

Meeting Minutes
Hightstown Borough Council
April 13, 2020
6:00 p.m.

The meeting was called to order by Mayor Quattrone at 6:02 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 on the Borough website.” Do to COVID-19 and self-distancing protocols, this meeting was held remotely through freeconferencecall.com.

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; Jim Sidelinger, Office of Emergency Management Coordinator and Fred Raffetto, Borough Attorney.

The Flag Salute followed roll call.

Councilmember Bluth requested that we observe a moment of silence for Glenn Palmer who passed away suddenly last week. Mayor Quattrone called for a moment of silence for Mr. Palmer and all those lost to COVID-19.

APPROVAL OF AGENDA

Moved by Councilmember Misiura; Seconded by Councilmember Stults.

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

Agenda approved 6-0.

APPROVAL OF MINUTES

March 2, 2020 – Executive Session

Moved by Councilmember Misiura; Seconded by Councilmember Cicalese.

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

Minutes approved 6-0.

March 2, 2020 – Public Session

Moved by Councilmember Cicalese; Seconded by Councilmember Jackson.

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

Minutes approved 6-0.

March 16, 2020 – Executive Session

Moved by Councilmember Misiura; Seconded by Councilmember Jackson.

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

Minutes approved 6-0.

March 16, 2020 – Public Session

Moved by Councilmember Cicalese; Seconded by Councilmember Stults.

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

Minutes approved 6-0.

PUBLIC COMMENT

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

There being no one coming forward, Mayor Quattrone closed the public comment period.

RESOLUTIONS

Resolution 2020-88 Payment of Bills

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

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

Resolution adopted 5-0 with 1 abstention.

Resolution 2020-88
*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 \$1,390,402.87 from the following accounts:

Current		\$1,191,782.19
W/S Operating		166,256.52
General Capital		6,699.00
Water/Sewer Capital		21,776.86
Grant		200.00
Trust		193.80
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		1,950.00
Housing Rehab Loans		0.00
Unemployment Trust		300.00
Escrow		<u>1,244.50</u>
Total		<u>\$1,390,402.87</u>

Resolution 2020-89 Authorizing the Borough of Hightstown to Hire One New Full-Time Regular Police Officer

Moved by Councilmember Stults; Seconded by Councilmember Bluth.

Discussion ensued.

Council President Musing read the following statement for the record:

“Dear Members of Council,

I would like to take you through the chronology of how we found ourselves in this situation.

On the BA's weekly Update of Friday 3/27/20 we as a council were informed that:

"Class II Officer Martin Mareno has been hired as a full time Police Officer for the Borough and was sworn in by Mayor Quattrone on Tuesday. We have an Officer who has been out since last year, and we have no idea of when he will return. The Department needs a full force at this time and was going to need an additional officer in the future with the redevelopment that is planned. Under the present circumstances, and due to his connection to our demographics in the community and ability to communicate and instill a trust in our Police, this was an essential measure that had to be taken to keep our Police Department running smoothly during this difficult time and going forward. He has proven himself to be an excellent officer and an asset to the Borough; he has already assisted with essential communications regarding COVID-19, and his contributions will prove very useful with the upcoming census. There will be a resolution on the agenda at the meeting for this appointment. Chief Gendron is researching the hiring of another Class II officer."

When asked who gave the authority to hire a Police officer without the knowledge and consent of the council, the BA's response via email dated Monday, 3/30/20 reads:

"The emergency declaration gives the Administration the authority to hire. This is an emergency situation and an officer was needed to replace the one that is out on disability. After a request from the Chief for an additional officer who could be used as a substitute for this officer and enhance the police to provide services (Class II officers cannot be used for this purpose); and discussion with the Mayor, it was decided that the hire was needed for the safety of the community."

I do not know how this particular statement of fact reconciles with the description of a Class II Officer pursuant to Subsection 2-19.18 Special Law Enforcement Officers, subsection g. Classification of Officers. The section on Class Two Officers reads as follows "Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission."

