS:

Section 1. The \$6,057,000 General Improvement Bonds (the “General Improvement Bonds”) and the \$903,000 Water/Sewer Utility Bonds (the “Water/Sewer Utility Bonds” and, together with the General Improvement Bonds, the “Bonds”) of the Borough of Hightstown, in the County of Mercer, New Jersey (the

"Borough"), referred to and described in a resolution of the Borough adopted on August 20, 2018, and entitled, "Resolution Providing for the Combination of \$5,154,000 Aggregate Principal Amount of General Improvement Bonds and \$903,000 Aggregate Principal Amount of Water/Sewer Utility Bonds of the Township of Hightstown, in the County of Mercer, New Jersey Into Single Issues of General Improvement Bonds and Water Utility Bonds, Respectively" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds" and "Water/Sewer Utility Bonds", respectively.

Section 2. The General Improvement Bonds shall mature in the principal amounts on April 1 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	\$250,000	2025	\$500,000
2020	\$250,000	2026	\$500,000
2021	\$250,000	2027	\$500,000
2022	\$500,000	2028	\$500,000
2023	\$500,000	2029	\$500,000
2024	\$500,000	2030	\$404,000

(c) The actual principal amounts may be adjusted by the Borough, at its option, in accordance with N.J.S.A. 40A:2-26(g). Any such adjustment shall not exceed 10% of the principal for any maturity with the aggregate adjustment to maturity not to exceed 10% of the principal for the overall issue.

(d) The General Improvement Bonds shall be subject to redemption prior to their stated maturity in accordance with the Notice of Sale attached hereto as Exhibit A.

(e) The General Improvement Bonds shall be 12, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-12, inclusive.

(f) The General Improvement Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the first day of April and October in each year until maturity or earlier redemption, commencing on April 1, 2019, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

(g) The General Improvements Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk.

Section 3. The Water/Sewer Utility Bonds shall mature in the principal amounts on April 1 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2019	\$75,000	2025	\$75,000
2020	\$75,000	2026	\$75,000
2021	\$75,000	2027	\$75,000
2022	\$75,000	2028	\$75,000
2023	\$75,000	2029	\$75,000
2024	\$75,000	2030	\$78,000

(c) The actual principal amounts may be adjusted by the Borough, at its option, in accordance with N.J.S.A. 40A:2-26(g). Any such adjustment shall not exceed 10% of the principal for any maturity with the aggregate adjustment to maturity not to exceed 10% of the principal for the overall issue.

(d) The Water/Sewer Utility Bonds shall not subject to redemption prior to their stated maturity.

(e) The Water/Sewer Utility Bonds shall be 13, with one certificate being issued for each year of maturity, and shall be numbered WSUB-101 to WSUB-113, inclusive.

(f) The Water/Sewer Utility Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the first day of April and October in each year until maturity or earlier redemption, commencing on April 1, 2019, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

(g) The Water/Sewer Utility Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Borough Clerk

Section 4. (a) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of each series of Bonds maturing in each year. Both principal of and

interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in denominations of \$5,000 or any integral multiple of \$1,000 in excess thereof through book-entries made on the books and the records of the Securities Depository and its participants.

(b) The principal of and the interest on the Bonds will be paid to the Securities Depository by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding March 15 and September 15 (the "Record Dates" for the Bonds).

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of the Securities Depository:

[Form of Bond begins on next page]

REGISTERED

NUMBER A. ____

REGISTERED

\$_____

UNITED STATES OF AMERICA

STATE OF NEW JERSEY

COUNTY OF MERCER

BOROUGH OF HIGHTSTOWN

B. _____

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

RATE OF INTEREST PER ANNUM:

INTEREST PAYMENT DATES:

INITIAL INTEREST PAYMENT DATE:

RECORD DATES:

CUSIP NUMBER:

BOROUGH OF HIGHTSTOWN, a body politic and corporate of the State of New Jersey (the "Borough"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER, or registered assigns, on the MATURITY DATE, upon presentation and surrender of this bond, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE until it matures at the RATE OF INTEREST PER ANNUM specified above semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Principal of and interest due on this bond will be paid to the REGISTERED OWNER by the Borough or its designated paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the RECORD DATES next preceding the respective INTEREST PAYMENT DATES (the "Record Dates"). The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to April 1, 2026, are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after April 1, 2026 are redeemable at the option of the Borough in whole or in part on any date on or after April 1, 2025 at 100% of the principal amount outstanding (the "Redemption Price") plus interest accrued to the date of redemption upon notice as required herein.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Borough or a duly appointed Bond Registrar. Any failure of the depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Borough determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Borough; the bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

So long as Cede & Co., as nominee of DTC, is the registered owner of the Bonds, the Borough shall send redemption notices only to Cede & Co.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Borough adopted on August 20, 2018, and entitled, "Resolution Providing for the Combination of \$5,154,000 Aggregate Principal Amount of General Improvement Bonds and \$903,000 Aggregate Principal Amount of Water/Sewer Utility Bonds of the Township of Hightstown, in the County of Mercer, New Jersey Into Single Issues of General Improvement Bonds and Water/Sewer Utility Bonds, Respectively" and the bond ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the BOROUGH OF HIGHTSTOWN has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the DATED DATE as specified above.

BOROUGH OF HIGHTSTOWN

[SEAL]

By [executed upon issuance]

Mayor

ATTEST:

By [executed upon issuance]

Clerk Chief Financial Officer

By [executed upon issuance]

[End of Form of Bond]

Section 6. In each of the General Improvement Bonds the following language should be inserted in the places indicated by the corresponding letter in form of the General Improvement Bonds.

A. GIB-__.

B. GENERAL IMPROVEMENT BOND

Section 7. In each of the Water/Sewer Utility Bonds the following language should be inserted in the places indicated by the corresponding letter in form of the Water Utility Bonds.

A. WSUB-__.

B. WATER/SEWER UTILITY BOND

Section 8. (a) The Bonds shall be sold on September 11, 2018, or such other date as may be determined by the Chief Financial Officer, via the “PARITY Electronic Bid System” (“PARITY”) upon the terms and the conditions set forth and described in the Full Notice of Sale for the Bonds set forth in Exhibit A attached hereto and authorized below. The Full Notice of Sale shall be posted on PARITY.

(b) Pursuant to N.J.S.A. 40A:2-34, the Borough hereby designates the Chief Financial Officer to sell and to award the Bonds in accordance with the Full Notice of Sale authorized herein with such changes as to date or the terms as deemed advisable or necessary by Phoenix Advisors, LLC, the Borough’s Municipal Advisor and McManimon, Scotland & Baumann, LLC, the Borough’s Bond Counsel to effectively access the market for the sale of the Bonds, and such Chief Financial Officer shall report in writing the results of the sale to this Borough Council as required by law. The Chief Financial Officer is hereby authorized and directed, consistent with the terms of the Full Notice of Sale, to retain the good faith deposit of the successful bidder and to immediately return such good faith deposits, whether by wire or check, to the unsuccessful bidders.

Section 9. The Full Notice of Sale shall be substantially in the form attached hereto as Exhibit A with additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C with such additions, deletions and omissions as may be necessary for the Borough to market the Bonds, including

in accordance with the requirements of the Securities Depository and PARITY. The Borough Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized in Exhibit B in the form provided herein in The Trenton Times or such other authorized newspaper of the Borough and any actions taken by the Clerk prior to the date of adoption of this resolution in connection with the publication of the Short Notice of Sale are hereby ratified, confirmed and approved. McManimon, Scotland & Baumann, LLC, is hereby directed to arrange for the publication of the Summary Notice of Sale authorized in Exhibit C in the form provided herein in The Bond Buyer, a financial newspaper published and circulating in the Borough of New York, New York, such publications to be not less than seven days prior to the date of sale.

Section 10. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date.

Section 11. The law firm of McManimon, Scotland & Baumann, LLC is authorized to arrange for the printing of the Bonds and is authorized to arrange for the printing of the Official Statement to be prepared by McManimon, Scotland & Baumann, LLC, Phoenix Advisors, LLC, Bowman & Company, LLC and Borough officials. The Mayor and the Chief Financial Officer are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Borough by the Chief Financial Officer or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 12. The Borough hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 13. (a) The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository, as may be

necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

(b) In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Borough and if no successor securities depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000 or any integral multiple of \$1,000 in excess thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 14. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Borough shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31 of the year in which the Bonds are issued, to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Data Port (the "MSRB"), annual financial information with respect to the Borough consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Borough and certain financial information and operating data consisting of (i) the Borough and overlapping indebtedness including a schedule of outstanding debt issued by the Borough, (ii) property valuation information, and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the MSRB;

(b) in a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB notice of any of the following events with respect to the Bonds:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to rights of Bondholders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Bonds;
- (13) The consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(c) In a timely manner to the MSRB notice of failure of the Borough to provide required annual financial information on or before the date specified in this resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Borough prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Borough fails to comply with the Rule requirements or the written contracts or undertakings specified in this certificate, the Borough shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 15. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES: Hansen, Misiura, Musing and Stults

ABSENT: Bluth and Montferrat

CONSENT AGENDA

Councilmember Musing moved Resolutions 2018-151; 2018-152; 2018-153; 2018-154; 2018-155; 2018-158 and 2018-159 as a Consent Agenda; Council President Stults seconded.

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

Resolutions adopted as a consent agenda 4-0.

Resolution 2018-151

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

RESOLUTION MAKING AND CONFIRMING APPOINTMENTS FOR THE CULTURAL ARTS COMMISSION

BE IT RESOLVED that the following appointments to the Cultural Arts Commission are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

Daniel Trent (Artist)

Ux. 3 year

December 31, 2018

Resolution 2018-152

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

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE 2018 BUDGET**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2018 as follows:

Source	Amount	Revenue Title	Appropriation Title
JIF Statewide Insurance Fund – Safety Grant Program	\$2,648.88	Safety Grant Program	Safety Grant Program

Resolution 2018-153

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

**EXTENDING THE GRACE PERIOD FOR PAYMENT OF 2018 THIRD QUARTER
TAXES**

WHEREAS, 2018 Third Quarter Taxes were due on August 1, 2018, with a ten-day grace period; and

WHEREAS, due to the late receipt of the tax rate from the County, the mailing of the tax bills was delayed; and

WHEREAS, the Mayor and Borough Council finds it to be equitable and proper that the grace period for payment of the 2018 third quarter tax be extended until the 31st day of August 2018; and

WHEREAS, if the 2018 third quarter tax payment is not received by August 31, 2018, late fees shall be effective from the due date of August 1, 2018 as is required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the grace period for payment of 2018 third quarter taxes be extended until the 31st day of August 2018.

Resolution 2018-154

BOROUGH OF HIGHTSTOWN

*COUNTY OF MERCER
STATE OF NEW JERSEY*

AUTHORIZING A WAIVER AND REFUND OF PERMIT FEES FOR ICARE

WHEREAS, on August 3, 2018, ICARE of East Windsor Hightstown was issued Construction Permit 20180273; and

WHEREAS, the fees associated for said permit totaled \$156.00, which was paid for in full by ICARE; and

WHEREAS, given the financial constraints of the organization and the benefit the organization provides to the community, the Construction Office has requested that the permit fees be waived; and

WHEREAS, said waiver does not include fees charged by the State of New Jersey; and

WHEREAS, all inspections and other requirements associated with this modification shall be conducted and/or completed as required; and

WHEREAS, the Construction Officer further requests that the \$156.00 permit fee be refunded to ICARE.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, that the Construction Permit fees associated with Permit 20180273 be waived and \$156.00 be refunded to ICARE of East Windsor Hightstown.

Resolution 2018-155

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

AUTHORIZING USE OF THE MUNICIPAL PARKING LOT FOR THE TRIATHLON

WHEREAS, the Parks & Recreation Commission will require the use of the Memorial Parking Lot as a staging area for Triathlon to be held on September 9, 2018; and

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

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

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

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that permission is hereby granted to the Hightstown Borough Parks & Recreation Commission for the use of the Memorial Parking Lot for the Hightstown Triathlon to be held on September 9, 2018.

Resolution 2018-158

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

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER,
STATE OF NEW JERSEY, SUPPORTS THE TOWNSHIP OF EAST WINDSOR'S
GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR FUNDING FOR THE DUTCH NECK ROAD SIDEWALK
IMPROVEMENTS, THROUGH THE SAFE ROUTES TO SCHOOL PROGRAM
(SRTS)**

WHEREAS, the Township of East Windsor is preparing a Grant Application to the New Jersey Department of Transportation (NJDOT) for funding through the Safe Routes to School Program (SRTS); and,

WHEREAS, the Township of East Windsor is seeking funding through the SRTS for transportation infrastructure improvements within the Township, including new concrete curb, 4-ft. wide sidewalk, and curb ramps at Dutch Neck Road, and will bring the public spaces into compliance with the Americans with Disabilities Act (ADA); and

WHEREAS, the improvements proposed by the Township of East Windsor at Dutch Neck Road will connect to those improvements proposed by the Borough of Hightstown at Dutch Neck Road between the intersection with Harron Avenue and the municipal boundary to the west; and

WHEREAS, this project area accommodates pedestrian access to area elementary schools; and

WHEREAS, all traffic education, enforcement and infrastructure projects funded under the program must be located within two miles of a school; and

WHEREAS, these improvements will enable and encourage children to walk or bicycle to school and will ensure the safety of pedestrians in the community-at-large; and

BE IT RESOLVED, that the governing body of the Borough of Hightstown, County of Mercer, State of New Jersey supports the Township of East Windsor's Grant Application to the NJDOT for funding for curbs, sidewalks, and crosswalks at Dutch Neck Road to the municipal boundary with the Township of East Windsor, through the SRTS; and,

BE IT FURTHER RESOLVED, that the Borough Clerk shall forward a certified copy of this Resolution to: The Municipal Clerk of the Township of East Windsor and the Municipal Engineer of the Borough of Hightstown.

Resolution 2018-159

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

AUTHORIZING REQUEST FOR PROPOSAL FOR ARCHITECTURAL SERVICES

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Administrator/Purchasing Agent is hereby authorized to advertise a Request for Proposal for Architectural Services for 230 Mercer Street and that the Borough is authorized to receive same after proper advertisement.

PUBLIC COMMENT PERIOD II

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

Scott Caster, 12 Clover Lane – Stated that with the bridge being completed, the Police need to be prepared for more enforcement at the lake. He also stated that life preservers are needed at Peddie Lake. Questioned what the Borough is doing about the homeless problem in downtown.

Keith LePrevost, 213 Greely Street - Stated that he disagrees with not introducing the Knox box ordinance. The Knox box contains important information and saves the firefighters time. He is disappointed about eliminating trees on the new road project.

Cornelia Moyer, 553 North Main Street – Spoke regarding a border tree on her neighbors property that she is afraid will damage her property because it has not been taken care of correctly.

Milton Matamoros, 135 Purdy Street, - Stated that the Fire Department's first priority is to save lives and that the Hightstown Fire Department follows the New Jersey Fire Code.

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

DISCUSSION

Fleet Inventory – Sustainable Jersey

Keith LePrevost, Chair Environmental Commission, reviewed and explained Hightstown Borough's Fleet Inventory, mileage and fuel consumption. He stated that he will need the help of Borough staff for odometer readings yearly. He also stated that we need to make better purchasing decisions going forward.

Capital Budget

There was discussion for items for the capital budget. George Lang, CFO, stated that we are requesting approximately \$200,000 more debt that we can issue notes for. This will not affect our debt significantly.

After discussion, Council agreed to move forward with Capital Purchases in the amount of \$199,600.00. The Bond Ordinance will be introduced at the meeting September 4, 2018.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Musing

HPC met last week. They are looking at ordering plaques for the Stewardship Program. Placement of the banners have been approved through JCP&L.

Councilmember Misiura

The Planning Board approved the Rug Mill Project application; variances were granted and conditions need to be met. Thanked St. Anthony's for use of the auditorium as a rain location for Theatre in the Park. Requested that Clerk's office provide meeting information earlier for Council to review.

Council President Stults

The Housing Authority will meet September 5, 2018. National Night Out was well attended and great as always. Thank you to our Police Department. Downtown Hightstown Business Group will meet September 17th at 8:30 a.m. At their last meeting they spoke about working with the churches and banks for use of their parking lots after hours. They also discussed having screens with slide shows in the businesses downtown. It would show Borough events and the other businesses.

Borough Administrator/Clerk, Debra Sopronyi

There will be a presentation at the September 17, 2018 meeting regarding the placement of a Community Board. She has spoken with George Chin, Construction Official, regarding the deli securing the building. The building is being left unsecured since the fire.

Deputy Clerk, Peggy Riggio

The Harvest Fair Committee will be meeting tomorrow evening. The auditors are finishing up in the office and the State will be in Wednesday auditing the Borough's contracts from the last 3 years.

Mayor Quattrone

He is also disappointed about losing trees in the Borough but there is no room for more trees on Sunset. Thinks it is great that the Rug Mill application has been approved and that we have awarded the contract for the Peddie Lake Walking Bridge. He had taken Assemblyman Benson through Hightstown showing him traffic problems. Assemblyman Benson will work with us and the DOT to resolve our issues.

ADJOURNMENT

Council President Stults moved to adjourn at 10:43 p.m.; Councilmember Hansen seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk