

**Meeting Minutes
Hightstown Borough Council
December 16, 2019
6:30 p.m.**

The meeting was called to order by Mayor Quattrone at 6:30 p.m. and he read the Open Public Meetings Act statement which stated, “Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk’s office.”

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Cicalese</i>	✓	
<i>Councilmember Jackson</i>	✓	
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Musing</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

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

EXECUTIVE SESSION

Resolution 2019-219 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Jackson; Seconded by Councilmember Stults.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Resolution adopted 6-0.

Resolution 2019-219
*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 December 16, 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:

Personnel – Administrator, Police Chief, Superintendent of Public Works
Contract Negotiations – Robbinsville

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 March 16, 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 7:36 p.m. and again read the Open Public Meetings Statement.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Stults; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Agenda approved 6-0.

APPROVAL OF MINUTES

November 18, 2019 – Public Session

Moved by Council President Misiura; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Minutes approved 6-0.

December 2, 2019 – Executive Session

Moved by Councilmember Stults; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Minutes approved 6-0.

December 2, 2019 – Public Session

Moved by Councilmember Jackson; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Minutes approved 6-0.

PUBLIC COMMENT I

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

JP Gibbons, 602 North Main Street – Spoke regarding Resolution 2019-224. The Resolution identified the property where the first aid squad is located. This property is owned by a volunteer organization. It seems unclear as to what will happen to that property.

Doug Mair, 536 South Main Street – Stated that the assessed value of the first aid squad is about \$300,000. Will the volunteer organization be paid this amount? Will the Borough use eminent domain to take possession of the property? Where will the squad be housed? Council needs to let the public know.

Connie Moyer, 535 North Main Street - Spoke regarding the No Parking Ordinance. The Masonic Lodge held an event over the weekend where the overflow of parking used the street. They need this parking when events are held. Residents of North Main Street should not be penalized for the addition of bike lanes. Please take another look at this.

Pete Klapsogorge – 418 North Main Street – The introduction was a 3-3 vote. Council needs to reconsider this. Can't there be no parking for certain hours to accommodate for overflow parking or holidays?

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

ORDINANCES

Ordinance 2019-21 Public Hearing and Final Reading – An Ordinance Amending and Supplementing Chapter 7 Entitled “Traffic”, Section 7-13 Entitled “Parking Prohibited at all Times on Certain Street” of the Revised General Ordinances of the Borough of Hightstown, New Jersey

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

Doug Mair, 536 South Main Street – spoke in opposition of this ordinance.

Beverly Asselstine, 326 Franklin Street – She is a member of the Planning Board and the Complete Street Committee and spoke in favor of the ordinance.

Joseph Miczak, Apollo Lodge – Spoke in opposition of this ordinance.

JP Gibbons, 602 North Main Street – spoke in opposition of this ordinance.

Tony Katawick, Apollo Lodge – spoke in opposition of this ordinance.

Harold Barton, 410 North Main Street – spoke in opposition of this ordinance.

Milton Matamoros, 135 Purdy Street – spoke in opposition of this ordinance.

Scott Caster, 12 Clover Lane – spoke in opposition of this ordinance.

Tom Billinger, 513 South Main Street – Spoke in opposition of this ordinance.

Jordan Smith, 552 North Main Street – Spoke in opposition of this ordinance.

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

Moved for adoption by Councilmember Misiura; Seconded by Councilmember Musing.

Discussion ensued.

Councilmember Misiura stated that he supports the complete streets policy. Council approved a resolution supporting complete streets. Bike lanes were one of the first projects. The Borough needs to follow through with the policy set.

Councilmember Stults applauds the efforts of complete streets. The State has adopted complete streets policy creating an additional problem while trying to solve another problem. Stated that he is not comfortable with this ordinance even with the changes.

Councilmember Bluth stated that she does not support this ordinance. She supports the bike lanes and complete streets, but this causes more problems than it solves.

Councilmember Cicalese stated that Hightstown has adopted the complete streets policy. While he hears the resident's concerns, he supports this ordinance.

Councilmember Musing thanked everyone for coming. Change is tough especially when it changes people's quality of life. Council is trying to do the best they can for the community. He is a firm believer in an individual's rights but parking on a County road is not one of them. When the Mill comes, that will change people's quality of life and it is uncomfortable. Council is putting a lot of time and effort into trying to do what is best for the community.

Mayor Quattrone stated that he broke the tie for the introduction. We have to at least try this. If he has to vote again tonight, he will be voting yes.

Roll Call Vote: Councilmembers Cicalese, Misiura, Musing and Mayor Quattrone voted yes; Councilmembers Bluth Jackson and Stults voted no.

Ordinance adopted 4-3.

Ordinance 2019-21

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 ENTITLED “TRAFFIC”, SECTION 7-13 ENTITLED “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY

WHEREAS, the Hightstown Borough Complete Streets Committee has recommended that buffered bike lanes be added to both sides of North Main Street from Monmouth Street north to the Borough line; and

WHEREAS, the addition of said bike lanes would require prohibiting parking on North Main Street from the Borough Line to Monmouth Street Southbound and Monmouth Street to Sunset Avenue Northbound; and

WHEREAS, the Mayor and Council agree that said recommendations would make safer bicycle facilities in Hightstown Borough.

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

Section 1. That Chapter 7, entitled “Traffic”, Section 7-11, entitled “Parking Time Limited on Certain Streets”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Section 7-13

PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

Subsections:

7-13-1 Parking Prohibited at All Times on Certain Streets.

Subsection 7-13-1 Parking Prohibited at All Times on Certain Streets.

No person shall park a vehicle at any time upon any streets or parts thereof described.

Name of Street	Side	Location
Academy Street	North	Mercer Street to easternmost Post Office driveway
Academy Street	North	Railroad Avenue to 100 feet east
Academy Street	North	For a distance of 170 feet west of Mercer Street
Academy Street	South	Mercer Street to Railroad Avenue

Academy Street	East	From Park Avenue to Stockton Street
Academy Street	East	From Rogers Avenue to Railroad Avenue
Academy Street	East	From Stockton Street to Rogers Avenue
Academy Street	West	From Park Avenue to Grant Avenue
Bank Street	North	From North Main Street to Mechanic Street
Bank Street	North	From the westerly curblines of the driveway entrance of the water plant, a distance of 30 feet east and 30 feet west
Bank Street	South	From North Main Street to Academy Street
Center Street	West	From Stockton Street to Morrison Avenue
Church Street	East	From Rogers Avenue to Stockton Street
Clinton Street	North	From Cole Avenue to Maxwell Avenue
	South	From the westerly curblines of Cole Avenue for a distance of 70 feet east
Cole Avenue	Both	From Franklin Street to Clinton Street
Dutch Neck Road	North	From the southerly curblines of Stockton Street 665 feet southwesterly

Dutch Neck Road	Southeast	From Gilman Place to Stockton Street
Name of Street	Side	Location
Etra Road	Both	From South Main Street to the Borough line
First Avenue	North	From Outcalt Street to Joseph Street
Forman Street	West	From the southerly curblineline of Stockton Street for 205 feet south
Grape Run Road	North	From Westerlea Avenue to Pershing Avenue
Grape Run Road	South	From the easterly curblineline of Westerlea Avenue to a point 120 feet east
Grape Run Road	Both	From Westerlea Avenue to Mercer Street
Hagemount Avenue	West	From Lincoln Avenue to Rocky Brook Court
Harron Avenue	East	From Stockton Street to Morrison Avenue
Hutchinson Street	East	From Grant Avenue to Park Avenue
Joseph Street	East	From Stockton Street to Second Avenue
Leshin Lane	North	From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue

Leshin Lane	South	From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue
Monmouth Street	North	From North Main Street to a point opposite the east curblineline of Broad Street
Monmouth Street	South	From the east curblineline of Manlove Avenue 652.67 feet east
Monmouth Street	South	From Pennsylvania Railroad to Broad Street
North Main Street	East	From the northerly curblineline of Franklin Street to a point 80 feet north
North Main Street	West	From a point 239.5 feet north of the north curblineline of Stockton Street to a point 242 feet north
North Main Street	North	From Monmouth Street to Sunset Avenue
North Main Street	South	From the Borough Line to Monmouth Street
Oak Lane	East	From Stockton Street to the north curblineline of Lincoln Avenue; thence from Lincoln Avenue for 397 feet north
Oak Lane	West	From the northerly curblineline of Stockton Street to a point 450 feet north
Outcalt Avenue	East	For a distance of 50 feet north or south of the First Avenue and Second Avenue intersections
Outcalt Street	West	From Rogers Avenue to Morrison Avenue