When questioned further as to the hire, the BA states in an email on Monday, Wednesday 4/1/20:

"Due to the present emergent situation, it was decided to hire the officer. It was discussed with OEM (who has total control over this situation) and the Mayor, who agreed the officer was needed. The only reason a resolution is required of Council for the hiring of any Police Officer, is because it is a requirement of the state in order to allow him to finish his training. Officers go through the academy to a certain point, at which time they become a Class II in line to be hired as a full-time officer with all the duties and authority of a full time officer. Once a resolution confirming their hire as a full-time officer is done by the Governing Body, the state allows them to enroll to finish the waiver training required as a full-time officer which is required to be done within one year of appointment, and the academy is only held during specific times of the year. If they do not complete the waiver training within one year, they are required to begin the six month academy all over again."

In this email, the BA attaches a letter from the Chief of Police. This is the first time council is informed of the Chief's request and the existence of such a communique. The Chief's letter is dated 3/17/20, yet this request from the Chief was not included in the BA's weekly update for the week ending 3/20/20. The Chief's letter, which I will be including as an addendum, opens with the following statement: "Due to the current outbreak of Coronavirus-19 and injury to [Redacted], I am requesting the borough consider the hiring Officer Martin Moreno as a full-time police officer."

What I find important to note in this request is that the Chief is asking the Borough to "consider" the hiring of said Officer. Two very important words find themselves in this opening sentence: "consider" and "Borough". Why is "consider" relevant? It goes to the urgency of the hiring; nowhere in the letter does it appear to me that this has to happen immediately or a crisis will occur. Moving a class II to a full-time officer in no way increases our effective number of officers, it only changes the employment status of one officer.

The second statement that I personally find important is the Chief's request that the "Borough" hire the officer in a full-time capacity. This is, in my opinion, the most crucial part since the Chief is neither asking the Borough Administrator to facilitate the hire nor is he asking the Emergency Management Coordinator to facilitate the hiring of the officer due to an imminent threat to the health and welfare of the Borough's residents. He is simply asking that we as a Borough "consider" hiring the officer as a full-time officer. The "Borough", as it relates to legislative powers, taxes and the hiring and/or firing, is, in my opinion, the Governing Body of Hightstown. In Hightstown, these duties and powers are not afforded to either the Mayor or the Borough Administrator; they are the sole responsibility of the council. This is made quite abundantly clear in Ordinance 2-5, 2-6 and 2-19. From reading the Chief's letter, I personally do not find the urgent need that required this to be done through the process that the BA professes.

While the Borough Administrator has claimed she has the authority and power to circumvent council due to the Coronavirus pandemic and the Mayor agreed with this by swearing in said officer, I cannot fathom why they would keep Hightstown's governing body in the dark on this most important decision for almost 2 weeks. I cannot possibly reconcile why the Chief's letter was not immediately forwarded to the governing body the moment it was received by the Administrator so that proper discussions could be had through the proper procedures of having a special meeting via teleconference.

We are living and experiencing an epochal period. The historic challenge is for leaders to manage this crisis while building the future. It has been said that it is our moments of struggle that define us and how we handle them is what matters. I have no other choice but to state my opinion for the record that as Council President, I do not approve of how the Business Administrator and Mayor undertook this hiring outside of the process required by the Borough Code. What I find most unfortunate is that it appears to me that a disservice was propagated to the Governing Body, the residents of Hightstown, and ultimately the police officer himself.

In conclusion, I want to make it clear that while I have disdain for how this hiring was undertaken by both the BA and the Mayor, I will be voting in favor of hiring Officer Moreno. The apparent failure in the process should not preclude the hiring. As council president, I want to extend a warm welcome to Officer Moreno. He will be a valuable addition to the HPD and I have no doubt, whatsoever, that he will be a tremendous asset for our Borough."

Councilmember Misiura stated that the resolution is a boilerplate resolution used to hire an officer under normal circumstances. This is an extraordinary circumstance and the resolution should reflect that. The resolution needs to be accurate and he asked that it be revised. He asked if a resolution is needed from Council being that Officer Moreno was hired under the Emergency Declaration by the Borough Administrator without needing Council approval.

Mayor Quattrone explained that the resolution is needed in order to enroll Officer Moreno into the academy for his additional training. Mayor Quattrone went on to explain the process of the Emergency Declaration and needing our Police Department at full strength. There is one officer out on disability and you cannot use a Class II Officer to replace full time officers. Officer Moreno is currently a Class II. Chief Gendron requested Officer Moreno be made a Class I Full-time officer at this time. The Declaration of Emergency states that The Administrator is authorized to hire any employees as may be necessary to address the needs of the municipality during the emergency. Mayor Quattrone swore in Officer Moreno just as he swears in all officers.

Councilmember Misiura once again stated that he has a problem with how the resolution is worded as it does not reflect how we came about the hiring.

Fred Raffetto, Borough Attorney, agreed that the language in the resolution needs to be modified. He asked if it needs to be adopted this evening or if this can be tabled and voted on at the next meeting. Councilmember Misiura stated that he would prefer to see the revised resolution before voting on it.

Councilmember Bluth stated that she would also like to see the language before voting. She concurs with Council President Musing's statement. She supports the hiring but has a problem with how it was handled. She would like to have been informed.

Councilmember Stults stated that he would also like to see the revised resolution. Council was not asked to consider until after the hire was complete.

Council President Musing stated that he is always in favor of a new officer, but Council should have been notified of the hire as soon as possible.

Mayor Quattrone apologized that Council was not notified right away. Ms. Sopronyi also apologized for not informing Council sooner. Council President Musing thanked Mayor Quattrone and Ms. Sopronyi.

Councilmember Misiura moved to table this resolution until revisions could be made. Councilmember Bluth seconded.

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

Resolution Tabled 6-0.

Chief Gendron joined the call at this time.

At this time, Ms. Sopronyi informed Council that Jim Sidelinger, OEM Coordinator is on the call and would like to give an update on the COVID-19 Pandemic.

Mr. Sidelinger gave his background and explained the role of the Office of Emergency Management Coordinator. He then went on to explain the timeline of the Executive Orders issued by Governor Murphy. Mr. Sidelinger explained that Hightstown Borough signed its Declaration of Emergency at 4:00 p.m. on March 17, 2020. He went on to outline what the Borough is doing to stay safe. He also updated Council on safety supplies that have been ordered such as cleaning supplies, hand sanitizer, and personal protective equipment. Future actions will be dictated by the State. Hightstown's Declaration of Emergency will remain in effect until government lifts the Executive Order. At that point Hightstown can resume business as usual. Councilmember Bluth asked if there is a written Emergency Plan. Mr. Sidelinger explained that this is a public document and it can be viewed in the Clerk's Office. Council thanked Mr. Sidelinger for the update. Mr. Sidelinger left the call at this time.

DECLARATION OF STATE OF EMERGENCY

TO ALL CITIZENS AND PERSONS WITHIN THE MUNICIPALITY OF HIGHTSTOWN BOROUGH AND TO ALL DEPARTMENTS, BOARDS, COMMITTEES, COMMISSIONS OF THE BOROUGH

WHEREAS, the rapidly evolving outbreak of the novel coronavirus, COVID-19, creates an urgent need to take preventative measures to reduce the risks of exposure to and transmission of the coronavirus by implementing procedures whereby essential operational needs are met while at the same time reducing or eliminating unnecessary gatherings and contact that might further adversely affect the health, safety, and welfare of Hightstown's residents and visitors and exacerbate and worsen existing conditions; and

WHEREAS, Executive Order 103, N.J.S.A. App. A:9-45, and N.J.S.A. App. A:9-40.5 authorize and empower local offices of Emergency Management to promulgate rules and to waive, suspend, or modify any existing rule where its enforcement would be detrimental to the public welfare, and specifically authorize the local OEM to take appropriate steps to address the public health hazard of COVID-19; and

WHEREAS, it has been determined that a state of emergency must be declared in Hightstown Borough, and further that certain measures must be taken to ensure that the authorities will be unhampered in their efforts to maintain law and order as well as an orderly flow of traffic and further in order to protect the persons and property of the residents affected by the conditions and finally that governmental operations including but not limited to the conduct of public meetings must be substantially altered; and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, rules, and regulations as are necessary to meet the various problems which have or may be presented by such an emergency; and

NOW THEREFORE, pursuant to the powers vested in me by Executive Order 103, N.J.S.A. App. A:9-45, and N.J.S.A. App. A:9-40.5, and in order to protect the health, safety, and welfare of the people of Hightstown, I Do Declare and Proclaim that a State of Emergency exists in Hightstown Borough and I hereby order the following:

1. All scheduled meetings held by Hightstown's boards, committees, and commissions, including meetings of the Planning and Zoning Board of Adjustment, are hereby cancelled until this declaration is cancelled.
2. All meeting of the Hightstown Mayor and Council are hereby cancelled through the term of this Declaration except for special or emergency meetings as may be needed in the interim for the purpose of approving the payment of bills and claims. Hightstown Borough Municipal Offices are closed to the public through the term of this Declaration.
3. All municipally sponsored events are cancelled through the term of this Declaration.
4. All private events held on municipal property and all events requiring municipal permits are cancelled through the term of this Declaration, including events for which permits have already been issued.

5. The Administrator is authorized and empowered to hire any employees and to enter into service agreements with any independent contractors as may be necessary to address the needs of the municipality during this Declaration.
6. The Public and Private Schools within the Borough are complying with State and Federal guidelines. Reference the School's website for operations.
7. Until further notice, all municipal employees are barred from business-related out-of-state travel or attendance at any in-state conference, seminar, or other business-related large group gathering, even if previously approved.
8. All Hightstown agencies shall coordinate and communicate with the Hightstown Clerk's Office to utilize all facilities owned, rented, operated and maintained by Hightstown to aid and assist persons of Hightstown to protect life and property during the course of this emergency.
9. All public safety operations will continue with specified limitations in public access to police and fire headquarters.
10. Health and other essential code inspections will continue with limitations.
11. The Departments of Water and Sewer will continue operations with limited access for customer service; on-line payments are encouraged.
12. Public Works, specifically garbage collection, will continue subject to changing personnel limitations.

In addition, during this period of emergency, the public is strongly encouraged to utilize the on-line payment options; or may use the U.S. Mail, or drop box service at the municipal offices to pay taxes, water/sewer, permits, and other local government business; and to utilize the telephone, e-mail, and the resources available on the Borough website (www.hightstownborough.com).

This order shall take effect immediately and is subject to amendment or supplementation as needed to properly safeguard the public health, safety, and welfare of the public. It shall remain in effect until such time as it is determined that an emergency no longer exists.

Resolution 2020-90 Clarifying the Responsibilities of the Borough Administrator During a State of Emergency Declaration

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 2020-90

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

**CLARIFYING THE RESPONSIBILITIES OF THE BOROUGH
ADMINISTRATOR DURING A STATE OF EMERGENCY
DECLARATION**

WHEREAS, in order to protect the health, safety and welfare of the public due to the rapidly evolving outbreak of the novel coronavirus, COVID-19, a State of Local Disaster Emergency was declared in the Borough of Hightstown on March 17, 2020 by the Borough's Municipal Emergency Management Coordinator, in accordance with N.J.S.A.

App. A:9-40.5; and

WHEREAS, pursuant to the State of Emergency Declaration, the Municipal Emergency Management Coordinator ordered, among other things, that The Administrator is authorized and empowered to hire any employees and to enter into service agreements with any independent contractors as may be necessary to address the needs of the municipality during this Declaration; and

WHEREAS, the State of Emergency Declaration grants powers to the Administrator that under normal circumstances can only be authorized by the Borough Council; and

WHEREAS, pursuant to Subsection 2-9-8, paragraph (g), of the Borough Code, the Administrator's duties include keeping the Mayor and Council informed as to the conduct of Borough Affairs.

NOW THEREFORE BE IT RESOLVED, that the Administrator shall immediately notify the Mayor and Council of any actions that are being considered or taken under the emergency powers granted by the above-referenced State of Emergency Declaration or with respect to any further State of Emergency Declaration which may be proclaimed within the Borough.

CONSENT AGENDA

Councilmember Misiura moved Resolutions 2020-91; 2020-92; 2020-93; 2020-94; 2020-95; 2020-96; 2020-97; 2020-98; 2020-99; 2020-100; 2020-101; 2020-102; 2020-103; 2020-104 and 2020-105 as a Consent Agenda; Councilmember Stults seconded.

Resolution 2020-91

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

**AWARDING CONTRACT FOR ZETA LYTE 1A ANIONIC ELECTROLYTE –
CUSTOM ENVIRONMENTAL TECHNOLOGY**

WHEREAS, two (2) bids were received on March 12, 2020, for Zeta Lyte 1A Anionic for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for the Zeta Lyte 1A Anionic Polyelectrolyte be awarded to the low bidder, Custom Environmental Technology of Collegeville, PA at a per unit price of \$10.19 per gallon with a total contract price of \$9,680.50; and

WHEREAS, said contract shall be effective April 1, 2020; and

WHEREAS, the Borough Attorney has reviewed the bids and has determined that the bid submitted by Custom Environmental Technology is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2020 and 2021 budgets for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Zeta Lyte 1A Anionic Polyelectrolyte is hereby awarded to Custom Environmental Technology of Collegeville, PA effective April 1, 2020.

Resolution 2020-092

BOROUGH OF HIGHTSTOWN

*COUNTY OF MERCER
STATE OF NEW JERSEY*

**AWARDING A CONTRACT FOR ZETA LYTE 2800 CH CATIONIC
POLYELECTROLYTE - CUSTOM ENVIRONMENTAL TECHNOLOGY**

WHEREAS, two (2) bids were received on March 12, 2020 for Zeta Lyte 2800 CH Cationic Polyelectrolyte for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for the Zeta Lyte 2800 CH Cationic Polyelectrolyte be awarded to the next lowest bidder, Custom Environmental Technology of Collegeville, PA at a per unit price of \$11.90 per gallon with a total contract price of \$47,124.00; and

WHEREAS, said contract shall be effective April 1, 2020; and

WHEREAS, the Borough Attorney has reviewed the bid and determined that the bid submitted by Custom Environmental Technology of Collegeville, PA is in order with respect to legal compliance; and

WHEREAS, funds will be made available in the 2020 and 2021 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that a one year contract for Zeta Lyte 2800 CH Cationic Polyelectrolyte, be awarded to Custom Environmental Technology of Collegeville, PA effective April 1, 2020.

Resolution 2020-93

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

**AUTHORIZING PAYMENT NO. 7 FINAL AND CHANGE ORDER NO. 3 FINAL –
QUAD CONSTRUCTION COMPANY (ULTRAVIOLET DISINFECTION FOR THE
HIGHTSTOWN BOROUGH ADVANCED WASTE WATER TREATMENT PLANT)**

WHEREAS, on December 5, 2016, the Borough Council awarded a contract for the Tertiary Disc Filtration and Ultraviolet Disinfection for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough to Quad Construction Company, Inc. of Lumberton, New Jersey at the price of \$910,000.00; and

WHEREAS, the contractor has submitted Change Order No. 3, Final, which extended the contract completion date by 433 days to February 3, 2020; and

WHEREAS, the contractor has submitted payment No. 7, in the amount of \$64,520.26, Final Payment; and

WHEREAS, the Borough Engineer has recommended approval of Change order No. 3; and

WHEREAS, the Borough Engineer has recommended approval of payment No 7, final payment in the amount of \$64,520.26; 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 Change Order No. 3, Final and payment No. 7, Final in the amount of \$64,520.26 to Quad Construction Company, Inc. of Lumberton, New Jersey is hereby approved as detailed herein.

Resolution 2020-94

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

**AUTHORIZING PAYMENT NO. 11 - THE MUSIAL GROUP, P.A. (ARCHITECTURAL
AND CONTRACT ADMINISTRATION SERVICES FOR MUNICIPAL FACILITIES
LOCATED AT 230 MERCER STREET)**

WHEREAS, Resolution 2019-44, appointed the Musial Group as Architect and Contract Administrator for the municipal facilities project located at 230 Mercer Street; and

WHEREAS, Resolution 2019-44 also authorized concept design at a cost not to exceed \$40,000; and

WHEREAS, Resolution 2019-115, adopted on June 3, 2019, authorized the remainder of the project at a total cost not to exceed \$459,895.00; and

WHEREAS, Resolution 2020-40, adopted on January 21, 2020, amended the contract to not exceed \$472,895.00 without further authorization of the Governing Body; and

WHEREAS, the architect has submitted payment request No. 11 for professional services for February 13, 2020 – March 14, 2020 in the total amount of \$3,900.00; 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 The Musial Group, P.A. of Mountainside, New Jersey in the amount of \$3,900.00, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2020-95

*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 February 29, 2020, in the total amount of \$462.99; 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 \$462.99, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2020-96

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

**AUTHORIZING RELEASE OF PERFORMANCE BOND
3 PRC, LLC**

WHEREAS, 3 PRC, LLC presented Performance Bond No. FP0024448 in the amount of \$7,500 for Demolition Permit #2020-0021; and

WHEREAS, 3 PRC, LLC has requested that Performance Bond No. FP0024448 for Demolition Permit 2020-0021 be released; and

WHEREAS, the Borough Construction Official has issued a Certificate of Approval for the permit and has recommended that the performance bond funds be released.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the CFO is authorized and directed to release Performance Bond No. FP0024448 3 PRC, LLC40 Monmouth Park Highway, PO Box 70, West Long Branch, NJ 07764-1469, representing Demolition Permit 2020-0021 in the amount of \$7,500.00

A certified copy of this Resolution shall be provided to the following:

- a. 3 PRC, LLC
- b. George Lang, Borough CFO
- c. George Chin, Borough Construction Official

Resolution 2020-097

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

**AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN HIGHTSTOWN
BOROUGH AND THE CITY OF TRENTON FOR EMERGENCY PROFESSIONAL
SERVICES FOR TESTING OF COVID-19 FOR FIRST RESPONDERS**

WHEREAS, Hightstown Borough is in need of rapid testing of their first responders so that they can be quarantined themselves if infected, thereby limiting the spread of COVID-19; and

WHEREAS, the City of Trenton has contracted with Cardinal Medical Administrative Services to provide such testing for first responders in Mercer County; and

WHEREAS, the Mayor and Borough Council of Hightstown Borough believe that this would benefit the health, safety and welfare of the residents of the Borough.

NOW, THEREFORE, BE IT RESOLVED, that the Hightstown Borough Council hereby authorizes the Mayor to execute, and the Clerk to attest, the attached Memorandum of Understanding with the City of Trenton relating to the above.

Resolution 2020-98

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

**AUTHORIZATION TO DISSOLVE AN UNRECORDED LIEN ON BOROUGH
OWNED PROPERTY KNOWN AS BLOCK 21, LOT 20 (ACADEMY STREET) AS
SHOWN ON THE TAX MAP OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF
MERCER, STATE OF NEW JERSEY**

WHEREAS, Block 21/Lot 20 as shown on the tax map of the Borough of Hightstown, County of Mercer, State of New Jersey, was determined to be an area in need of redevelopment in the Borough of Hightstown; and

WHEREAS, there was an unknown owner of said property; and

WHEREAS, the Borough acquired ownership of said property through a Final Order to Quiet Title as recorded by the Superior Court of New Jersey, County of Mercer, on August 3, 2018; and

WHEREAS, there is a lien from 1970 on this property which has never been recorded with the Mercer County Clerk and which must now must be dissolved and removed from the Borough tax collection system; and

WHEREAS, it is the desire of the Mayor and Council to authorize the removal of said lien in the tax collection system of the Borough of Hightstown.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the lien currently affecting the property known as Block 21/Lot 20 as shown on the tax map of the Borough of Hightstown, County of Mercer, State of New Jersey, is hereby canceled, and the Tax Collector of the Borough is hereby authorized to remove said lien from the Borough tax collection system.

Resolution 2020-99

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

AUTHORIZING A WAIVER FOR PERMIT FEES AT 134 PURDY STREET

WHEREAS, on April 2, 2020, the Borough was notified that a recycling truck operated by Waste Management Inc, the Borough's recycling vendor, hit a power line on Purdy Street resulting in the main powerline to 134 Purdy Street being severed; and

WHEREAS, due to the specific location of the damage, the power company could not reconnect and the power was shut off resulting in emergency after hours electrical work; and

WHEREAS, due to the State of Emergency issued by the Governor due to COVID-19, the resident was working remotely and needed power restored as soon as possible; and

WHEREAS, in order to have power restored quickly, a waiver was signed with JCP&L to have the power restored without an inspection; and

WHEREAS, given that it was a Hightstown contractor which caused the damage, the Hightstown Construction Official is requesting that the permit fee of \$60 be waived;

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

WHEREAS, the Hightstown Borough Electrical Inspector has inspected the work and the contractor has been notified to file the permit, so a Certificate of Approval be issued and sent to JCP&L.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, that the Borough Permit fees associated with the emergency electrical work at 134 Purdy Street be waived as

detailed herein.

Resolution 2020-100

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

AUTHORIZING A COST-SHARING COMMITMENT FOR A PEDESTRIAN CROSSING SIGN

WHEREAS, in an effort to make the Borough safer for pedestrians, the Borough of Hightstown desires to install a pedestrian traffic light at the intersection of Route 33 (Franklin Street) and Broad Street; and

WHEREAS, the New Jersey Department of Transportation (NJDOT) requires the Borough to submit a cost-sharing commitment before an investigation is initiated; and

WHEREAS, the cost-sharing commitment would obligate the Borough to pay 25% of the total cost of the project.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Hightstown, County of Mercer, State of New Jersey, authorize a cost-sharing commitment for the installation of a pedestrian crossing sign at Route 33 (Franklin Street) and Broad Street; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to New Jersey Department of Transportation.

Resolution 2020-101

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

AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, an overpayment of 2020 taxes were made for Block 29/Lot 5, 208 Franklin Street in the amount of \$1,919.78, by the title company; and

WHEREAS, both the mortgage company and the title company paid first quarter taxes at closing; and

WHEREAS, the title company, Empire Title & Abstract Agency, LLC, 4573 South Broad Street, Suite 300, Yardville, NJ 08620 has requested that a refund be issued for the overpayment in the amount of \$1,919.78; and

WHEREAS, the Tax Collector has requested that said overpayment be refunded in the amount of \$1,919.78.

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 \$1,919.78 to Empire Title & Abstract Agency, LLC, 4573 South Broad Street, Suite 300, Yardville, NJ 08620, representing the tax overpayment as set forth herein.

Resolution 2020-102

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER*

STATE OF NEW JERSEY

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH HAMILTON
TOWNSHIP FOR CERTAIN HEALTH SERVICES (STD CLINIC)**

WHEREAS, the Borough of Hightstown is responsible by law for the protection of public health and wishes to provide certain clinic services relative to sexually transmitted diseases (STDs); and

WHEREAS, the Township of Hamilton is agreeable to providing clinic services relative to STDs to the Borough of Hightstown for the period January 1, 2020 through December 31, 2020 for a fee of \$50.00 per patient; and

WHEREAS, it is the desire of the Borough Council to enter into a shared services agreement with the Township of Hamilton for provision of these services; and

WHEREAS, such agreements are authorized pursuant to *N.J.S.A. 40A:65-1 et seq*; and

WHEREAS, funds for this purpose shall be provided for in the 2020 budget.

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

1. A shared services agreement between the Borough of Hightstown and the Township of Hamilton for the provision of professional health clinic services for sexually transmitted diseases for the period January 1, 2020 through December 31, 2020 is hereby authorized and accepted.
2. The Mayor and Clerk are authorized and directed to execute said agreement.

Resolution 2020-103

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

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

WHEREAS, with the adoption of Resolution 2019-87 on April 15, 2019, the Borough Council approved a Shared Services Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2019 through February 29, 2020 at a cost of Forty-Eight Thousand Two Hundred Thirty Nine Dollars and Sixty Four Cents (\$48,239.64) for the 12-month period; and

WHEREAS, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 28, 2021; and

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

WHEREAS, the Mayor and Council have reviewed the proposed Shared Services Agreement for Senior Services for the period March 1, 2020 through February 28, 2021; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, for the period March 1, 2020 through February 28, 2021 will be fifty thousand four hundred ninety eight dollars and twenty three cents (\$50,498.23) for this 12-month period; and

WHEREAS it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2020 and 2021 budgets;

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

1. The Shared Services Agreement with the Township of East Windsor for Senior Services for the period March 1, 2020 through February 22, 2021 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement for same.
3. This agreement is approved subject to the provision of adequate funds in the Borough's 2020 and 2021 budgets.

Resolution 2020-104

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

**PROCLAIMING HIGHTSTOWN VOLUNTEER APPRECIATION WEEK AND
RECOGNIZING, HONORING AND THANKING HIGHTSTOWN'S VOLUNTEERS**

WHEREAS, the week of April 19 – 25, 2020 has been proclaimed National Volunteer Week to recognize and celebrate the efforts of volunteers at the local, state, and national levels; and

WHEREAS, the Borough of Hightstown and its residents have benefited greatly from hundreds of volunteers who each year give tirelessly and selflessly to the service of others; and

WHEREAS, volunteerism strengthens communities, improves society, and enhances the overall quality of life for all citizens; and

WHEREAS, volunteering changes the lives of volunteers in a positive way, increasing self-confidence, self-esteem and physical wellbeing; offering the chance to meet new friends and associates; and providing opportunities to learn new skills and abilities; and

WHEREAS, the Hightstown Borough Mayor and Council wish to acknowledge and thank its volunteers for their dedication and tireless efforts.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown hereby proclaims the week of April 19 – 25, 2020, as Hightstown Volunteer Week and expresses its sincere appreciation and gratitude for the dedication and untiring efforts of all those who volunteer to help make our community a better place to live and work.

Resolution 2020-105

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2020 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2020 temporary budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes above mentioned; and

WHEREAS, it is the desire of the Mayor and Council to create emergency temporary appropriations as set forth on Schedule “A,” attached; and

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	1,013,396.00	101,330.00	1,114,726.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	191,136.00	175,000.00	366,136.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	1,204,532.00	276,330.00	1,480,862.00

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2020 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

OLD BUSINESS

Budget Meetings

Because of the COVID-19 Pandemic, the two scheduled Budget Meetings were cancelled. With the teleconference system now in place, new dates were discussed. Council agreed on remote meetings via freeconferencecall.com on May 6th and May 13th both at 6:30 p.m. Council requested CFO, George Lang, have information prepared ahead of time in order for Council to review. Council also agreed on electronic binders this year.

NEW BUSINESS

Resuming Regular Meeting Schedule

With the Emergency Declaration in place, all Council meetings were cancelled. It is necessary for Council to conduct Borough business. Council agreed with resuming its normal meeting schedule starting May 4, 2020.

With the stay at home and social distancing orders still in effect, all meetings will be held remotely via freeconferencecall.com. Meetings will begin at 6:30 p.m. If an executive session is needed, it will take place after the public meeting.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Jackson

Stated that he hopes to see everyone soon.

Councilmember Bluth

Stated that the meeting went well. Looking forward to getting back to normal soon.

Councilmember Stults

Stated that he misses everyone. He is proud of a successful meeting.

Councilmember Misiura

Spoke with the Captain at the First Aid Squad and they are all healthy. Hopes that everyone stays safe and healthy.

Councilmember Cicalese

Thanked everyone for their extra work. Asked for prayers for his father he has tested positive to COVID-19.

Police Chief Gendron

Informed Council that the Police Department has been staggering shifts to keep exposure at a minimum. They are keeping the public out of the station. He has been working with OEM in obtaining supplies. Businesses downtowns have been following Executive Orders. Has had no reports of gatherings. Councilmember Jackson asked about the confirmed number of COVID-19 cases in Hightstown. Chief Gendron confirmed that there are over 50 cases confirmed cases in Hightstown. Chief Gendron thanked Council for their support.

Council President Musing

Stated that he was glad the meeting went well. Talked about closing the parks in town and the need for social distancing. Mayor Quattrone stated that we need to stay proactive.

Borough Administrator/Clerk Debra Sopronyi

Informed Council that the Hightstown Strong signs are in the office. Please stop by when personnel is not present to pick one up. Everyone stay safe and healthy.

Deputy Borough Clerk, Peggy Riggio

Reminded everyone about the 2020 Census. Reported that the 2020 Primary Election has been moved to July 7, 2020.

Borough Attorney, Fred Raffetto

He will revise the resolution for the hiring of Office Moreno. Everyone stay safe and healthy.

Mayor Quattrone

Apologized again if he did anything wrong with the hiring of Officer Moreno. Everyone stay safe.

ADJOURNMENT

Moved by Councilmember Jackson at 7:27; Seconded by Councilmember Stults. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk