

**Meeting Minutes  
Hightstown Borough Council  
November 2, 2020  
6:30 p.m.**

The meeting was called to order by Mayor Quattrone at 6:32 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.”

The flag salute followed Roll Call.

	<b>PRESENT</b>	<b>ABSENT</b>
<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.

The Flag Salute followed roll call.

**APPROVAL OF AGENDA**

Mayor Quattrone requested that the New Business item Construction Department Operations be removed from the agenda. Council President Musing requested that Resolution 2020-215 be removed from the Consent Agenda and voted on separately.

Moved as amended by Councilmember Cicalese; Seconded by Councilmember Stults.

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

Agenda approved as amended 6-0.

**APPROVAL OF MINUTES**

**October 5, 2020 Public Session**

Moved by Council President Musing; Seconded by Councilmember Stults.

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

Minutes approved 6-0.

**October 5, 2020 – Executive Session**

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

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

Minutes approved 6-0.

**October 19, 2020 – Public 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.

**October 19, 2020 – Executive Session**

Moved by Councilmember Bluth; Seconded by Council President Musing.

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:

**Eugene Sarafin, 628 South Main Street** – Spoke about his immigrant grandparents. Spoke against President Trump. Stated that he hopes we will get rid of the Republican party during the election.

There being further comments, Mayor Quattrone closed the public comment period.

**ORDINANCES**

**Ordinance 2020-12 First Reading and Introduction An Ordinance to Establish Salary Ranges for Certain Officers and Employees of the Borough of Hightstown**

Moved for introduction by Councilmember Stults; Seconded by Councilmember Misiura.

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

Ordinance introduced 6-0.

Public Hearing scheduled for November 16, 2020.

Ordinance 2020-12

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



	<b>RANGING FROM:</b>	<b>TO:</b>
Superintendent of Public Works	\$50,000.00	\$106,000.00
Assistant Superintendent of Public Works	\$50,000.00	\$66,000.00
Water Plant Superintendent (Part-Time)	\$10,000.00	\$25,000.00
Senior Water Plant Operator	\$35,000.00	\$80,000.00
Supervising AWWTP Operator	\$44,000.00	\$56,000.00
Superintendent of AWWTP	\$50,000.00	\$107,000.00
Assistant Superintendent of AWWTP	\$45,000.00	\$90,000.00
Lab Manager – AWWTP	\$35,000.00	\$80,000.00
Secretary Board of Health	\$100.00	\$1,500.00
Computer Systems Administrator	\$3,000.00	\$6,000.00
Chief Financial Officer	\$2,000.00	\$52,000.00
Deputy Chief Financial Officer	\$10,000.00	\$70,000.00
Building Inspector	\$3,500.00	\$5,500.00
Zoning Official	\$6,000.00	\$12,000.00
Health Officer	\$8,000.00	\$15,000.00
OEM Coordinator	\$2,000.00	\$ 5,000.00
Borough Administrator	\$30,000.00	\$90,000.00
Police Chief	\$120,000.00	\$157,000.00

**Section 2.** The following official employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Hightstown, whose compensation shall be on an hourly basis, is:

	<b>RANGING FROM:</b>	<b>TO:</b>
Administrative Assistant/Payroll Clerk	\$10.00	\$30.00
Public Health Nurse	\$25.00	\$45.00
School Crossing Guard	\$15.00	\$25.00
Special Officer I	\$8.00	\$18.00
Special Officer II	\$18.00	\$30.00
Clerical Assistant	\$10.50	\$20.00
Administrative Assistant	\$13.50	\$30.00
Public Works Foreman	\$17.00	\$40.00
Public Works Heavy Equipment Operator	\$16.00	\$40.00
Public Works Automated Vehicle Operator	\$16.00	\$35.00
Public Works Driver/Laborer	\$15.00	\$35.00

**RANGING  
FROM:**

**TO:**

Public Works Laborer	\$14.00	\$35.00
Public Works Municipal Building Maintenance	\$8.00	\$35.00
Public Works Mechanic	\$16.00	\$35.00
Seasonal/Temporary Labor	\$10.00	\$20.00
Assistant Water Plant Operator	\$15.00	\$25.00
Water Plant Operator	\$25.00	\$35.00
Water Plant Lead Operator	\$40.00	\$50.00
AWWTP Maintenance	\$16.00	\$30.00
AWWTP Maintenance (Out of Title)	+\$2.00	+\$4.00
AWWTP Operator Trainee (up to 1 year exp)	\$13.00	\$20.00





BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**AN ORDINANCE AMENDING CHAPTER 3, “POLICE REGULATIONS”, SECTION 3-7 “NOISE CONTROL” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”**

**WHEREAS**, the Chief of Police, Zoning Official and Administration of the Borough have requested that the Noise Control Ordinance of the Borough be amended for appropriate enforcement; and

**WHEREAS**, in order to maintain a quality of life for residents within the Borough, the Hightstown Borough Council agrees with the recommendations suggested by the Chief of Police, Zoning Official and Administration for amendment to the Noise Control Ordinance within the Borough.

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

Section 1. Chapter 3, entitled “Police Regulations,” Section 3-7 “Noise Control,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in the following respects (additions are shown with underline, deletions are shown with ~~strikeout~~):

**Section 3-7**

**NOISE CONTROL**

**Subsections:**

**3-7.1 Findings: Unnecessary Noise Unlawful.**

**3-7.2 Radios; Musical Instruments and Other Devices.**

**3-7.3 Advertising with Sound.**

**3-7.4 Sound Trucks and Other Instruments.**

**3-7.5 Vehicular Horns and Warning Devices.**

**3-7.6 Pets and Animals**

**3-7.7 Lawnmowers, Leaf Blowers, Power tools, Chain Saws, Snow Blowers****3-7.8 People Noises**

**3-7.9 Construction**

**3-7.10 Miscellaneous Night Noises**

**3-7.11 Enforcement**

**3-7.12 Prevailing Time**

### **3-7.13 Violations and Penalties**

#### **3-7.1 Findings: Unnecessary Noise Unlawful.**

Excessive noise is a serious hazard to the public health, safety and welfare, and to the quality of life of the residents of the Borough of Hightstown and is hereby declared to be a public nuisance. The residents of the Borough of Hightstown have a right to and should be insured an environment free from excessive sound. The following regulations are enacted to prevent excessive sound that may jeopardize the health, safety or welfare of the Borough's residents or degrade their quality of life.

In that regard, No no person shall permit, make or continue or cause to be permitted, made or continued any loud, disturbing, or unnecessary noise which annoys, injures, endangers or disturbs the comfort, rest and repose, or the peace, or the health or safety of any person being in his or her place of abode, or at any public or private meeting or at church services or make, cause or permit to be made or caused upon any premises owned, occupied or controlled by him or her or in any public place or upon any public street, alley or thoroughfare in the Borough any unnecessary noises or sounds by means of the human voice or by any other means or methods which are physically annoying to persons or which are so harsh or prolonged or unnatural or unusual in their use, time and place as to occasion physical discomfort or which are injurious to the lives, health, peace and comfort of the inhabitants of the Borough or any number thereof. Such conduct shall be deemed a nuisance.

#### **3-7.2 Radios; Musical Instruments and Other Devices.**

No person shall play, use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the production or reproduction of sound with louder volume than is necessary for convenient hearing of the person so playing, using or operating such instrument or device and persons who are voluntary listeners thereto or in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants. The operation of any radio receiving set, musical instrument, phonograph or other machine or sound amplifying device for the production or reproduction of sound between the hours of 10:00 p.m. and 11:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be evidence of a violation of this chapter. Any such conduct shall be deemed a nuisance. Nothing herein contained shall be construed to prohibit playing by a band or orchestra in a hall, building, or in the open air when sponsored by the Borough or an appropriately permitted special event. Downtown Businesses who provide such music on their property as entertainment for their customers and have hours extending past 10:00pm shall be permitted to continue the entertainment until 11:00pm. (1991 Code § 147-2)

#### **3-7.3 Advertising with Sound.**

No person shall, for advertising purposes or for the purpose of attracting the attention of the passing public, play, use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound on the streets or public places of the Borough or in any place where the sound is cast directly upon the streets or public places or which is so placed and operated that the sound can be heard to the annoyance or inconvenience of travelers upon any street or public place or of persons in neighboring premises. Such conduct shall be deemed a nuisance.

#### **3-7.4 Sound Trucks and Other Instruments.**

No person shall play, use or operate for advertising purposes or for any other purpose whatsoever in public places or in or upon the public streets, alleys or thoroughfares in the Borough any device known as a "sound truck," "loudspeaker" or "sound amplifier" or radio or phonograph with a loudspeaker or sound amplifier or any other instrument known as a "calliope" or any instrument of any kind or character which emits therefrom loud and raucous noises and is attached to and upon any vehicle operating or standing upon the streets or public places aforementioned. Such conduct shall be deemed a nuisance.

#### **3-7.5 Vehicular Horns and Warning Devices.**

No person shall sound any horn or warning device on any automobile, motorcycle, bus or other vehicle except when required by law or when necessary to give timely warning of the approach of the vehicle or as a warning of impending danger to persons driving other vehicles or to persons upon the street. No person shall sound any horn or warning device on any automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound or for any unnecessary or unreasonable purpose or period of time. [Such conduct shall be deemed a nuisance.](#)

### **3-7.6 Pets and Animals**

~~No person shall keep any animal, including but not limited to any bird or dog, which, which causes frequent or long continued noise, or shall disturb the comfort or repose of any persons in the vicinity. For purposes of this subsection, a dog barking continually for ten (10) minutes or intermittently for thirty (30) minutes, and plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be evidence of a violation of this section.~~

Noise nuisance regulations pertaining to pets and animals are addressed in Chapter 5, Subsection 5-1.3 of the Hightstown Borough Code.

### **3-7.7 Lawnmowers, Leaf Blowers, Power tools, Chain Saws, Snow Blowers**

No person shall operate or use any power lawnmower, leaf blower, power tool, chain saw, snow blower or like item between the hours of 9:00 P.M. and 7:00 A.M., Mondays through Saturdays, and 9:00 P.M. and 9:00 A.M., on Sundays; except that the use of same shall not be prohibited during these times when used in response to an emergency, such as to clear a walkway or street from snow, fallen branches or trees following a storm or other natural disaster. Use of any lawnmower, leaf blower, power tool, chain saw, snow blower or like item within these hours that does not meet the emergency exemption shall be evidence of a violation of this section. [Any such conduct which does not meet the exceptions noted herein shall be deemed a nuisance.](#)

## **8. People Noises**

No person shall yell, shout, hoot, whistle, sing or cause unnecessary vocal noises in the public street, particularly between the hours of 10:00 p.m. and 10:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, or in any other type of residence, or of any persons in the vicinity. [Such conduct shall be deemed a nuisance.](#)

### **3-7-9 Construction**

All construction and demolition activity noise shall be restricted to the hours of 7:00 A.M. to 7:00 P.M., Monday through Friday, and 8:00 A.M. to 5:00 P.M. on Saturdays and those holidays when construction activity is not prohibited. All construction activity including but not limited to deliveries for same, shall be prohibited on Sundays and the following holidays: New Year's Day, Memorial Day, July Fourth, Labor Day, Thanksgiving Day and Christmas Day.

- 1. The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.**
- 2. The provisions of this subsection shall not apply in cases of emergency or urgent necessity in the interest of public health and safety.**
- [3. Any such conduct which does not meet the exceptions noted herein shall be deemed a nuisance.](#)

### **3-7-10 Miscellaneous night noises**

The warming up of diesel motors or motor vehicles; creation of loud or excessive noise in connection with the loading or unloading of any vehicle; [the emptying of dumpsters](#); or the creation of any other loud or raucous sound or noise between the hours of 10:00 p.m. and 7:00 a.m. in proximity to any dwelling, residence or other inhabited buildings is prohibited. [Such conduct shall be deemed a nuisance.](#)

### 3-7.11 Enforcement

Violations in this section are enforceable by the Hightstown Police Department, Zoning Official and Housing Inspector for the purpose of enforcement and issuing violations.

### 3-7.12 Prevailing Time.

The hours referenced in this Section shall refer to current prevailing time, i.e., either Eastern Standard Time or Eastern Daylight Savings Time, depending upon the time of year.

### 3-7.13 Violations and Penalties.

- a. Any person violating any provision of this section shall, upon conviction, be liable to the penalty as stated in Chapter I, Section 1-5.
- b. Separate Violations. Except as otherwise provided, each and every day in which a violation of any provision of this section exists shall constitute a separate violation.
- c. Any violation of this section is hereby declared to be a nuisance. In addition to any other relief provided by this section, the Borough, through the Borough Attorney, may apply to the Superior Court for an injunction to prohibit the continuation or repetition of any violation of this section.

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.

### **Ordinance 2020-14 First Reading and Introduction An Ordinance Amending and Supplementing Chapter 5, Entitled “Animal Control”, Subsection 5-1.3, Entitled “Conduct”, of the Revised General Ordinances of the Borough of Hightstown, New Jersey**

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

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

Ordinance introduced 6-0.

Public Hearing scheduled for November 16, 2020.

Ordinance 2020-14

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 5, ENTITLED “ANIMAL CONTROL”, SUBSECTION 5-1.3, ENTITLED “CONDUCT”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY**

**WHEREAS**, the Administration, Inspection, and Police Departments of the Borough desire to amend the ordinance of the Borough governing animal noises to increase the ability of responders to enforce same; and

**WHEREAS**, the Mayor and Borough Council find this change would be advantageous to the quality of life in the Borough.

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

Section 1. That Chapter 5, entitled “Animal Control”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

**5-1.3 Conduct.**

- a. Running at Large. No dog shall run at large at any time within the limits of the Borough.
- b. Leashing. No dog shall be permitted off of the premises of the person owning, keeping or harboring it unless accompanied by a person who is capable of controlling it and who has the dog securely confined and controlled by an adequate leash or chain not more than six (6) feet long.
- c. Property Damage. No person owning, keeping or harboring a dog shall permit or suffer it to do any injury or to do any damage to any lawn, shrubbery, flowers, grounds or property of persons other than the owner or person having the care, custody and control of such dog.
- d. Defiling Public Places. No person owning, keeping or harboring a dog shall permit or suffer it to soil or defile or commit any nuisance upon any sidewalk, street or thoroughfare or in or upon any public property or place.
- e. Personal Injury. No person owning, keeping or harboring a dog shall permit or suffer it to cause any injury to any person.
- f. Disturbing the Peace. ~~No person shall keep, harbor or maintain any dog which habitually barks or cries. No person shall keep any animal, including but not limited to any bird or dog, which causes frequent or long continued noise, or shall disturb the comfort or repose of any persons in the vicinity. For purposes of this subsection, a dog barking, or other pet making a disturbing noise, continually for ten (10) minutes or intermittently for thirty (30) minutes, and plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be evidence of a violation of this section.~~
- g. Wearing of Registration. All dogs for which licenses are required by the provisions of this section shall wear a collar or harness with the registration tag securely fastened thereto. (1991 Code § 87-3)

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**5-1.10 Enforcement.**

- a. **Authorized Enforcement Agents; Interference with Official Duties.** This Ordinance may be enforced by any representative of the Code Enforcement Department of the Borough or any member of the Borough’s Police Department. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this section.
- b. Access to Premises. Any officer or agent authorized or empowered to perform any duty under this section is hereby authorized to go upon any premises to seize for impounding any dog which he may lawfully seize and impound when such officer is in immediate pursuit of such dog, except upon the premises of the owner of the dog if the owner is present and forbids the same.

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 2020-207 Authorizing Payment of Bills**

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

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

Resolution adopted 6-0.

