

**Meeting Minutes
Hightstown Borough Council
November 4, 2019
7:00 p.m.**

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

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	ü	
<i>Councilmember Egan</i>	ü	
<i>Councilmember Jackson</i>	ü	
<i>Councilmember Misiura</i>	ü	
<i>Councilmember Musing</i>		ü
<i>Councilmember Stults</i>		ü
<i>Mayor Quattrone</i>	ü	

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk; Debra Sopronyi Borough Clerk/Administrator and Fred Raffetto, Borough Attorney.

EXECUTIVE SESSION

Resolution 2019-193 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Bluth; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopted 4-0.

Resolution 2019-193
*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 November 4, 2019 at the Hightstown Fire House 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 – FOP and Local 32

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 February 4, 2020, 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 7:37 and again read the Open Public Meetings Statement. George Lang and Carmela Roberts arrived after executive session and are now present.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Council President Misiura moved to amend the agenda adding the Safe Routes to School Silver Recognition and a discussion on zoning maps; Councilmember Jackson seconded.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Agenda approved as amended 4-0.

APPROVAL OF MINUTES

October 21, 2019 – Executive Session

Moved by Council President Misiura; Seconded by Councilmember Egan.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Minutes approved 4-0.

October 21, 2019 – Public Session

Moved as amended by Council President Misiura; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Minutes approved 4-0.

PRESENTATIONS

Bicycle Lanes – Mercer County Planning Board

Matt Lawson, Principle Planner, Mercer County Planning spoke and thanked Council for adopting the Complete Streets Policy. He apologized for the implementation of the bike lanes and no parking. The County should have worked more closely with the Borough on the implementation. Mercer County is disappointed that the previous ordinance did not pass but it was appropriate. They are now recommending No Parking northbound from Monmouth Street to Sunset Avenue and southbound from the Borough line to Monmouth Street. There is ample parking on side streets for the parcels affected by the no parking. The County can not dictate what Council chooses to move forward with. The bike lanes can be taken away if the Borough so chooses. Mr. Lawson stated that bicycle riders over the age of 12 years old are required to use the road. The County can install Share the Road signs. Council President Misiura stated the he was not aware of the State Law requiring use of the road by riders over the 12 years of age. He also asked if the County intends to install bike lanes on all County roads. Mr. Lawson stated that yes, this is part of the County Master Plan. Mayor Quattrone asked what happens when the County Road turns into the State Highway. Mr. Lawson stated that State law supersedes County Law. Council will look to make the amendments and reintroduce the Ordinance. Scott Caster, 12 Clover Lane stated that he is on the NJ website and it states that riding a bicycle on the sidewalk is not prohibited. Steven Wong, 558 North Main Street stated that Downtown Hightstown is a State highway and share the road signs should be posted.

Safe Routes to School Silver Award

Beverly Asselstine, Complete Streets Committee, stated that the Borough of Hightstown has received a Silver Level Recognition from the New Jersey Safe Routes to Schools Program in honor of our commitment and support in encouraging children to walk and bicycle to school. Ms. Asselstine presented Mayor Quattrone with the award.

ENGINEERING ITEMS

Soil Fill Importation Ordinance

Borough Engineer, Carmela Roberts explained the proposed soil fill importation ordinance. Such an ordinance would help prevent contaminated soil and/or fill from being brought into Hightstown unknowingly. The New Jersey Department of Environmental Protection (NJDEP) encourages municipalities to be proactive by enacting a soil and fill ordinance. NJDEP provides a model ordinance. Ms. Roberts thinks this is a good ordinance, but implementation needs to be discussed. Discussion ensued. Council agreed to refer this to the Environmental Commission and have them make a recommendation. Once a recommendation is received from the Environmental Commission, a subcommittee can be appointed to devise an implementation plan.

Resolution 2019-194 Resolution Authorizing an Application for a Loan from the New Jersey Infrastructure Bank Financing Program

Borough Engineer, Carmela Roberts explained that the three (3) water towers in town all need refurbishment. We can apply to NJ iBank for a low interest loan. We will apply for the loan and include all 3 projects in 1 contract.

Moved by Councilmember Bluth; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopt 4-0

Resolution 2019-194
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING AN APPLICATION FOR A LOAN FROM THE
NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM**

WHEREAS, the Borough of Hightstown intends to file an application with the New Jersey Infrastructure Bank for painting and repair of the First Avenue Elevated Water Tank, Leshin Lane Elevated Standpipe and the Cranbury Station Road Elevated Water Tank; and

WHEREAS, the Borough Council has authorized the Borough Engineer, Carmela Roberts of Roberts Engineering Group, for an amount not to exceed \$3,000.00, to prepare and submit the required documentation and specifications for the New Jersey Infrastructure Bank.

NOW, THEREFORE BE IT RESOLVED, that Debra Sopronyi is hereby authorized to act as the Authorized Representative to represent the Borough of Hightstown in all matters relating to the project undertaken pursuant to the above referenced New Jersey Infrastructure Bank Loan. The Authorized Representative may be contacted at the Borough of Hightstown, 156 Bank Street, Hightstown, NJ 08520, (609) 490-5100.

PUBLIC COMMENT I

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

Keith LePrevost, 213 Greely Street – Spoke regarding the retaining wall that needs to be replaced on Bank Street. Asked about what social media accounts the Borough has. Stated that according to Best Practices the Borough has a 5-year capital plan. That is not on the website. Does the Borough have this plan?

Eugene Sarafin, 528 South Main Street – Stated that he is impressed with how Council dealt with the bicycle lanes. Stated that he feels developers are evil and a rip off. We need to make sure the developers have adequate funding before entering into an agreement.

Matthew Warren, 569 North Main Street – Stated that the bike lanes look great but he feels that the cars are going faster now. What can be done to make it safer. He suggested flashing sign indicating speed or installing speed bumps to ensure that the speed limit is actually followed.

Scott Caster, 12 Clover Lane – Refreshing to hear discussion about bikes on sidewalks. Please address bikes on sidewalks downtown.

Frank Rivera, 110 Broad Street – Please reconsider discussing the sidewalk and tree ordinance until next meeting since 2 Councilmembers are missing. Stated that Council President Misiura spoke at the last meeting staying that “he was not elected to Council to hear Frank complain about his sidewalk.” This comment was hurtful because he is being told that he is nuisance and should go away.

Councilmember Misiura stated that he was misquoted. What he said at the last meeting was “When I was elected to Council, I didn’t expect to be spending so much time talking about trees. I mentioned Frank’s trees and I mentioned the trees on Lincoln and Hagemount and I mentioned some other tree issue we had. If I offended you or hurt you I apologize. That was not my intent. And my intent was not to punt this issue, at the time and as it still stands, there was a subcommittee formed, we have not heard from the subcommittee and we have not made any decisions yet on what to do about this tree issue. Again, I apologize, and my intent was not to be insulting.”

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

ORDINANCES

Ordinance 2019-18 First Reading and Introduction An Ordinance Appropriating \$100,000 from the General Capital Fund Balance for Capital Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey

Moved for introduction by Councilmember Bluth; Seconded by Council President Misiura.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Ordinance introduced 4-0.

Public Hearing scheduled for 11/18/2019

Ordinance 2019-18
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AN ORDINANCE APPROPRIATING \$100,000 FROM THE WATER SEWER CAPITAL FUND
BALANCE
FOR CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN,
IN THE COUNTY OF MERCER, NEW JERSEY**

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

Section 1. The sum of \$100,000.00 is hereby appropriated from Water Sewer Capital Fund Balance for the following capital purpose by the Borough of Hightstown, in the County of Mercer, New Jersey, including all work and materials necessary therefor and incidental thereto:

Improvements to the Hightstown Advanced Waste Water Treatment Plant (AWWTP)

Section 2. The capital budget of the Borough of Hightstown is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by the law.

Ordinance 2019-19 First Reading and Introduction Bond Ordinance Providing for Various Improvements to the Water and Sewer Utility in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$110,000 therefor and Authorizing the Issuance of \$104,700 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Moved for introduction by Councilmember Bluth; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Ordinance introduced 4-0.

Public Hearing scheduled for 11/18/2019

ORDINANCE 2019-19

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER AND SEWER UTILITY IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$110,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$104,700 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$110,000, including the aggregate sum of \$5,300 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in

one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$104,700 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of a 4-wheel drive utility truck, including all related costs and expenditures incidental thereto.	\$57,500	\$54,700	5 years
b) Acquisition of a lagoon liner, including all related costs and expenditures incidental thereto.	\$52,500	\$50,000	15 years
TOTAL:	<u>\$110,000</u>	<u>\$104,700</u>	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such

determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.77 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the

Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$104,700, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 2019-20 First Reading and Introduction Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$195,000 therefor and Authorizing the Issuance of \$185,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Moved for introduction by Councilmember Bluth; Seconded by Councilmember Egan.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Ordinance introduced 4-0.

Public Hearing scheduled for 11/18/2019

ORDINANCE 2019-20

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$195,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$185,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements

or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$195,000, including the aggregate sum of \$9,500 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$185,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Police Department:</u>			
(i) Acquisition of a sports utility vehicle and a sonic fire wall, including all related costs and expenditures incidental thereto.	\$80,000	\$76,100	5 years
b) <u>Fire Department:</u>			
Acquisition of equipment, including self-contained breathing apparatus bottles, turn out gear, a hose and a ladder, including all related costs and expenditures incidental thereto.	\$54,000	\$51,400	15 years
c) <u>Department of Public Works:</u>			
(i) Acquisition of a trench box, including all related costs and	\$5,250	\$5,000	15 years

expenditures incidental
thereto.

(ii) Acquisition of a 4-wheel drive utility truck with plow, including all related costs and expenditures incidental thereto.	<u>\$55,750</u>	<u>\$53,000</u>	5 years
TOTAL:	<u>\$61,000</u>	<u>\$58,000</u>	
GRAND TOTAL:	<u>\$195,000</u>	<u>\$185,500</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 7.63 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$185,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$4,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) Any action taken prior to the date of adoption of this bond ordinance in furtherance of the several improvements or purposes described in Section 3, including but not limited to, expenditures of funds appropriated hereby, are hereby ratified, confirmed and approved.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication

thereof after final adoption, as provided by the Local Bond Law.

RESOLUTIONS

Resolution 2019-195 Payment of Bills

Moved by Council President Misiura; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopted 4-0.

Resolution 2019-195
*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 \$515,381.51 from the following accounts:

Current		\$84,700.01
W/S Operating		42,017.73
General Capital		263,263.71
Water/Sewer Capital		110,317.38
Grant		3,490.00
Trust		3,921.36
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>7,671.42</u>
Total		<u>\$515,381.61</u>

Resolution 2019-196 Authorizing Payment to French & Parrello Associates (Engineer of Record for the Peddie Lake Dam Walking Bridge Replacement)

Moved by Councilmember Jackson; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopted 4-0.

Resolution 2019-196

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

**AUTHORIZING PAYMENT TO FRENCH AND PARRELLO ASSOCIATES
(ENGINEER OF RECORD FOR THE PEDDIE LAKE DAM WALKING BRIDGE
REPLACEMENT)**

WHEREAS, on July 15, 2019, the Borough Council awarded a contract for the professional consulting engineering services for the Peddie Lake Dam Walking Bridge Replacement to French and Parrello Associates of Wall, New Jersey at a cost not to exceed \$18,000.00; and

WHEREAS, the engineer has submitted a request payment in the amount of \$5,247.50 professional services through October 12, 2019 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 \$5,247.50 to French and Parrello Associates of Wall, New Jersey is hereby approved as detailed herein.

Resolution 2019-197 Authorizing Payment to Remington Vernick for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge Project

Moved by Councilmember Jackson; Seconded by Councilmember Bluth

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopted 4-0.

Resolution 2019-197

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

**AUTHORIZING PAYMENT TO REMINGTON VERNICK FOR INSPECTION
AND CONTRACT ADMINISTRATION SERVICES ASSOCIATED WITH THE
PEDDIE LAKE DAM PEDESTRIAN BRIDGE PROJECT**

WHEREAS, on December 18, 2017, the Borough Council awarded a contract for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge to Remington Vernick Engineers, of Haddonfield, New Jersey at a cost not exceed \$184,921.28; and

WHEREAS, the engineer has submitted a payment request for inspection and contract administration services through September 30, 2019, in the total amount of \$20,548.27; 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 to Remington Vernick Engineers of Haddonfield, New Jersey in the amount of \$20,548.27, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2019-198 Authorizing the Renewal of a Shared Services Agreement with Robbinsville Township for Emergency Medical Services

Moved by Councilmember Bluth; Seconded by Councilmember Bluth; Seconded by Councilmember Egan.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopted 4-0.

Resolution 2019-198
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

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

WHEREAS, Resolution 2018-26 authorized a shared services agreement for Robbinsville Township to provide Emergency Medical Service coverage in Hightstown Borough; and

WHEREAS, said agreement was approved for the period January 1, 2018 through December 31, 2018 with the option to renew for two additional one-year periods; and

WHEREAS, Resolution 2018-204 renewed said agreement for the period January 1, 2019 through December 31, 2019 with the option to renew for one additional one-year period; and

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

WHEREAS, the Mayor and Council wish to renew the Shared Services Agreement for Emergency Medical Service for the period January 1, 2020 through December 31, 2020, which constitutes the final year applicable to the current agreement; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, will be Forty Thousand Dollars (\$40,000.00) annually; and

WHEREAS funds for this expenditure will be made available in the 2020 budget;

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

1. The extension of the Shared Services Agreement with the Township of

Robbinsville for Emergency Medical Service for the period January 1, 2020 through December 31, 2020 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.

2. This agreement is approved subject to the provision of adequate funds in the Borough's 2020 budget.

Resolution 2019-199 Authorizing a Renewed Shared Services Agreement with Mercer County for EMS Dispatch Services

Moved by Councilmember Bluth; Seconded by Councilmember Egan.

Roll Call Vote: Councilmembers Bluth, Egan, Jackson and Misiura voted yes.

Resolution adopted 4-0.

Resolution 2019-199
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING A RENEWED SHARED SERVICES AGREEMENT WITH
MERCER COUNTY FOR EMS DISPATCH SERVICES**

WHEREAS, with the adoption of Resolution 2014-126 on June 2, 2014, the Borough Council approved a Shared Services Agreement with Mercer County for Emergency Medical Dispatch Services for the period of July 1, 2014 to December 31, 2016; and

WHEREAS, Hightstown Borough has entered into successor agreements annually since the inception of the original agreement; and

WHEREAS, the parties desire to enter into a successor agreement to continue the provision of Emergency Medical Dispatch Services to the Borough by Mercer County for a one-year period, January 1, 2020 through December 31, 2020; and

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

WHEREAS, the Mayor and Council have reviewed the proposed Shared Services Agreement for Emergency Medical Dispatch Services for the period January 1, 2020 through December 31, 2020; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, for the period January 1, 2020 through December 31, 2020 will be Four Thousand Three Hundred and Thirty Dollars (\$4,330.00) for this 12-month period; and

WHEREAS, additional terms of said Services shall be established in a shared services agreement signed by Mercer County and Hightstown Borough; and

WHEREAS, it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2020 budget.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of

Hightstown:

1. The Mayor and Municipal Clerk are hereby authorized to execute a shared services agreement for EMS Dispatch Services as stated herein.
2. This agreement is approved subject to the provision of adequate funds in the Borough's 2020 budget.

CONSENT AGENDA

Council President Misiura moved Resolutions 2019-200; 2019-201; 2019-202; 2019-203 and 2019-204 as a Consent Agenda; Councilmember Jackson seconded.

Resolution 2019-200

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

RESOLUTION CALLING FOR STUDY COMMISSION TO REVIEW THE OPEN PUBLIC RECORDS ACT

WHEREAS, the Borough of Hightstown strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, the Borough of Hightstown has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, the Borough of Hightstown received and responded 78 OPRA requests in 2017, 91 OPRA requests in 2018, and to date has received and responded to 73 OPRA requests; and

WHEREAS, due to the often-conflicting case law and Government Record Council decisions, as well as the unique characteristics of OPRA requests, the Borough of Hightstown must often times rely on the municipal attorney to review certain OPRA requests, resulting in additional attorney fees; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform.

NOW, THEREFORE BE IT RESOLVED that the governing body of the Borough of Hightstown appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman Daniel Benson, Assemblyman Wayne DeAngelo, Senator Linda Greenstein, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

Resolution 2019-201

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

**AUTHORIZING DEPOSITORIES AND SIGNATURES
FOR MUNICIPAL COURT ACCOUNTS**

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the banks designated as depositories of monies of the Borough of Hightstown and the Hightstown Borough Municipal Court are hereby established in accordance with the Cash Management Plan adopted by the Borough on January 1, 2019; and

BE IT FURTHER RESOLVED that the following Municipal Court Officers of the Hightstown Borough Municipal Court be hereby authorized to sign checks for the payment of money from the accounts of the Hightstown Borough Municipal Court and that **all notes and drafts** of the Hightstown Borough Municipal Court be signed in like manner by any one of said same officers:

Seth Kurs, Municipal Judge
Carol Gaynor, Municipal Court Administrator
Sarah Graubart, Deputy Court Administrator
Ana Collazo, Deputy Court Administrator

BE IT FURTHER RESOLVED, that the Municipal Judge, Municipal Court Administrator and the Deputy Court Administrator shall not be held liable for any loss of public money deposited by them with the aforesaid banks when such loss is occasioned by the failure of such banks faithfully to account for and pay over such money on legal demand.

Resolution 2019-202

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

AUTHORIZING A TRANSFER OF FUNDS IN THE 2019 BUDGET

WHEREAS N.J.S.A. 40A:4-58 provides that the governing body may authorize a transfer of funds in the budget during the last two months of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2019 budget are hereby authorized:

<u>Current:</u>	<u>From</u>	<u>To</u>
Municipal Court		
Salaries and Wages	20,000.00	
Municipal Court		
Other Expenses		20,000.00
	\$	\$
TOTALS	20,000.00	20,000.00

Resolution 2019-203

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

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF
REVENUE
IN THE 2019 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
County of Mercer	\$50,000	County of Mercer – Mercer at Play	County of Mercer – Mercer at Play

Resolution 2019-204

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

PROCLAIMING DECEMBER 2, 2019 AS COMMUNITIES OF LIGHT DAY

WHEREAS, it is the policy of Hightstown Borough to recognize organizations that have contributed to the overall benefit of the community; and

WHEREAS, Womanspace, founded in 1977, has demonstrated a unique ability to provide comfort, support services, crisis intervention and safety to women who are victims of sexual assault and domestic violence; and

WHEREAS, Womanspace, in the belief that “peace begins at home”, has asked the Mercer County Community to join them in their struggle against violence toward women by participating in their annual Communities of Light project; and

WHEREAS, Womanspace has provided emergency shelter in secure locations and comprehensive services for victims of domestic violence since 1977 and sexual assault since 2002, for more than 71,393 women, 13,717 children and 5,153 men. Additionally, Womanspace has assisted more than 277,877 hotline callers over the last 42 years; and

WHEREAS, Hightstown Borough applauds the efforts of Womanspace to bring an end to the cycle of interpersonal violence imposed on women, children and men; and

WHEREAS, the Mayor and Council of Hightstown Borough urges that each and every household demonstrate their support of the concept that “peace begins at home” by placing luminaries along their driveways and sidewalks on Monday, December 2, 2019, as a visible symbol of that support; and

WHEREAS, the proceeds from Communities of Light 2019 will be used to fund vital services for victims of domestic violence and sexual assault.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown, County of Mercer, State of New Jersey, that Monday, December 2, 2019 is Community of Light Day and hereby commends Womanspace on its many accomplishments and wish them continued success with Communities of Light in the years to come.

PUBLIC COMMENT PERIOD II

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

Eugene Sarafin, 628 South Main Street – Spoke in opposition of President Trump.

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

DISCUSSION

Best Practices

Borough Administrator/Clerk, Debra Sopronyi, spoke to Mr. LePrevost's question regarding the 5-year capital budget and social media. The Borough does have a 5-year capital budget plan that gets updated annually. While the Borough itself does not maintain social media accounts, several boards and committees do. George Lang, CFO explained that this year Best Practices consisted of 84 questions. 30 points were required. Hightstown scored a 46. This has already been filed with DCA.

SUBCOMMITTEE REPORTS

Sidewalk and Tree Subcommittee Update

Councilmembers Bluth and Jackson reviewed the current ordinance. The recommendation of the subcommittee is to leave this ordinance as is. There is no solution that makes sense. Hightstown cannot afford to repair sidewalks damaged by trees. Discussion ensued. It was stated that the Environmental Commission needs to work with homeowners affected by trees causing damage to sidewalks to come up with a solution on a case by case basis. Mayor Quattrone asked the subcommittee to hold their recommendation and he will work with the subcommittee to come up with amendments to the ordinance.

Lot Size Ordinance

The ordinance review subcommittee met to discuss undersized lots in Hightstown. Developers have no interest in the lots because the lots require variances from Planning Board which is timely and costly. The subcommittee recommends adding section "K" to the existing code which, if all criteria is met, would be able to be approved by the Borough Construction Official. After discussion, it was decided to send the proposed amendments to the Planning Board for their comments.

Zoning Map

Council President Misiura stated that changes to boundaries in the zoning map needs to be made. Said changes have been approved by the Planning Board with the adoption of the Master Plan. Discussion ensued. Council agreed to have the Planning Board make a request to have zoning map changes made according to the Master Plan.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Deputy Clerk, Peggy Riggio

Communities of Light – Luminary kits can be picked up at the East Windsor Police Department and McCaffrey’s in West Windsor. A full list is posted on our website. Free Rabies Clinic – December 5th 5:00 p.m. – 7:00 p.m. at the First Aid Squad. Dog and Cat renewals – will be mailed within the next few weeks. Renew in the month of January. Election Day – Tomorrow, November 5th. Polls are open 6:00 a.m. – 8:00 p.m. All districts vote upstairs at the Firehouse.

Borough Administrator/Clerk, Debra Sopronyi

Dedication of the Peddie Lake Walking Bridge was done last week. The sitework will continue for the next few weeks.

George Lang, CFO

Received the first payment for the Mercer at Play Grant for the improvements to Dawes Park.

Fred Raffetto, Borough Attorney

Working with the Construction Official, George Chin, on the accessory structure ordinance.

Councilmember Egan

Board of Health meets next Wednesday.

Councilmember Jackson

Parks and Rec meets on the 14th. Halloween on Stockton Street had a great turnout. Thanked the residents of Stockton Street.

Councilmember Bluth

The Environmental Commission completed tagging the trees in Association Park. Cultural Arts will meet next week.

Mayor Quattrone

The bridge dedication had a wonderful turnout. Very proud of the work that we are doing in Hightstown. Thanked Council for their hard work.

ADJOURNMENT

Moved by Councilmember Jackson at 9:25; Seconded by Councilmember Egan.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk