

**Meeting Minutes**  
**Hightstown Borough Council**  
**July 6, 2021**  
**6:30 p.m.**

The meeting was called to order by Mayor Quattrone at 6:31 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 [www.zoom.com](http://www.zoom.com).

The flag salute followed Roll Call.

	<b>PRESENT</b>	<b>ABSENT</b>
<i>Councilmember Susan Bluth</i>	✓	
<i>Councilmember Joseph Cicalese</i>	✓	
<i>Councilmember Cristina Fowler</i>	✓	
<i>Councilmember Joshua Jackson</i>	✓	
<i>Councilmember Steven Misiura</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk, Borough Engineer, Carmela Roberts and Fred Raffetto, Borough Attorney.

The Flag Salute followed roll call.

**APPROVAL OF AGENDA**

Council President Bluth requested that Resolutions 2021-103 and 2021-108 be pulled from the agenda.

Council President Bluth moved the agenda as amended; Seconded by Councilmember Fowler.

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

Agenda approved as amended 5-0.

**APPROVAL OF MINUTES**

**May 17, 2021 Public Session**

Council President Bluth moved the agenda as amended; Seconded by Councilmember Cicalese.

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

Agenda approved as amended 5-0.

**June 1, 2021 Budget Workshop**

Council President Bluth moved the agenda as amended; Seconded by Councilmember Misiura.

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

Agenda approved as amended 5-0.

**Council Vacancy**

With the resignation of Dimitri Musing, there exists a vacancy on Borough Council. The Democratic Committee submitted three names to fill this vacancy. They are Frederick Montferrat, Joe Studholme and Tori Watkins. Council President Bluth moved Fred Montferrat for the Council vacancy; Mr. Montferrat has been a resident for 33 years. He has been a member of Planning Board for 27 years, served as Chair of the Planning Board for the last 15 years. Councilmember Misiura seconded. Discussion ensued.

**Resolution 2021-099 Appointing a Councilmember to Fill the Vacancy of an Unexpired Term Ending December 31, 2021**

Council President Bluth moved Resolution 2021-099 with Frederick Montferrat to fill the Council vacancy; Councilmember Fowler seconded.

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

Resolution adopted 5-0.

Resolution 2021-099

*BOROUGH OF HIGHTSTOWN*

*COUNTY OF MERCER*

*STATE OF NEW JERSEY*

**APPOINTING A COUNCILMEMBER TO FILL THE VACANCY OF AN UNEXPIRED TERM ENDING DECEMBER 31, 2021**

**WHEREAS**, there exists a vacancy in the office of Councilmember due to the resignation of Dimitri Musing effective June 22, 2021; and

**WHEREAS**, the Municipal Vacancy Law (N.J.S.A. 40A:16-1 *et seq.*), provides that the Municipal Committee of the party that previously filled the seat shall submit within fifteen (15) days three (3) names for Council's consideration in filling the vacancy; and

**WHEREAS**, the Democratic Municipal Committee submitted the names of three (3) Nominees on June 25, 2021; and

**WHEREAS**, pursuant to the Municipal Vacancy Law, the Borough Council must, fill the vacancy by the appointment of a successor from the three (3) Nominees put forward from same political party which had nominated

the incumbent whose office had become vacant; and

**WHEREAS**, the Borough Council has publicly deliberated the nominees presented by the Democratic Municipal Committee to fill the vacancy with a member who would best serve the residents of the Borough; and

**WHEREAS**, by vote of Borough Council, the Council has decided to appoint Frederick Montferrat to fill the position of Councilmember for the unexpired term ending December 31, 2021.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Frederick Montferrat is hereby appointed to serve in the position of Councilmember to fill the vacancy of the unexpired term ending December 31, 2021.

Deputy Clerk, Peggy Riggio, administered the Oath of Office to Councilmember Montferrat.

## **ENGINEERING ITEMS**

### **Railroad and Dye Project**

Borough Engineer Carmela Roberts stated that she's needs a decision from Council on how to move forward with the improvements to Railroad and Dye. Ms. Roberts once again reviewed the three options previously presented.

At this time, Mayor Quattrone allowed comments from the public for the Railroad and Dye Project.

**Eugene Sarafin, 628 South Main Street** – Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Annette Riffle, 410 Summit Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Miguel Santos, 111 Morrison Avenue** – He is concerned about the standing water on Railroad Avenue. This road needs to be paved. He is also an advocate for curb safety. He does not believe a sidewalk is needed on Railroad. He would endorse this driveway if there is a police station at the Municipal Facility.

**Josh Dale, 124 Center Street** – Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Jose Pasch, 118 Dye Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Stacey Judge, 307 Morrison Avenue** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Mike Stickle, 203 Summit Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Finn O'Brien, 123 Morrison Avenue** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Paul Batsel, 203 Summit Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Daniel Kluxen, 126 Morrison Avenue** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Stephanie Spann, 115 Morrison Avenue** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Alicia Morris, 126 Morrison Avenue** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Pamela Senatore, 207 Summit Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Grace Shaw 155, Second Avenue** - more concerned about the pit bulls that are not contained.

**Yan Troizier, 148 Second Avenue** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Carol Sisterhen, 131 Center Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

**Barb Harrington - 137 South Street** - Spoke in opposition of the rear driveway from the new Municipal Facilities.

Many residents stated that a traffic study is needed before a decision is made.

Mayor Quattrone closed the public comments for engineering items.

Ms. Roberts stated that we can postpone decision until the July 19th. NJDOT has already denied an extension of the award deadline. We will lose the grant if we do not award a contract by November 21, 2021.

Discussion ensued. Councilmember Misiura proposed moving forward with a design for a 24-foot driveway, 1 way, exit only. Railroad Avenue will be one way. Ms. Roberts will contact NJDOT to see if there is a way to extend the time for a decision regarding the driveway without losing any portion of the grant funding. Mayor Quattrone called for a straw vote on Councilmember Misiura's proposal. Councilmember's Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes. Borough Engineer was directed to move forward with the previously stated plan 6-0.

#### **NJDOT Safe Routes to School**

Borough Engineer, Carmela Roberts explained that the Safe Routes to School Program needs to benefit grammar school children. Ms. Roberts reviewed her letter to Council dated June 1, 2021. Discussion ensued. Council unanimously directed Ms. Roberts to move forward with an application the Stockton Street Roundabout at Oak Lane project.

#### **Resolution 2021-100 Authorizing Payment No. 7 Final and Change Order No. 5 Final – S&G Paving Construction (Improvements to Lincoln Avenue, Hagemount Avenue and Rocky Brook Court**

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2021-100

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

#### **AUTHORIZING PAYMENT NO. 7 AND FINAL AND CHANGE ORDER NO. 5 AND FINAL – S & G PAVING CONSTRUCTION (IMPROVEMENTS TO LINCOLN AVENUE, HAGEMOUNT AVENUE AND ROCKY BROOK COURT)**

**WHEREAS**, on March 2, 2020, the Borough Council awarded a contract for Improvements to Lincoln Avenue, Hagemount Avenue and Rocky Brook Court in Hightstown Borough to S & G Paving Construction, Inc, of Monroe, New Jersey at the price of \$764,028.15; and

**WHEREAS**, the contractor has submitted Change Order No. 5, in the amount of a net reduction of \$123,367.86 which represents an adjustment to as-built quantities for a total contract amount of \$763,825.14. Change Order No. 5 also extends the contract time by 192 calendar due to poor weather during construction, additional utility improvements requested by the Borough and punch list improvements; and

**WHEREAS**, the contractor has submitted payment No. 7, in the amount of \$28,682.90, final payment, and

**WHEREAS**, the Borough Engineer has recommended approval of Change order No. 5; and

**WHEREAS**, the Borough Engineer has recommended approval of payment No. 7 Final, in the amount of \$28,682.90; and

**WHEREAS**, the Borough Engineer recommends the contract be closed out subject to the approval of the closeout documents by the Borough Attorney; 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. 5 Final and payment No. 7 Final, in the amount of \$28,682.90 to S&G Paving Construction, Inc. of Monroe, New Jersey is hereby approved as detailed herein.

#### **PUBLIC COMMENT**

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

**Eugene Sarafin, 628 South Main Street** – Welcomed to Councilmember Montferrat to Council. Spoke against the Republican Party.

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

#### **ORDINANCES**

**Ordinance 2021-08 Introduction and First Reading Bond Ordinance Amending Bond Ordinance 2020-06, Finally Adopted July 20, 2021, In Order to Include an Additional Improvement and Providing a Supplemental Appropriation of \$665,000 for Drainage Improvements to the Water and Sewer Utility in and by the Borough of Hightstown, in the County of Mercer, New Jersey, and Authorizing the Issuance of \$633,300 Bonds or Notes of the Borough to Finance Part of the Cost Thereof**

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

Roll Call Vote: Councilmembers Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes.

Ordinance introduced 6-0.

Public hearing scheduled for July 19, 2021.

ORDINANCE 2021-08

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**BOND ORDINANCE AMENDING BOND ORDINANCE #2020-6, FINALLY ADOPTED JULY 20, 2020, IN ORDER TO INCLUDE AN ADDITIONAL IMPROVEMENT AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$665,000 FOR DRAINAGE IMPROVEMENTS TO THE WATER AND SEWER UTILITY IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$633,300 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of Bond Ordinance #2020-6, finally adopted July 20, 2020 (the "Original Bond Ordinance"), of the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") is hereby amended in order to include the Schuyler water main.

Section 2. The improvement described in Section 4(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough as a general improvement. For the improvement or purpose described in Section 4(a), there is hereby appropriated the supplemental amount of \$665,000, such sum being in addition to the \$310,000 appropriated therefor by the Original Bond Ordinance and including the sum of \$31,700 as the additional down payment from the Capital Improvement Fund required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 3. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$633,300 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 4. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is drainage improvements to Springcrest Drive, Taylor Avenue, Spruce Court, Glen Drive and the Schuyler water main, including all work and materials necessary therefor and incidental thereto and further including all related costs and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$928,500, including the \$295,200 authorized by the Original Bond Ordinance and the \$633,300 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$975,000, including the \$310,000 appropriated by the Original Bond Ordinance and the \$665,000 appropriated herein.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 4(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the

cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$633,300, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$40,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$35,000 is estimated therefor herein.

Section 8. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 9. Any grant moneys received for the purpose described in Section 4(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 10. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of



holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

## **RESOLUTIONS**

### **Resolution 2021-101 Authorizing Payment of Bills**

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2021-101

*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 \$163,811.93 from the following accounts:

Current		\$71,773.73
W/S Operating		49,360.48
General Capital		5,303.00
Water/Sewer Capital		15,928.56
Grant		20,646.16
Trust		800.00
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Escrow		<u>0.00</u>
Total		<u>\$163,811.93</u>

**Resolution 2021-102 Appointing a Borough Administrator and Authorizing the Execution of an Employment Agreement Associated Therewith**

Moved by Councilmember Bluth; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2021-102

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

**APPOINTING A BOROUGH ADMINISTRATOR AND AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT ASSOCIATED THEREWITH.**

**WHEREAS**, Section 2-9.3 of the *Revised General Ordinances of the Borough of Hightstown* provides that “The Administrator shall be appointed by the Mayor with the advice and consent of the Council and shall serve at the pleasure of the Mayor and Council”; and,

**WHEREAS**, it is the desire of the Mayor to appoint Dimitri Musing of Hightstown, New Jersey to serve as Borough Administrator, in a full-time capacity, for a period of one year at a salary of \$50,000 per annum, effective as of September 1, 2021; and

**WHEREAS**, specific terms and conditions of employment have been set forth in the attached written Employment Agreement, and said Agreement is hereby approved by the Mayor and Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hightstown that the Mayor’s designation of Dimitri Musing of Hightstown, New Jersey is hereby ratified and confirmed as Borough Administrator as set forth herein.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute, and the Borough Clerk or Deputy Borough Clerk is hereby authorized to attest, the attached Employment Agreement on behalf of the Borough.

**Resolution 2021-104 Amend Resolution 2020-209**

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2021-104

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

**AMENDING RESOLUTION 2020-209**

**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**, Resolution 2020-209 was adopted by the Mayor and Council to set 2019 and 2020 salaries for certain non-union employees who do not have a separate employment agreement; and

**WHEREAS**, there is an error in the salary of the Borough Administrator for 2019 and 2020 pursuant to the employment agreement in place during 2019 and 2020 and Resolution 2018-127 which must be corrected to reflect the agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the salary for the Borough Administrator as stated in Resolution 2020-209 is hereby corrected to read:

<u>Position/Title</u>	<u>Jan. 1 – June 30 2019 Salary</u>	<u>July 1 – Dec. 31 2019 Salary</u>	<u>2020 Salary</u>
Administrator	15, 300.00	15,606.00	31,212.00

**CONSENT AGENDA**

Councilmember Cicalese moved Resolutions 2021-105, 2021-106, 2021-107, 2021-109, 2021-110 and 2021-111 as a Consent Agenda; Councilmember Bluth seconded.

Roll Call Vote: Councilmembers Bluth, Cicalese, Fowler, Jackson, Misiura and Montferrat voted yes.

Resolutions adopted 6-0.

Resolution 2021-105

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

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT  
RELATING TO THE CONSTRUCTION OF A FENCE ACROSS A BOROUGH-HELD SEWER  
EASEMENT LOCATED ON AND ACROSS THE PROPERTY LOCATED AT 6 HAGEMOUNT AVENUE  
(BLOCK 7, LOT 92)**

**WHEREAS**, the owners (William and Donna Smith) of the property located at 6 Hagemount Avenue in the Borough of Hightstown (the “property”), more commonly known and designated as Block 7, Lot 92 on the official Borough Tax Map, have requested the Borough’s permission to construct a privacy fence along portion(s) of the property, per the plans submitted to the Borough’s Zoning Officer, which fence shall encroach, in part, upon an existing twenty foot (20’) wide sewer easement (the “easement”) that is held by the Borough; and

**WHEREAS**, the proposed fence is shall comply in all other respects with all requirements of the Borough; and

**WHEREAS**, the property owners have agreed to assume all liability associated with the proposed fence, and shall be responsible for all costs and expenses if the fence is ever required to be removed or dismantled (in whole or in part) by the Borough for any purpose, including the responsibility for all costs and expenses related to repair of any damages incurred to the fence or related to its reconstruction; and

**WHEREAS**, the property owners have agreed to execute an Agreement with the Borough in order to memorialize their assumption of all liability relating to the proposed fence, along with all other terms and conditions related to the within undertaking; and

**WHEREAS**, a copy of the proposed Agreement is attached hereto and made a part hereof.

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

1. That the Borough hereby provides its consent to the property owners for the construction of a privacy fence along portion(s) of the property, per the plans submitted to the Borough’s Zoning Officer, which fence shall encroach, in part, upon an existing twenty foot (20’) wide sewer easement that is held by the Borough, subject to the terms and conditions set forth in the attached Agreement.
2. That the Mayor or Borough Administrator is hereby authorized to execute, and the Deputy Municipal Clerk to attest, the attached Agreement on behalf of the Borough, or one which is substantially similar thereto and is in a form that is satisfactory to the Borough Attorney, relating to the above issues. The execution of said Agreement shall be a prerequisite to the issuance of any permits associated with the construction of the said fence.
3. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Debra L. Sopronyi, Borough Administrator/Clerk; and
  - b. George Chin, Zoning Officer; and
  - c. Frederick C. Raffetto, Esq., Borough Attorney.

Resolution 2021-106  
*BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY*

**RELEASE OF MAINTENANCE GUARANTEE MCD FINE HOMES - 565 NORTH MAIN**

**STREET**

**WHEREAS**, in November of 2019, McD Fine Homes posted a maintenance guarantee with the Borough of Hightstown in the amount of \$1,667.65 in the form of check #316 for the project located at 565 North Main Street; and

**WHEREAS**, McD Fines Homes, has requested the release of said maintenance guarantee; and

**WHEREAS**, the Borough Engineer has stated that there are no troubles with the publicly installed improvements, and there are no outstanding escrow bills; and

**WHEREAS**, the Planning Board Secretary has stated that there are no open invoices for this property.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the CFO is authorized and directed to release the maintenance guarantee McD Fine Homes for the project located at 565 North Main Street.

1. A certified copy of this Resolution shall be provided to the following:
  - a. Ryan Deverin, Esq. – McD Fine Homes
  - b. Mickie O’Connor, Hightstown Borough Finance
  - c. Sandy S. Belan, Planning Board Secretary
  - d. Carmela Roberts, Borough Engineer

Resolution 2021-107

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

**ESTABLISHING AN ON-STREET HANDICAPPED PARKING SPACE AT 113 OAK LANE**

**WHEREAS**, Linda Olbrys of 113 Oak Lane has requested a handicapped parking space in front of her residence at 113 Oak Lane; and

**WHEREAS**, Ms. Olbrys has provided the Borough Clerk with the required documentation pursuant to section 7-35-1 of the Hightstown Borough Code; and

**WHEREAS**, an exception to section 7-35-1(b) of the Hightstown Borough Code is being made in the issuance of this handicapped parking space due to the fact that her husband is also disabled and uses the driveway for his vehicle; and

**WHEREAS**, the Mayor and Borough Council find that a handicapped parking space in front of 113 Oak Lane is warranted.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the installation of a handicapped parking space in front of 113 Oak Lane is hereby authorized as stated herein and the Department of Public Works is hereby directed to install the required signage.

Resolution 2021-109

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

**ACCEPTING THE AWARD OF THE 2021 SFY21 BODY WORN CAMERA GRANT  
PROGRAM FROM THE STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Hightstown Police Department has been awarded a grant in the sum of \$32,608.00 from the State of New Jersey Body Worn Camera Grant Program; and

**WHEREAS**, the funds will assist the Borough of Hightstown and the Hightstown Police Department with the purchase of Body Worn Cameras; and

**WHEREAS**, the Borough's contribution toward the grant will be the zero dollars.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, New Jersey that the Mayor is hereby authorized to accept this grant 21-BWC-194 in the amount of \$32,608.00 for the award period January 1, 2021 through December 31, 2025.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary to accept this grant.

Resolution 2021-110

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

**AUTHORIZING AN AMENDMENT TO RESOLUTION 2020-238 AWARDING A  
CONTRACT FOR MIXED OXIDANT ODOR CONTROL FORMULATION – GEORGE  
S. COYNE CHEMICAL, CO., INC.**

**WHEREAS**, Resolution 2020-238 awarded a one-year contract for Mixed Oxidant Odor Control Formulation to George S. Coyne Chemical Co, Inc. of Croydon, Pennsylvania; and

**WHEREAS**, this contract was not to exceed \$5,340.46 without further authorization from Council; and,

**WHEREAS**, it has been found that additional funds in the amount of \$64.73 will be necessary to complete the contract through December 31, 2021; and,

**WHEREAS**, funds for this purpose will be made available in the 2021 budget; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the agreement George S. Coyne Chemical, Co., Inc. of Croydon, Pennsylvania be amended to not exceed \$5,405.19.

Resolution 2021-111

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS  
PRIOR TO ADOPTION OF THE 2021 BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2021 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 2021 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i><b>THIS RESOLUTION</b></i>	<i><b>PREVIOUS TOTAL</b></i>	<i><b>CUMULATIVE TOTAL</b></i>
Current	331,000.00	1,445,497.00	<b>1,776,497.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service – Current	0.00	0.00	<b>0.00</b>
Water/Sewer	136,000.00	625,966.00	<b>761,966.00</b>
Capital Outlay – W/S	0.00	0.00	<b>0.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>467,000.00</b>	<b>2,071,463.00</b>	<b>2,538,463.00</b>

**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 2021 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.

Borough of Hightstown

Emergency Temporary No. 6

7/6/2021

**SCHEDULE "A"**

**Current Fund**

Administrative and Executive	Salaries and Wages	3,000.00
Mayor and Council	Salaries and Wages	4,200.00
Municipal Clerk	Salaries and Wages	10,000.00
Financial Administration	Salaries and Wages	9,000.00
Collection of Taxes	Salaries and Wages	6,000.00

Assessment of Taxes	Salaries and Wages	2,500.00
Engineer	Other Expenses	32,000.00
Municipal Court	Salaries and Wages	3,000.00
Municipal Court	Other Expenses	10,000.00
Planning Board	Salaries and Wages	1,000.00
Group Health Insurance	Other Expenses	50,000.00
Police	Salaries and Wages	130,000.00
Streets and Roads	Salaries and Wages	15,000.00
Solid Waste	Salaries and Wages	15,000.00
Recycling	Salaries and Wages	20,000.00
Parks and Recreation	Salaries and Wages	5,000.00
Cultural Arts	Other Expenses	300.00
Uniform Construction Code	Salaries and Wages	10,000.00
Social Security	Other Expenses	5,000.00
		<hr/>
Total Current Fund		331,000.00
		<hr/>
<b>Water-Sewer Operating Fund</b>		
Salaries and Wages		50,000.00
Other Expenses		50,000.00
Capital Improvement Fund		32,000.00
Social Security		4,000.00
		<hr/>
Total Water Sewer Operating		136,000.00
		<hr/>
Total		467,000.00
		<hr/>

**NEW BUSINESS**



### **Replace Subcommittee Members and liaisons**

Mayor Quattrone stated that with the resignation of Dimitri Musing from Council, there is a need to replace subcommittee members and liaisons. Mayor Quattrone appointed Council President Bluth as Police Commissioner and Councilmember Montferrat the Construction Liaison.

### **SUBCOMMITTEE REPORTS**

Councilmember Cicalese stated that Complete Streets always looking for people to get involved.

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

#### **Council President Bluth**

Welcomed Fred Montferrat to Council.

Cultural Arts Commission – Submission deadline for artwork for the 300 Anniversary Calendar is July 23<sup>rd</sup>.

Police Department – National Night Out will take place with year, August 3<sup>rd</sup> at Association Park.

#### **Councilmember Cicalese**

Thanked the residents for attending tonight's meeting. He also welcomed Mr. Montferrat to Council.

#### **Councilmember Fowler**

Welcomed Mr. Montferrat to Council.

Environmental Commission – A recycling flyer will be sent out with the tax bill. Watershed will be giving presentation to the Environmental Commission at the next meeting, July 27<sup>th</sup>. All councilmembers are invited to attend.

#### **Councilmember Misiura**

Welcomed Mr. Montferrat to Council and congratulated Mr. Musing on being named Administrator following Ms. Sopronyi's retirement. Regarding the Railroad Avenue and Dye Street project; this is a difficult decision for Council. All decisions have an impact on somebody. Council tries to make the best decisions for everyone.

#### **Councilmember Jackson**

Welcomed Mr. Montferrat to Council.

#### **Councilmember Montferrat**

Thanked everyone for their vote of confidence. He is looking forward to working with Council.

#### **Dimitri Musing**

Congratulated Mr. Montferrat. Stated that he is looking forward to working with Debbie until her retirement. Together they will continue managing all of the Borough's projects.

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

ARP Funding – First payment of \$277,581 has been received.

National Night Out – The Police will be hosting National Night Out August 3<sup>rd</sup> at Association Park.

**CFO. George Lang**

ARP Funding – We have received the first half. Council will need to decide how this will be spent.

**Borough Attorney, Fred Raffetto**

Congratulated both Mr. Montferrat and Mr. Musing.

**Mayor Quattrone**

Stated that he is excited to work with Mr. Musing and Mr. Montferrat.

It was good to hear from the public regarding the Railroad and Dye project. We will get this done and it will be done correctly.

Thanked Public Works and the Garden Club for the beautiful flowers downtown.

Excited to see the new businesses moving into town.

Thanked Council for all of their work. He is very fortunate to have a great Council.

**ADJOURNMENT**

Councilmember Montferrat moved to adjourn at 9:01 p.m.; Councilmember Fowler seconded. All ayes

Respectfully Submitted,

Margaret M. Riggio  
Deputy Borough Clerk