Resolution 2020-207

*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 \$569,584.70 from the following accounts:

Current		\$485,841.70
W/S Operating		41,782.45
General Capital		32,124.68
Water/Sewer Capital		1,272.00
Grant		0.00
Trust		2,951.15
Housing Trust		0.00
Animal Control		9.60
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Public Defender Trust		0.00
Escrow		<u>5,603.12</u>
<b>Total</b>		<b><u>\$569,584.70</u></b>

**Resolution 2020-208 Extending a Contract for Removal, Transportation, Delivery and Disposal of Sludge Cake – Waste Management Services of New Jersey, Inc.**

Moved by Council President Musing; Seconded by Councilmember Stults.

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

Resolution adopted 6-0.

Resolution 2020-208

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

**EXTENDING A CONTRACT FOR REMOVAL, TRANSPORTATION,  
DELIVERY AND DISPOSAL OF SLUDGE CAKE – WASTE MANAGEMENT  
SERVICES OF NEW JERSEY, INC.**

**WHEREAS**, three (3) bids were received on November 2, 2018 for the removal, transportation, delivery and disposal of sludge cake for the advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

**WHEREAS**, the contract was awarded to Waste Management Services of New Jersey, Inc. of Ewing, New Jersey at a per unit price of \$107 per ton with a total contract price of \$107,000.00

**WHEREAS**, the bid was for a period of one (1) year, said contract being awarded for a period of one (1) year with the Borough reserving the right to renew at the specified bid price for two (2) additional periods of six (6) months for a total time period of two (2) years; and

**WHEREAS**, the one year contract expired December 31, 2019; and,

**WHEREAS**, Mayor and Council approved renewal of one (1) six (6) month period with the adoption of Resolution 2020-81; and

**WHEREAS**, the six (6) month contract expired June 30, 2020; and

**WHEREAS**, the Mayor and Council wish to renew the contract for removal, transportation, delivery and disposal of sludge cake for the period of July 1, 2020 – December 31, 2020 which constitutes the final six month period applicable to the current contract; 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 the present contract for removal, transportation, delivery and disposal of sludge cake is hereby extended with Waste Management Services of New Jersey for an additional six month period ending December 31, 2020, as detailed herein.

**Resolution 2020-209 Establishing Salaries of Certain Officers and Employees of the Borough of Hightstown for the years 2019 and 2020**

Moved by Council President Musing; Seconded by Councilmember Stults.

Debra Sopronyi, Borough Administrator/Clerk explained the salary resolution. The Borough settled union contracts, so we are able to update salary ranges. There is a 2% increase for both 2019 and 2020. The CFO has declined a 2020 increase. The Administrator salary has no increase for 2019 or 2020. The Collector is part time now so that is the change. Councilmember Bluth questioned why the Deputy Clerk position is not included in this resolution. Ms. Sopronyi explained that Deputy Clerk is not a title that the Council approves raises for. This resolution is for department heads. The Deputy Clerk raise, along with other non-department heads, nonunion positions are given by the Administrator. Ms. Sopronyi further stated that the unions have received their raises and all other nonunion employees will receive similar raises. Councilmember Bluth questioned if we have the funds to pay for the retroactive payments for almost 2 years. Ms. Sopronyi explained that those funds have been budgeted in the appropriate years.

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

Resolution adopted 6-0.

Resolution 2020-209  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**ESTABLISHING SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE  
BOROUGH OF HIGHTSTOWN FOR THE YEAR 2019 AND 2020**

**WHEREAS**, Section 2-9.8(b) of the *Revised General Ordinances of the Borough of Hightstown* provides that salaries of Department Heads shall be set by the Mayor and Council and that the salaries of other non-union employees shall be set by the Borough Administrator within the range provided by Ordinance; and

**WHEREAS**, it is the desire of the Mayor and Council to set 2019 and 2020 salaries for certain non-union employees who do not have a separate employment agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the salary for the titles below shall be effective January 1, 2019 and January 1, 2020 respectively:

<u>Position/Title</u>	<u>2019 Salary</u>	<u>2020 Salary</u>
Chief Financial Officer	50,407.00	50,407.00
Administrator	30,600.00	30,600.00
Borough Clerk	77,568.00	79,119.00
Registrar of Vital Statistics	4,223.00	4,307.00
Health Official	13,514.00	13,784.00
Public Health Nurse	66,273.00	67,599.00
Collector	25,000.00	20,000.00
Assessor	18,571.00	18,943.00
Municipal Judge	31,212.00	31,836.00
Construction Code Official	22,266.00	22,711.00
Technical Assistant	34,697.00	35,391.00
Building Subcode Official	4,351.00	4,438.00
Building Inspector	4,351.00	4,438.00



Zoning Official	11,409.00	11,637.00
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CFO, George Lang, joined the meeting at this time.

**CONSENT AGENDA**

Council President Musing moved Resolutions 2020-210; 2020-211; 2020-212; 2020-213; 2020-214; 2020-216; and 2020-217 as a Consent Agenda; Councilmember Stults seconded.

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

Resolutions adopted 6-0.

Resolution 2020-210  
*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 2021 in the form attached hereto.

**2021 FUND YEAR  
STATEWIDE INSURANCE FUND**

**RISK MANAGEMENT CONSULTANT’S AGREEMENT**

**THIS AGREEMENT** entered into this 2<sup>nd</sup> day of NOVEMBER, 2020, among the Statewide Insurance Fund (“FUND”), a joint insurance fund of the State of New Jersey, Hightstown Borough (“MEMBER”) and Skylands

Risk Management (“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 claim 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, 2021** to **January 1, 2022**. 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 Riggio, Deputy Clerk

\_\_\_\_\_  
Lawrence D. Quattrone, Mayor **Member**  
**Representative, Hightstown Borough**

**ATTEST:**

\_\_\_\_\_  
**Risk Management Consultant Corporate Officer**

**ATTEST:**

\_\_\_\_\_  
**Statewide Insurance Fund Chairperson**

Resolution 2020-211  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**RESOLUTION APPOINTING A FUND COMMISSIONER**

**WHEREAS**, the Borough of Hightstown (hereinafter “Local Unit”) is a member of 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 Fund’s Bylaws require participating members to appoint a Fund Commissioner;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Hightstown that Debra L. Sopronyi is hereby appointed as the Fund Commissioner for the Local Unit for the year 2021; and

**BE IT FURTHER RESOLVED** that Margaret M. Riggio is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2021; and

**BE IT FURTHER RESOLVED** that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Resolution 2020-212

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

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE 2020 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 2020 as follows:

<b>Source</b>	<b>Amount</b>	<b>Revenue Title</b>	<b>Appropriation Title</b>
Bureau of Justice Assistance (BJA)	\$3,037.50	Bulletproof Vest Partnership	Bulletproof Vest Partnership

Resolution 2020-213

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

**AUTHORIZING THE BOROUGH GRANT WRITER TO SUBMIT AN APPLICATION  
FOR THE LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT**

**WHEREAS**, the Borough of Hightstown wishes to file an application with the New Jersey Department of Community Affairs (DCA), through the Division of Local Government Services (DLGS), for the Local Government Emergency Fund (LGEF) Grant provided through an allocation of the State of New Jersey CARES Act Coronavirus Relief Fund (CRF); and

**WHEREAS**, the Borough Council has authorized the Borough Grant Writer, Randy Gottesman, of CGP&H, LLC, to prepare the application for the Local Government Emergency Fund (LGEF) Grant, for an amount not to exceed \$5,000.00,

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Grant Writer is hereby authorized to file an

application with the New Jersey Department of Community Affairs for a Local Government Emergency Fund (LGEF) Grant at a cost not to exceed \$5,000.00.

Resolution 2020-214

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

**BOROUGH OF HIGHTSTOWN RESOLUTION TO APPLY FOR THE  
LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT**

**WHEREAS**, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

**WHEREAS**, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

**WHEREAS**, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

**WHEREAS**, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

**WHEREAS**, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

**WHEREAS**, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

**WHEREAS**, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

**NOW, THEREFORE, BE IT RESOLVED** by the Hightstown Borough Council, that the Borough of Hightstown will apply for a LGEF Grant in the amount of up to \$118,387.

Resolution 2020-216

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

**PROCLAIMING DECEMBER 7, 2020 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 89,777 women, 15,279 children and 6,566 men. Additionally, Womanspace has assisted more than 290,782 hotline callers over the last 43 years; and

**WHEREAS**, Hightstown Borough commends Womanspace for their efforts 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 7, 2020, as a visible symbol of that support; and

**WHEREAS**, the proceeds from Communities of Light 2020 will be used to fund vital services for victims of domestic violence, sexual assault, and human trafficking.

**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 7, 2020 is Communities 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.

Resolution 2020-217

*BOROUGH OF HIGHTSTOWN*

*COUNTY OF MERCER*

*STATE OF NEW JERSEY*

**AUTHORIZING A TRANSFER OF FUNDS IN THE 2020 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 2020 budget are hereby authorized:

**Current:**

**From**

**To**

**Group Insurance**

Other Expenses 35,000.00

**Data Processing**

Other Expenses 35,000.00

**TOTALS \$ 35,000.00 \$ 35,000.00**

**Resolution 2020-215 Resolution Extending the Temporary Placement of a Refrigerated Container at 225 Franklin Street**

Moved by Councilmember Stults; Seconded by Councilmember Cicalese.

Councilmember Stults stated that RISE has been struggling to find space to continue the food pantry drive through pick up. They need this permit extended so they can continue to help with their food drive. He fully supports this. He has seen where the refrigerated box located and it causes no issues.

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

Resolution adopted 5-0 with 1 abstention.

Resolution 2020-215  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**RESOLUTION EXTENDING THE TEMPORARY PLACEMENT OF A REFRIGERATED CONTAINER AT 225 FRANKLIN STREET**

**WHEREAS**, Resolution 2020-123, adopted by Borough Council on June 1, 2020 permitted RISE to place a refrigerated container at 225 Franklin Street; and

**WHEREAS**, due to the ongoing public health emergency caused by COVID-19, it is necessary it is necessary to extend this permission until March 31, 2021; and

**WHEREAS**, the Borough Zoning Official recommends Mayor and Council extend permission for the placement of such container with the following requirements:

1. The time in which the refrigerated container may stay in place at 225 Franklin Street is extended to March 31, 2021.
2. RISE is required to maintain the area in a clean and orderly manner.
3. RISE is required to restore the area into its original condition when the refrigerated unit is removed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hightstown, that RISE is permitted to place a refrigerated container at 225 Franklin Street as stated herein.



## **OLD BUSINESS**

### **Capital Budget**

Ms. Sopronyi stated that we are moving forward with the refurbishment of the three (3) water towers and asked Council if we can proceed with the other items that were discussed at the last meeting. This includes:

- The Monorail system for the AWWTP
- Crosswalk signal at on Franklin Street
- Police Department - copier, and other equip
- Fire Departments - SDKA bottles, turnout gear, bail out kits and AED replacements
- Improvements to Springcrest Pump station - Ms. Sopronyi explained that the funds for this has already been bonded.

Mr. Lang questioned if the funds for the water tower improvements need to be budgeted this year. Ms. Sopronyi reiterated that funds need to be in place to bid the project in February of 2021. Discussion ensued. Council was concerned that we are in a position that all three towers need improvements at the same time. They stated that they would like to be made aware of improvements regularly so we can avoid this happening again in the future. Mr. Lang stated that we can put an ordinance in place now that will cover the engineering costs to start the water tower improvements. The bond for the work on the water towers can be put into place in February of 2021.

After a unanimous straw vote, Council directed the Administrator and the CFO to move forward with the bond ordinance for the monorail system and equipment for the police department and fire department and engineering costs for the water tower refurbishments.

## **SUBCOMMITTEE REPORTS**

### **Complete Streets**

Councilmember Cicalese stated that Mercer County is completing sidewalks on Monmouth Street and will be moving onto Sunset and one additional location. Complete Streets will be holding a special meeting this Thursday to discuss the DVRPC proposal that was received.

Mayor Quattrone stated his concerned about the crosswalk at the library.

## **MAYOR/COUNCIL/ADMINISTRATIVE REPORTS**

### **Councilmember Bluth**

Environmental Commission - The October meeting had been cancelled. Cultural Arts Commission - This past Friday night residents dropped off pumpkins that they carved to Light up the Lake. Nineteen people brought their pumpkins to Memorial Park. They are hoping for more involvement next year.

### **Councilmember Stults**

Reviewed the Police report for October. Downtown Hightstown has compiled menus and digital files they will put on an electronic table tent in all downtown restaurants that will share information.

### **Councilmember Misiura**

The Mobility Master Plan presentation was given by the planner that was funded by the DOT Grant. Councilmember Misiura stated that they have excellent ideas. This will be presented to Council in December; it will be presented to Planning Board first. He feels this is really a worthwhile effort. Ward Street Bridge - The Borough met with the County engineer and the engineering firm completing the project. They stated that the bridge is obsolete according to their standard. It does not meet width or weight requirements and it is well over 100 years old. Their plan is to reinstall the truss to keep the historic appearance. There will be an increase to load limits. Mr. Misiura stated that the Borough will still have control over the truck use of the road. We can still put a limit on the trucks using that street. The extra width on the bridge will add bicycle and pedestrian lanes. There will be a minimum of three public meetings for this project. This is still at the beginning stages and the Borough needs to stay on top of this to make sure our input gets incorporated.

### **Council President Musing**

HPC is moving along with the repairs to the historic district. The PRC group is allowing the HPC to go through the Willis house to mark items to be salvaged. They may be able to auction items as a fundraiser for HPC.

### **Councilmember Cicalese**

Asked that everyone keep his family in their prayers. He lost aunt today. She was a Howell Councilmember for three decades. She was instrumental in him becoming a councilmember.

### **Borough Administrator/Clerk, Debra Sopronyi**

A special newsletter containing election information was blast this weekend. The monthly newsletter will be sent tomorrow. Ms. Sopronyi explained that she, along with Judge Kurs, have been reviewing ordinances for court fees and fines so that every ticket does not require a court appearance. She is requesting a subcommittee be formed to review the ordinance and make recommendations to Council. Borough Attorney, Fred Raffetto, stated that he has been working with Judge Kurs. The governing body has a number of options which requires a detailed review. It would be beneficial to have a subcommittee as opposed to having the full Council go through the ordinance line by line at a Council meeting. The subcommittee can review the ordinance and present their recommendations to Council. Part of the process is submitting the changes to the assignment judge. Mayor Quattrone stated that he would like time to think about the subcommittee and put this decisions off to the next meeting. Ms. Sopronyi stated that we have had some success with FEMA payments in relation to Hurricane Irene. We have received one payment. Other claims have been reopened. The Grant Writer will be applying for the CARES (COVID Relief) grant. Hightstown Borough is eligible for up to \$118,000. Whatever is not covered will be applied to FEMA for 75% reimbursement. The Statewide JIF is also offering grant funds for cyber security. We are currently looking to use this to update the server.

### **Deputy Clerk, Peggy Riggio**

Reminded everyone that Election Day is tomorrow. Polls are open from 6:00 a.m. - 8:00 p.m. Mail in ballots can still be deposited into secure drop boxes until 8:00 p.m. Tuesday evening.

### **George Lang, CFO**

Informed Council that we will be reviewing Best Practices at the 11/16 meeting.

### **Mayor Quattrone**

Stated that he had been approached by two Hightstown Housing Authority members questioning the reason there was no Borough Council representative at their meetings. Mayor Quattrone informed them that he would attend the meetings. Lincoln Avenue; looks great. This project is long overdue.

## **EXECUTIVE SESSION**

**Resolution 218 Authorizing a Meeting that Excludes the Public**

Moved by Councilmember Cicalese; Seconded by Councilmember Stults.

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

Resolution adopted 6-0.

Resolution 2020-218

*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 2, 2020, via [www.freeconferencecall.com](http://www.freeconferencecall.com), 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 – Robbinsville

Personnel – Borough Administrator

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 2, 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.

8:05 p.m. Council adjourned into executive session.

9:20 p.m. – Council reconvened into public session.

**ADJOURNMENT**

Councilmember Cicalese moved to adjourn at 9:20; Seconded by Councilmember Stults. All ayes.

Respectfully Submitted,

Margaret M. Riggio  
Deputy Borough Clerk