Park Avenue	South	From the westerly curblineline of Academy Street to a point 50 feet west
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Name of Street	Side	Location
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Pershing Avenue	West	From Grape Run Road to South Street
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Purdy Street	East	From Bank Street to Reed Street
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Railroad Avenue	East	From Stockton Street to Academy Street
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Railroad Avenue	West	From Stockton Street to Rogers Avenue
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Reed Street	North	From Mechanic Street to Rev. Powell Drive
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Rev. Powell Drive	East	From Reed Street to Chamberlin Avenue
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Rogers Avenue	North	From Stockton Street to Mercer Street
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Second Avenue	North	From Outcalt Street to Joseph Street
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Second Avenue	North	From Summit Street to Joseph Street
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South Main Street	West	From Ward Street to Mercer Street
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South Street	North	From Mercer Street to South Main Street
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Stockton Street	North	From Mercer Street to South Main Street for 199 feet west
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Stockton Street	South	From Main Street to the west curbline of Dutch Neck Road; thence on Dutch Neck Road for 624 feet
Ward Street	North	From Mercer Street to South Main Street
Ward Street	North	From the easterly curbline of South Main Street to a point 793.25 feet east
Ward Street	South	From the southeasterly curbline of Mercer Street to a point 57 feet east
Ward Street	South	From the easterly curbline of South Main Street to a point 2,241 feet east
Westerlea	West	Leshin Lane to Grape Run Road

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

RESOLUTIONS

Resolution 2019-220 Payment of Bills

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

Councilmember Misiura questioned a payment for t-shirts for the Harvest Fair charged to Seminars, Workshops, Conventions. Borough Administrator/Clerk, Debra Sopronyi, stated that the Environmental Commission ordered special shirts for the environmental commission to wear for the harvest fair and presented the bill after they were received. While we did not condone the purchase, we had to pay the bill. Ms. Sopronyi further stated that is came out of the budget for the Environmental Commission. Mr. Musing questioned the amount of \$283.56 for t-shirts. Would like to have a future conversation regarding the commissions using Borough funds to purchase shirts for themselves.

Roll Call Vote: Councilmember Bluth, Cicalese, Jackson, Misiura and Musing voted yes. Councilmember Stults abstained.

Resolution adopted 5-0 with 1 abstention.

Resolution 2019-220

*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 \$211,718.62 from the following accounts:

Current		\$41,330.99
W/S Operating		32,070.33
General Capital		113,048.90
Water/Sewer Capital		0.00
Grant		0.00
Trust		1,550.00
Housing Trust		0.00
Animal Control		135.60
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>23,582.80</u>
Total		<u>\$211,718.62</u>

Resolution 2019-221 Authorizing Change Order #2 and Payment #3 Final – S. Brothers, Inc. (Improvements to Maple Avenue and Sunset Avenue)

Moved by Councilmember Jackson; Seconded by Councilmember Stults.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Resolution adopted 6-0.

Resolution 2019-221

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

AUTHORIZING CHANGE ORDER #2 AND PAYMENT #3 FINAL – S. BROTHERS, INC. (IMPROVEMENTS TO MAPLE AVENUE AND SUNSET AVENUE)

WHEREAS, on August 20, 2018, the Borough Council awarded a contract for the Improvements to Maple Avenue and Sunset Avenue to S. Brothers, Inc., of South River, New Jersey at the price of \$410,864.25; and

WHEREAS, the contractor has submitted change order #2 extending the contract by 318 calendar days from December 28, 2018 to November 12, 2019 due to poor weather, winter demobilization, unforeseen existing conditions and expanded scope as requested by the Borough;

WHEREAS, the contractor has submitted payment request #3 Final, in the total amount of \$11,868.92; and

WHEREAS, the Borough Engineer has recommended approval of Change order #2; and

WHEREAS, the Borough Engineer has recommended approval of payment #2 in the amount of \$11,868.92; 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 that change order #2 payment #3 Final, to S. Brothers, Inc. of South River, New Jersey in the amount of \$11,868.92, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2019-222 Authorizing Payment #4 – Reivax Contracting (Stockton Street Water Main Replacement)

Moved by Councilmember Bluth; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Resolution adopted 6-0.

Resolution 2019-222

BOROUGH OF HIGHTSTOWN

*COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING PAYMENT #4 – REIVAX CONTRACTING (STOCKTON STREET
WATER MAIN REPLACEMENT)**

WHEREAS, on April 24, 2019, the Borough Council awarded a contract for the Stockton Street Water Main Replacement to Reivax Contracting of Newark, New Jersey at the price of \$933,750.00; and

WHEREAS, the contractor has submitted payment request #4 for partial payment through November 18, 2019 for site clearing, police traffic directors, test holes, 8” HDPE water main, valves, fittings, hydrant assemblies, 1” polyethylene water services and permanent pavement restoration in the total amount of \$79,504.85; and

WHEREAS, the Borough Engineer has recommended approval of payment #4 to Reivax Contracting of Newark, New Jersey for \$79,504.85; 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 #4 to Reivax Contracting of Newark, New Jersey for \$79,504.85, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2019-223 Authorizing Payment No. 3 Assuncao Brothers, Inc. (Construction of Peddie Lake Dam Walking Bridge Replacement)

Moved by Councilmember Jackson; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Resolution adopted 6-0.

Resolution 2019-223

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

**AUTHORIZING PAYMENT NO. 3 ASSUNCAO BROTHERS, INC. (CONSTRUCTION
OF PEDDIE LAKE DAM WALKING BRIDGE REPLACEMENT)**

WHEREAS, on August 20, 2018, the Borough Council awarded a contract for the construction of the Peddie Lake Dam Walking Bridge Replacement to Assuncao Brothers, Inc. of Edison, New Jersey in the Amount of \$408,575.84; and

WHEREAS, the contractor has submitted a request payment in the amount of \$81,200.94 for partial work performed from October 1, 2019 – November 31, 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 \$81,200.94 to Assuncao Brothers, Inc. of Edison, New Jersey is hereby approved as detailed herein.

Resolution 2019-224 Resolution of the Borough of Hightstown, in the County of Mercer, Designating Certain Property as an Area in Need of Redevelopment

Moved by Councilmember Cicalese; Seconded by Councilmember Stults.

Discussion ensued. This resolution adds the yellow house on Bank Street, the First Aid Squad and the Public Works building to the area in need of redevelopment. They are not part of any current plan. This is case there is a need in the future. A lot would have to happen for this to occur. There has been no talk of eminent domain. He stated that he is not sure where that rumor came from.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Resolution adopted 6-0.

Resolution 2019-224

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

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER,
DESIGNATING CERTAIN PROPERTY AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, by Resolution 2003-19 duly adopted on December 1, 2003, as amended by Resolution 2018-72, adopted on March 19, 2018, the Borough Council (“Borough Council”) of the Borough of Hightstown (the “Borough”) designated the properties known as Tax Block 54, Lots 6-10, 13, 14.01, 16.01 & 23; Block 40, Lots 14-28; Block 33, Lots 1-30 & 32-36; Block 30, Lots 1-13; Block 28, Lots 56 & 57; and Block 21, Lots 1-14, 20 & 26 on the Borough’s official tax map (collectively, the “Redevelopment Area”), as an “area in need of redevelopment”; and

WHEREAS, a revised redevelopment plan (“Redevelopment Plan”) containing development standards for that portion of the Redevelopment Area which is known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 of the Borough Council on April 20, 2015, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006 and October 6, 2008, and which was subsequently further amended by ordinances adopted March 6, 2017 and April 2, 2018; and

WHEREAS, on March 10, 2017, the Borough and RBG Hightstown, LLC (“RBG”) entered into that certain Amended and Restated Redevelopment Agreement (the “Redevelopment Agreement”), pursuant to which, among other things, RBG agreed to redevelop the portion of the Redevelopment Area consisting of Block 30, Lots 1-7, Block 30, Lots 10-13, and Block 21, Lots 1-13, 20 & 26 on the Borough’s official tax map (collectively, the “Original Project Area”), which constitutes part of Sub-Area I (Bank Street), by constructing thereon a project including approximately 47,500 square feet of retail space, approximately 266 residential units, and associated parking and other infrastructure improvements, consistent with the Concept and Phasing Plan attached as Exhibit 2 to the Redevelopment Agreement (the “Original Project”); and

WHEREAS, RBG subsequently transferred its rights and obligations under the Redevelopment Agreement to the PRC Group (“PRC”),

WHEREAS, PRC has expressed a desire to also redevelop the parcels designated on the Borough’s tax map as Block 8, Lots 12-14, and Block 18, Lots 8-12 (collectively, the “Additional Property”), located adjacent to or

otherwise near the Original Project Area, to more effectively redevelop the area; and

WHEREAS, by Resolution 2019-122, adopted on June 17, 2019, the Borough authorized and directed the Borough's Planning Board (the "Planning Board") to undertake a preliminary investigation to determine, among other things, whether the portion of the Additional Property consisting of Block 8, Lots 12-14, meets criteria for designation as an area in need of redevelopment; and

WHEREAS, the Planning Board received a report prepared by the Clarke Caton Hintz, P.C. ("CCH"), entitled "Preliminary Investigation of an Area in Need of Redevelopment, Main Street Redevelopment Bank Street Sub-Area 1 Second Expansion", dated December 9, 2019 (the "Report") regarding whether the Additional Property should be designated an area in need of redevelopment; and

WHEREAS, on December 9, 2019, the Planning Board conducted a hearing in accordance with N.J.S.A. 40A:12A-6b to determine whether the Additional Property meets criteria for designation as an area in need of redevelopment; and

WHEREAS, at the above-described public hearing, Brian Slaugh, P.P., from CCH, testified that the various parcels comprising the Additional Property meet the criteria for redevelopment area designation set forth in N.J.S.A. 40A:12A-5c, 5d, 5e and 5h and that, moreover, even if the parcels comprising the Additional Property did not meet any such criteria, they would still qualify under N.J.S.A. 40A:12A-3 as they are collectively necessary for the effective redevelopment of the Redevelopment Area; and

WHEREAS, on December 9, 2019, the Planning Board determined that the various parcels comprising the Additional Property meet the criteria set forth in N.J.S.A. 40A:12A-5c, 5d, 5e, and 5h and that, under N.J.S.A. 40A:12A-3, the various parcels comprising the Additional Property are collectively necessary for the effective redevelopment of the Redevelopment Area, and recommended that the Borough Council so designate the Additional Property; and

WHEREAS, on December 9, 2019, the Planning Board adopted a resolution memorializing the aforementioned findings and conclusions (the "Planning Board Resolution"); and

WHEREAS, the Borough Council agrees with the conclusions of the Planning Board that the various parcels comprising the Additional Property meet the aforementioned criteria for redevelopment area designation and that the Additional Property is collectively necessary for the effective redevelopment of the Redevelopment Area pursuant to N.J.S.A. 40A:12A-3, and the Borough Council finds that such conclusions are supported by substantial evidence, as described in more detail in the Planning Board Resolution; and

WHEREAS, the Borough Council further agrees with the recommendations of the Planning Board that the Additional Property be designated as an area in need of redevelopment under the Redevelopment Law and the Borough Council now desires to so designate the Additional Property and to ratify actions taken by CCH and the Planning Board in connection therewith.

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

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

Section 2. The Additional Property is hereby designated as an area in need of redevelopment under the Redevelopment Law.

Section 3. In connection with the Additional Property, the Borough is authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

Section 4. Actions taken by CCH and the Planning Board to conduct the above-described preliminary investigation

and review, including (i) the investigation of Block 18, Lots 8-12 by CCH, (ii) the consideration of same by the Planning Board at the December 9, 2019 hearing and (iii) the omission, from the preliminary investigation, of the parcels known as Block 28, Lots 32-40 and 48-55 and Block 30, Lot 14, are hereby ratified.

Section 5. This resolution shall take effect immediately.

CONSENT AGENDA

Councilmember Stults moved Resolutions 2019-225, 2019-226, 2019-227, 2019-228, 2019-229 and 2019-230 as a Consent Agenda; Councilmember Jackson seconded.

Roll Call Vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes.

Resolutions adopted 6-0.

Resolution 2019-225

*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 2019 as follows:

Source	Amount	Revenue Title	Appropriation Title
New Jersey Department of Law and Public Safety	\$1,591.15	State Body Armor Replacement Fund Program	State Body Armor Replacement Fund Program

Resolution 2019-226

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

AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, an overpayment of 2019 taxes were made for Block 47.01/7, 319 Second Avenue in the amount of

\$2,032.53, by the mortgage company; and

WHEREAS, the property owner a 100% disabled vet and tax-exempt; and

WHEREAS, the mortgage company, First American Title Company, 50 Millstone Road, Building 200, Suite 150, East Windsor, NJ 08520, has requested that a refund be issued for the overpayment in the amount of \$2,032.53; and

WHEREAS, the Tax Collector has requested that said overpayment be refunded in the amount of \$2,032.53.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Tax Collector and Finance Officer are hereby authorized to issue a refund in the amount of \$2,032.53 to First American Title Company, 50 Millstone Road, Building 200, Suite 150, East Windsor, NJ 08520, representing the tax overpayment as set forth herein.

Resolution 2019-227

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

**AUTHORIZING AN AGREEMENT WITH THE MERCER COUNTY CULTURAL
AND HERITAGE COMMISSION FOR A LOCAL ARTS PROGRAM GRANT**

WHEREAS, the Mercer County Cultural and Heritage Commission has awarded the Hightstown Cultural Arts Commission a grant in the amount of \$2,000.00; and

WHEREAS, it is required that the Borough execute an agreement with the Mercer County Cultural and Heritage Commission for said grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor is hereby authorized to execute the Mercer County Cultural and Heritage Commission Local Arts Program Grant agreement for the Hightstown Borough Cultural Arts Commission.

Resolution 2019-228

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

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
STATEWIDE INSURANCE FUND**

WHEREAS, through Resolution 2016-218, the Borough of Hightstown joined the Statewide Insurance Fund; and

WHEREAS, said membership terminates as of January 1, 2019*, unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Borough of Hightstown agrees to renew its membership in Statewide Insurance Fund for a period of three (3) years beginning January 1, 2020, and ending January 1, 2023*, and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to Statewide Insurance Fund evidencing the Municipality's intention to renew its membership.

This resolution agreed to the 16th day of December, 2019, by a vote of:

_ 6 _	Affirmative	_____	Abstain
_ 0 _	Negative	_____	Absent

* 12:01 a.m.

Resolution 2019-229
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

A RESOLUTION APPOINTING A RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Hightstown, (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Mercer and State of New Jersey, as follows:

1. Borough of Hightstown hereby appoints Skylands Risk Management, Inc. its local Risk Management Consultant.
2. The Borough Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2020 in the form attached hereto.

**2020 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 16th day of December, 2019, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Hightstown Borough, ("MEMBER") and Skylands Risk Management, Inc. ("RISK MANAGEMENT CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.

- (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
- (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
- (k) act in good faith and fair dealing to the FUND.
- (l) perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
- (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
- (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
- (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2020** to **January 1, 2021**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Margaret M. Riggio, Deputy Clerk

Lawrence D. Quattrone, Mayor

Hightstown Borough, **Member Representative**

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

Resolution 2019-230

*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 Clerk		
Other Expenses	1,000.00	
Tax Assessor		
Other Expenses	2,000.00	
Gasoline		
Other Expenses	1,100.00	
Administrative & Executive		
Other Expenses		100.00
Office Supplies		
Other Expenses		1,000.00
Data Processing		
Other Expenses		3,000.00

TOTALS \$ 4,100.00 \$ 4,100.00

PUBLIC COMMENT PERIOD II

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

Frank Rivera, 110 Broad Street – Stated that this is democracy in action. Council listened, discussed, reasoned and made statements. He is very proud of Council.

Scott Caster, 12 Clover Lane – Stated that having bike lanes on one end of town and not the other is inconsistent and unsafe. Bikes should not be on sidewalks downtown. We have an ordinance, why isn't it enforced.

JP Gibbons, 602 North Main Street - Stated that he is ashamed of Council. Residents showed up voicing their opposition on the parking ban on North Main Street. You wasted the public's time. He will fire up the residents to come to Council meetings in the future.

Milton Matamoros, 135 Purdy Street – Stated that he knows it is not easy to make a decision, and he applauds Councilmembers Bluth, Jackson and Stults for their vote. Spoke regarding the First Aid Squad. They are not looking for recognition. Stated that the squad is happy but scared because they do not know what is going on with the redevelopment.

Keith LePrevost, 213 Greeley Street – Congratulated the Complete Streets Committee. If they are so concerned about safety, they should look into getting the sidewalks at Association Park fixed. The t-shirts for the Environmental Commission were to show the updated silver certification for Sustainable Jersey. The volunteers put in many hours of work. They do things in town that the Borough refuses to do. Don't complain about petty expenses.

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

DISCUSSION

Boards and Committee Vacancies

Mayor Quattrone had sent his recommendations to Council. Most of the appointments are reappointments. Only filling one vacancy with a new member on Parks and Rec. Councilmember Musing questioned the reappointment of the Shade Tree Commissioner to the Environmental Commission. Stated that past issues with the Environmental Commission have not been resolved. After discussion, it was decided that this is how the resolution will be presented at the Reorg Meeting. It will be voted on at that time. Liaisons will remain the same. Looking for a volunteer for the Housing Authority. Councilmember Musing volunteered to serve as the liaison.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

Attended his first Board of Health Meeting. There will be a cancer screening clinic at St. Anthony's that needs further discussion. There is a blood drive at Mercer County Vo-Tech 12/19. Complete Streets had a kick off meeting for the mobility plan last week.

Councilmember Musing

Complete Streets, that was a tough vote tonight. Would like to see Mercer County do something with this. We need to be self-critical and correct our actions if a mistake has been made.

Councilmember Jackson

Parks and Rec approved a park use permit for the Girl Scouts on December 20th at Association Park. They are meeting there to go caroling through the neighborhood. Since they are meeting at 6:00 p.m. (after dusk), made a motion to give permission for them to be there after park hours. Seconded by Councilmember Stults. Roll call vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes. Motion to permit the girl scouts to use Association Park after dusk carried 6-0.

Councilmember Bluth

Environmental Commission and Cultural Arts will meet this week.

Councilmember Stults

Applauds Council for great discussions. Looking forward to seeing what is coming. Downtown Hightstown Business group has a new leader, Jim Truslow. January 28, 2020 the group will have the Springlake BID presentation at the Peddie School. The Mill subcommittee will meet Wednesday at 4:00 at OPG. We would like to applaud the Police Department. He witnessed a crime a few weeks ago, called the Chief and the police were there within minutes.

Council President Misiura

Stated that the meeting went the way he thought it would. Complete Streets is a policy of the Borough. If we support a policy we need to implement it properly. The County is spending money to help the Borough. Planning Board met and approved a variance for the Dunkin Donuts sign. First Aid meets this week.

Deputy Clerk, Peggy Riggio

Dog and Cat renewal notices have been mailed. They are due in January. Food Establishment renewals are due in January as well as Taxi license renewals. The annual Reorganization Meeting is January 1, 2020 at 12 noon.

Borough Administrator/Clerk, Debra Sopronyi

The Borough will be renewing our insurance through Statewide Insurance. After an evaluation, we found Statewide to be the most beneficial. Cultural Arts once again received a grant from the County. This grant has increased every year over the last 3 years. We have received official notification that Bill Searing, AWWTP Superintendent will be retiring in May 2020. Still working on getting a contract in place for an Animal Control Officer.

Mayor Quattrone

We talked about safety and bicycles and parking. If you have cars parked along the highway and bikes riding alongside the cars and a car door opens, you're going to have a problem. Roads are going to be shared with bicycles. This is going to be County wide. Every time the County is paving roads, they will be looking to add bike

lanes. First Aid redevelopment area – this is only an area that we feel is in need of redevelopment. NJDOT is trying to slow traffic down. It's not just about bicycles. Likes the decorations downtown. Thank you to Downtown Hightstown for putting up the lights.

ADJOURNMENT

Councilmember Cicalese moved to adjourn at 10:07 p.m.; Seconded by Councilmember Stults. All Ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk