

**Meeting Minutes
Hightstown Borough Council
October 1, 2018
6:00 p.m.**

The meeting was called to order by Mayor Quattrone at 6:06 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>		ARRIVED LATE
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Montferrat</i>		ARRIVED LATE
<i>Councilmember Musing</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk and Debra Sopronyi Borough Clerk/Administrator. Police Chief Frank Gendron and Borough Attorney Fred Raffetto arrived during Executive Session.

EXECUTIVE SESSION

Resolution 2018-176 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 2018-176
*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 October 1, 2018 at the Hightstown Firehouse located at 140 N. Main Street, Hightstown that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Contract Negotiations – Municipal Court and Police Department
Personnel – Professional Services
Personnel – Grant Writer

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: January 1, 2019, 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.

Police Chief Gendron departed after Executive Session and is no longer present. George Lang, CFO, arrived after executive session and is now present.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Montferrat; Seconded by Councilmember Hansen.

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

Agenda approved 6-0.

APPROVAL OF MINUTES

September 17, 2018 – Executive Session

Moved by Councilmember Musing; Seconded by Council President Stults.

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

Minutes approved 6-0.

September 17, 2018 – Public Session

Moved by Councilmember Bluth; Seconded by Council President Stults

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

Minutes approved 6-0.

PRESENTATIONS

iCare

David Coates, iCare. iCare is a new non-profit established because of the wave of deaths from overdosing in the East Windsor/Hightstown communities. iCare will offer counseling, support and education services. All free of charge. This program was started with a \$130,000 grant from the County. Services are being provided by Jewish Family and Children Services. iCare is located at 133 South Main Street. Services will be offered 4 days a week. Thanked Council for their continued support

Keith Jackson, iCare – Has been a resident of Hightstown since 1974. Spoke about mental health and addiction. Stated that iCare is a grass roots organization started by volunteers to provide much needed services to the community. Stated that at present time there is a waiting list for services. They need community support; both financially and by individuals volunteering their time.

Habitat for Humanity

Tony Infasino, Habitat for Humanity – Gave a project update for the home on Academy Street. The roof and windows should be completed by the end of October. Inside work can begin once outside is complete and secure. They are still looking for a family.

PUBLIC COMMENT I

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

Doug Mair, 536 South Main Street – Questioned if the iCare space will be tax-exempt property being the Baptist Church owns the property.

J.P. Gibbons – 602 North Main Street – Questioned why personnel – Grant Writer was on for executive session. This is a contract not an employee. Shouldn't this be done in open? Questioned charges on the Bill List: Auditing Services and The Tropicana. CFO George Lang explained the Auditing Services bill and explained that the Tropicana was for employees to attend the League of Municipalities.

Scott Caster, 12 Clover Lane – Also questioned why the Grant Writer contract was in executive session. This should be done in open for more transparency. Council needs to let the public know what is going on.

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

ORDINANCES

2018-16 Final Reading and Public Hearing – 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

Mayor Quattrone opened the Public Hearing for Ordinance 2018-16 and the following individuals spoke:

Scott Caster, 12 Clover Lane – Thanked Council for the Ordinance. Asked if this will be enforced.

Doug Mair, 536 South Main Street – Stated that he is upset by this Ordinance. Why did it take 4 years to amend this ordinance. What will make this enforceable? Where will signs be posted?

Jordan Adler, 2 Fryer Court – Where and what will the signage be? Will the Police Department be enforcing the ordinance?

Joe Cicalese, 136 Broad Street – He is a regular bike rider downtown and he thinks this is a good ordinance. Something should have been done a long time ago.

J.P. Gibbons, 602 North Main Street – Suggested tabling the ordinance. Council seems unclear as to whether or not it is enforceable. Council needs to scrutinize to make sure there is not issue with legal authority or requirements.

Scott Caster, 12 Clover Lane – Asked when this ordinance becomes enforceable. Will it be enforceable without proper signage?

Doug Mair, 536 South Main Street – Question when it will be enforceable by the Police Department.

Fred Raffetto, Borough Attorney – Stated that this ordinance has been on the books for some time. He will leave it to the Police Chief's discretion as to when to start enforcing.

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

Moved for adoption by Councilmember Montferrat; Seconded by Councilmember Hansen.

Discussion ensued. Councilmember Bluth stated that there are errors in regard to the State Statute. She would like our wording to match State Statute. Councilmember Misiura asked if all State requirements need to be reiterated in our ordinance. Borough Attorney, Fred Raffetto stated that we do not need to reiterate requirements but that inconsistencies need to be corrected.

Councilmember Bluth moved to table Ordinance 2018-16; Councilmember Musing seconded.

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

Ordinance tabled 6-0.

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:

1. 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 rear 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)

g. On Rogers Avenue from the intersection of Railroad Avenue to Mercer Street.

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 of this section shall cause the violator's parent or guardian to be subject to 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 of this section shall cause the violator's parent or guardian to be subject to 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.

2018-19 First Reading and Introduction – Refunding Bond Ordinance of the Borough of Hightstown, In the County of Mercer, New Jersey, Providing for the Refunding of All or a Portion of Certain Water/Sewer Utility Bonds of the Borough, Appropriating \$1,080,000 Therefor and Authorizing the Issuance of Not to Exceed \$1,080,000 Water/Sewer Utility Refunding Bonds of the Borough for Finance the Cost Thereof

George Lang, CFO, explained that this is refunding a 2002, 25 year bond.

Moved for Introduction by Council President Stults; Seconded by Councilmember Montferrat.

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

Ordinance introduced 6-0.

Public Hearing Scheduled for October 15, 2018.

RESOLUTIONS

Resolution 2018-177 Payment of Bills

Moved by Councilmember Musing; Seconded by Council President Stults.

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

Resolution adopted 6-0.

Resolution 2018-177

*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 \$104,083.70 from the following accounts:

Current		\$78,312.95
W/S Operating		24,120.04
General Capital		342.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		689.96
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>618.75</u>
Total		<u>\$104,083.70</u>

Resolution 2018-178 Authorizing Payment #1 – Rapid Pump & Meter Service (Secondary Clarifier Improvements)

Moved by Councilmember Montferrat; Seconded by Council President Stults.

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

Resolution adopted 6-0.

Resolution 2018-178

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

**AUTHORIZING PAYMENT #1 – RAPID PUMP & METER SERVICE (SECONDARY
CLARIFIER IMPROVEMENTS)**

WHEREAS, on December 18, 2017, the Borough Council awarded a contract for the Secondary Clarifier Improvements for the Advanced Waste Water Treatment Plant in Hightstown Borough to Rapid Pump & Meter Service Co., Inc. of Paterson, New Jersey at the price of \$142,430.00; and

WHEREAS, the contractor has submitted payment request #1 for work related to mobilization, demolition and removal of the existing chain and flight systems, and furnishing and installation of new chain and flight system for the project in the total amount of \$83,454.35; and

WHEREAS, the Borough Engineer has recommended approval of payment #1 to Rapid Pump & Meter Service Co. in the amount of \$83,454.35 following receipt of the certified payrolls; and

WHEREAS, the CFO 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 Request #1 to Rapid Pump and Meter Service, Co. of Paterson, New Jersey in the amount of \$83,454.35, following receipt of the certified payrolls is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2018-179 Authorizing Payment to Van Cleef Engineering Associates (Construction Administration and Inspection for the Rehabilitation of East Ward Street)

Moved by Councilmember Hansen; Seconded by Councilmember Montferrat.

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

Resolution adopted 6-0.

Resolution 2018-179

*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 \$80.00 for inspection services from August 1, 2018 – August 31, 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 \$80.00 to Van Cleef Engineering of Hamilton, New Jersey is hereby approved as detailed herein.

Resolution 2018-180 Appointing and Authorizing an Agreement for Professional Grant Writing Services – CGP&H, LLC

Moved by Councilmember Musing; Seconded by Councilmember Montferrat.

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

Resolution adopted 6-0.

Resolution 2018-180

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

**APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL
GRANT WRITING SERVICES – CGP&H, LLC**

WHEREAS, there exists the need for specialized grant writing services for the Borough; and

WHEREAS, three (3) proposals were received for professional grant writing services; and

WHEREAS, the proposals were reviewed and evaluated by a sub-committee of the Borough Council; and

WHEREAS, it is the desire of Borough Council to appoint CGP&H, LLC of Cranbury, New Jersey as Grant Writer effective October 1, 2018; and

WHEREAS, the cost for the proposed services shall not exceed \$25,000.00 without further approval by the Borough Council; and,

WHEREAS, the Finance Office has certified that funds are available for this contract; and,

WHEREAS, the Borough Attorney will review and approve the contract for execution by the Borough; and

WHEREAS, the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, this contract is awarded as a “fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Hightstown that the Mayor is authorized to execute and the Borough Clerk to attest an agreement between the Borough of Hightstown and CGP&H, LLC of Cranbury, New Jersey for professional grant writing services for the year October 2018 – September 2019.

Resolution 2018-181 Urging the State Legislature to Extend the 2% Cap on Police and Fire Arbitration Contract Awards

Councilmember Bluth moved to amend the title from Extend to Reinstate. Seconded by Council President Stults.

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

Resolution amended 6-0.

Moved as amended by Council President Stults; Seconded by Councilmember Hansen.

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

Resolution adopted as amended 6-0.

Resolution 2018-181

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

**URGING THE STATE LEGISLATURE TO REINSTATE THE 2% CAP ON POLICE AND FIRE
ARBITRATION CONTRACT AWARDS**

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

WHEREAS, salary costs, to a great extent, drive property tax increases; and

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, has not officially released though it was due in December 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date, and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Hightstown Borough urges the State Legislature to reinstate the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made

permanent; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Assemblyman Daniel Benson, Assemblyman Wayne DeAngelo, Senator Linda Greenstein, Senate President, Assembly Speaker, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

Resolution 2018-182 Endorsing the Neighborhood Pace Car Program in the Borough of Hightstown

Moved by Councilmember Montferrat; Seconded by Councilmember Bluth.

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

Resolution adopted 6-0.

Resolution 2018-182
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**ENDORISING THE NEIGHBORHOOD PACE CAR PROGRAM IN THE BOROUGH
OF HIGHTSTOWN**

WHEREAS, the Borough of Hightstown's Master Plan calls for the promotion of pedestrian movement throughout the Borough as a priority and calls for traffic calming measures; and

WHEREAS, the Neighborhood Pace Car Program, a citizen-based program, aims to make neighborhoods safer for pedestrians, bicyclists and drivers; and

WHEREAS, the Neighborhood Pace Car Program has proven to be effective in slowing traffic in cities across the Country; and

WHEREAS, the Neighborhood Pace Car Program will ask residents register as a pace car driver, sign a pledge to abide by local and State rules and display a magnet on their vehicle; and

WHEREAS, the Pace Car Magnet communicates the drivers intentions to other drivers as they model courtesy and safe driving; and

WHEREAS, there is no cost to the Borough to implement this program.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of Hightstown Borough hereby endorses and encourages Borough residents to participate in the Neighborhood Pace Car Program.

CONSENT AGENDA

Councilmember Hansen moved Resolutions 2018-183; 2018-184; 2018-185 and 2018-186 as a Consent Agenda; Councilmember Montferrat seconded.

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

Resolution adopted 6-0.

Resolution 2018-183

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

AUTHORIZING A REFUND FOR CERTIFICATE OF OCCUPANCY

WHEREAS, Alexandra Rauh of Jamesburg, New Jersey paid for a certificate of occupancy in connection with the purchase of a home in Hightstown with a payment in the form of check #109 in the amount of \$100.00; and

WHEREAS, \$100.00 was deposited into account #8-01-08-160-601; and

WHEREAS, the housing inspection was never performed as the deal fell through and the applicant is no longer purchasing the home; and

WHEREAS, the Construction Official has requested that a refund of the \$100.00 paid for said certificate of occupancy be issued.

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Finance Department is hereby authorized and directed to issue a refund in the amount of \$100.00 to Alexandra Rauh of Jamesburg, New Jersey, for a certificate of occupancy as stated herein.

Resolution 2018-184

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

RESOLUTION OF COMPLIANCE REGARDING THE 2017 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 2017 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 2018-185

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

SUPPORT FOR THE JCP&L RELIABILITY PLUS

WHEREAS, The Borough of Hightstown recognizes that reliable electric service plays a crucial role in the daily lives of Borough residents; and

WHEREAS, The Borough of Hightstown recognizes that reliable electric service also is critical to the local businesses within our community, and drives commerce in our Borough and across the region; and

WHEREAS, The Borough of Hightstown supports efforts to enhance our energy infrastructure to continue to provide families and businesses the reliable source of energy they need; and

WHEREAS, The Borough of Hightstown supports efforts to enhance the reliability and resiliency of the electric distribution system against severe weather and reduce the number of customers affected by outages and shorten the duration of outages; and

WHEREAS, The Borough of Hightstown has been informed that Jersey Central Power and Light Company's (JCP&L) Reliability Plus includes approximately \$400 million in targeted investments above and beyond its regular annual investments to enhance JCP&L's service reliability and resiliency; and

WHEREAS, The Borough of Hightstown has been informed that the JCP&L plan includes nearly 4,000 enhancements that will help the reliability and resiliency of overhead and underground distribution lines, as well as new equipment to reduce the number of customers affected by outages and shorten the duration of outages; and

WHEREAS, The Borough of Hightstown has been informed that the JCP&L plan also outlines additional vegetation management to reduce the potential for tree damage, which is the primary cause of outages during severe storms in JCP&L's service area; and

WHEREAS, The Borough of Hightstown has been informed that JCP&L expects the plan's economic benefit to customers and businesses from enhanced reliability and resiliency will be \$1.9 billion over the estimated life of the equipment installed through the program; and

WHEREAS, The Borough of Hightstown has been informed that JCP&L estimates the initial increase on the monthly bill for an average residential customer would be about 25 cents.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of The Borough of Hightstown hereby finds and declares: That JCP&L's Reliability Plus will benefit residents and businesses in The Borough of Hightstown and throughout Mercer County by making JCP&L's electric distribution system during storm and non-storm events more resistant to outages and enabling the system to recover more quickly when outages do occur and increase the distribution system's resiliency, operational flexibility, safety and security. JCP&L's Reliability Plus should be approved by the New Jersey Board of Public Utilities.

Resolution 2018-186

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

**AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND RELEASE OF
AMOUNTS REMAINING IN ESCROW – EL ZORRO, LLC (CHURCH STREET, BLOCK 31,
LOT 6)**

WHEREAS, in December of 2017, El Zorro, LLC posted a performance guarantee with the Borough of Hightstown in the amount of \$109,794.41 in the form of a bond and cash in the amount of \$12,199.38, along with escrow monies relative to work at Church Street, Block 31, Lot 6; and

WHEREAS, El Zorro, LLC has requested the release of said performance bond and escrow; and

WHEREAS, the Borough Engineer has inspected the project and has approved said project; and

WHEREAS, the Borough Engineer has stipulated that a two-year Maintenance Guarantee in the amount of \$18,299.07 be placed on file in the office of the Municipal Clerk; and

WHEREAS, the release of the performance bond and escrow funds are subject to payment of all outstanding fees and accounts.

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

1. The Clerk is authorized and directed to release to El Zorro, LLC the performance bond held relative to the Planning Board application as detailed herein.
2. The CFO is authorized and directed to release to El Zorro, LLC the cash portion of the performance bond and all of the amounts remaining in the escrow accounts for this project subject to certifications from the Borough's professionals that all amounts due to them for this project have been fully paid.
3. A certified copy of this Resolution shall be provided to the following:

- a. El Zorro, LLC
- b. George Lang, Chief Financial Officer
- c. Sandy S. Belan, Planning Board Secretary
- d. Carmela Roberts, Borough Engineer
- f. Jolanta Maziarz, Planning Board Attorney

PUBLIC COMMENT PERIOD II

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

Doug Mair, 536 South Main Street – Stated that an ordinance is law once it is passed. Spoke regarding auto repair facilities in town being in disrepair and the abandon vehicle ordinance.

Scott Caster, 12 Clover Lane – Still supports the bicycle ordinance. Please include all vehicles on the sidewalks.

J.P. Gibbons, 602 North Main Street – Requested that no action be taken on the YMCA building until after the election in November. Questioned the bill that was approved for Van Cleef Engineering. Stated that not all of the candidates are available for the debate moderated by the League of Women’s Voters. He invited all candidates to his public meeting on October 30th to talk about issues in town.

Jean Ruggiero-Mair, 536 South Main Street – Requested that no action be taken on the YMCA building until after the election in November.

Richard Wierbiel, 17 Norton Avenue – Spoke about the traffic on Wycoff’s Mill Road.

Milton Matamoros, 135 Purdy Street – Questioned why nothing has been done regarding the bicycle ordinance in the past 5 years. Requested that no action be taken on the YMCA building until after the election in November.

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

SUBCOMMITTEE REPORTS

Councilmember Misiura stated that the Streets and Sidewalks Committee recently met. The Greater Mercer TMA attended their meeting and spoke of grants that are available to help the community. The committee is working on a bicycle plan and grant application. They could use the help of the grant writer to complete the application. The committee is also working on the Walkability Audit.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Bluth

The Triathlon had over 225 participants and profited just under \$10,000. The Cultural Arts Commission will have 2 spots at the Harvest Fair. Empty Bowls is scheduled for March 23, 2018 at the Peddie School. Looking to change partners for this event. Parks and Rec has received two additional pianos to be restored. They will be moved to Memorial Park and Dawes Park once they are completed.

Councilmember Montferrat

Thanked the members from iCare for coming and for what they are doing for the community. Board of Health meets in two weeks. Harvest Fair is this Saturday. Environmental Commission will be coming to Council in November to discuss the Storm Water Ordinance and a Tree Ordinance.

Councilmember Misiura – First Aid met September 19th. They questioned the amount of calls that the squad has answered. The Administrator will follow up with this.

Councilmember Musing – HPC met and is moving ahead with plaques for stewardship. New hardware for the flags are being ordered so the flags can be hung in the historic district. The current hardware does not fit around the JCP&L poles. Is happy that the bicycle ordinance was tabled. He plans on attending the debate being moderated by the League of Women's Voters.

Councilmember Stults – Looking forward to the next Housing Authority meeting. Downtown Hightstown Businesses will be holding their next meeting on October 15th. Public Works is getting quotes for dumpster enclosures downtown. The new stop sign is up on Leshin Lane at the High School but it is covered until the pedestrian crosswalk is painted.

Borough Administrator/Clerk, Debra Sopronyi – Clarified the cost of the Peddie Lake Bridge and read the new press release.

Deputy Clerk, Peggy Riggio – Reminded everyone of the Harvest Fair Saturday from 10 a.m. – 4:00 p.m.

Mayor Quattrone – Thanked Council for all their hard work and we will continue working on the bicycle ordinance.

ADJOURNMENT

Councilmember Montferrat moved to adjourn at 9:33 p.m.; Council President Stults seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk