

Meeting Minutes
Hightstown Borough Council
October 3, 2022
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.” Do to COVID-19 and self-distancing protocols, this meeting was held remotely through www.zoom.com.

The flag salute followed Roll Call.

	PRESENT	ABSENT
<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>	Arrived late	
<i>Councilmember Frederick Montferrat</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Borough Clerk; Dimitri Musing, Borough Administrator; Fred Raffetto, Borough Attorney; George Lang, CFO.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Montferrat; Seconded by Councilmember Fowler

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

Agenda approved 5-0.

APPROVAL OF MINUTES

Councilmember Bluth the following minutes as a consent, May 2, 2022 Public Session, May 2, 2022 Executive Session, May 15, 2022 Public Session, May 15, 2022 Executive Session, June 6, 2022 Public Session, June 6, 2022 Executive Session; Councilmember Cicalese seconded.

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

Minutes approved 4-0 with 1 abstention.

Councilmember Misiura joined the meeting at this time.

PUBLIC COMMENT

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

Michael Bollentin, 203 Maxwell Avenue – Stated that is has been brought to his attention that there is a lawsuit being brought against the Borough which is described as unfair negotiation practices for a business that has interest in expanding and coming into the Borough. It's a business that could bring in an extensive amount of money as a tax revenue. He asked if there was any movement in the Borough for any companies or businesses related to the cannabis industry.

Eugen Sarafin, 628 South Main Street – Spoke against the Republican party and the Supreme Court.

Steve Turetsky, 1 Brakeman Court – Commented about the increased truck traffic and the excessive amount of dump trucks. Full dump trucks are coming through and shaking the homes. Hoping we can gather enough residents and raise a voice again to the East Windsor Township Council and remind them that they're not permitted to be driving the trucks through Hightstown, particularly these dump trucks. Huge warehouses are being built in East Windsor, this is most likely going to happen for the next six to nine months.

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

RESOLUTIONS

Resolution 2022-176 Authorizing Payment of Bills

Moved by Councilmember Jackson; Seconded by Councilmember Fowler.

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

Resolution adopted 6-0.

Resolution 2022-176

*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 \$761,223.65 from the following accounts:

Current		\$118,194.16
W/S Operating		65,169.31
General Capital		550,444.43
Water/Sewer Capital		21,054.75
Grant		175.00
Trust		400.00
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Housing Trust		0.00
Escrow		<u>5,786.00</u>
Total		<u>\$761,223.65</u>

Resolution 2022-177 Resolution Authorizing a Window Contract for a Rebuild/Retrofit of the Existing Roto-Press Continuous Self-Cleaning Bar/Filter at the Advanced Wastewater Treatment Plant

Moved by Councilmember Montferrat; Seconded by Councilmember Bluth

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

Resolution adopted 6-0.

Resolution 2022-177

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

**RESOLUTION AUTHORIZING A WINDOW CONTRACT FOR A
REBUILD/RETROFIT OF THE EXISTING ROTO-PRESS
CONTINUOUS SELF-CLEANING BAR/FILTER AT THE ADVANCED
WASTEWATER TREATMENT PLANT**

WHEREAS, the Borough of Hightstown has determined that there is a need for a rebuild of the existing Roto-Press Continuous Self-Cleaning Bar/Filter at the Advanced Wastewater Treatment Plant; and

WHEREAS, N.J.S.A. 40A:11-3 states that a contract, the cost of which will not exceed \$44,000 in a fiscal year, shall be awarded without public advertising for bids and bidding therefore, but N.J.S.A. 40A:11-6.1 provides that prior to the award of said contract, the municipality shall solicit quotations whenever practicable for a contract, the estimated cost of which is fifteen percent or more of the bid threshold, and award the contract to the entity who submitted the most advantageous quotation price and other factors considered; and

WHEREAS, the Superintendent of the AWWTP obtained a quote for the rebuild of the Roto-press from Parkson, 1401 West Cypress Creek Road, Suite 100, Fort Lauderdale, FL 33309 in the amount of \$20,300.00; and

WHEREAS, the Superintendent has stated that the original Roto-press is a Parkson machine and that the rebuild requires proprietary parts specific to this machine; and

WHEREAS, the Qualified Purchasing Agent has reviewed the quote received from Parkson and recommends that the quote be accepted for work to begin; and

WHEREAS, the Chief Finance Officer has certified that funds are available for this purchase charging budget line C-08-55-952-001-541.

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

1. The Borough Council for the aforementioned reasons, hereby declares that Parkson, 1401 West Cypress Creek Road, Suite 100, Fort Lauderdale, FL 33309, submitted a quote and hereby approves purchase to said entity for the aforesaid services in the amount of \$20,300.00
2. Parkson has completed and submitted a Business Entity Disclosure Certification which certifies that Parkson has not made any reportable contributions to a political or candidate committee in the Borough of Hightstown in the previous one year, and that Parkson will refrain from making any reportable contributions through length of the project.
3. The Borough Council hereby authorizes the Borough Clerk/Purchasing Agent to execute the quote and proceed with the issuance of a purchase order to begin the work detailed herein.
4. That the Business Disclosure Entity Certification to be placed on file with this resolution.

Resolution 2022-178 Authorizing Payment #1 and change Order #1 – Allied Painting, Inc. (Water Tank Painting and Repair at First Avenue, Leshin Lane and Cranbury Station Road)

Moved by Councilmember Fowler; Seconded by Councilmember Cicalese

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

Resolution adopted 6-0.

Resolution 2022-178

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

**AUTHORIZING PAYMENT #1 AND CHANGE ORDER #1– ALLIED PAINTING,
INC. (WATER TANK PAINTING AND REPAIR AT FIRST AVENUE, LESHIN LANE
AND CRANBURY STATION ROAD)**

WHEREAS, on May 16, 2022, the Borough Council awarded a contract for the Water Tank Painting and Repairs at First Avenue, Leshin Lane and Cranbury Station Road to Allied Painting Inc., of Cherry Hill, New Jersey at the price of \$427,300.00; and

WHEREAS, the contractor has submitted a request for payment No. 1 in the amount of \$130,732.00, for partial payment through August 31, 2022; and

WHEREAS, the contractor has submitted Change Order No. 1 which includes power washing the exterior of the Cranbury Station Road Water Tank as requested by the Borough and exterior paint touch-ups and repairs to rusted surfaces on the interior dry area not previously observed at the Cranbury Station Road Water Tank; and

WHEREAS, Change Order No. 1 increases the contract amount by \$12,900.00, or 3% of the total contract; and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 1; and

WHEREAS, the Borough Engineer has recommended approval of Payment Request No. 1 to the contractor in the amount of \$130,732.00; and

WHEREAS, the CFO had certified availability of the funds for the \$12,900 change order.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Change Order No. 1 and Payment Request No. 1 to Allied Painting, Inc., of Cherry Hill New Jersey for \$130,732.00, is hereby approved as detailed herein, and the Deputy CFO is authorized to issue same.

CONSENT AGENDA

Councilmember Bluth moved Resolutions 2022-179; 2022-180; 2022-181; 2022-182 and 2022-183 as a Consent Agenda; Councilmember Jackson seconded.

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

Resolutions adopted 6-0.

Resolution 2022-179

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

RESOLUTION OF COMPLIANCE REGARDING THE 2020 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S.A.* 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the audit entitled:

**General Comments
Recommendations**

; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments
Recommendations**

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Hightstown hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution 2022-180

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

**EXTENDING THE GRACE PERIOD FOR PAYMENT OF 2022 THIRD QUARTER
TAXES**

WHEREAS, 2022 Third Quarter Taxes were due on August 1, 2022, with a ten-day grace period; and

WHEREAS, due to the late receipt of the tax rate from the County, the mailing of the tax bills was delayed; and

WHEREAS, the Mayor and Borough Council finds it to be equitable and proper that the grace period for payment of the 2022 third quarter tax be extended until the 24th day of October, 2022; and

WHEREAS, if the 2022 third quarter tax payment is not received by October 24, 2022, late fees shall be effective from the due date of August 1, 2022, as is required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the grace period for payment of 2022 third quarter taxes be extended until the 24th day of October, 2022.

Resolution 2022-181

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

**REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE 2022 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 2022 as follows:

Source	Amount	Revenue Title	Appropriation Title
Bureau of Justice Assistance (BJA)	\$3,362.49	Bulletproof Vest Partnership	Bulletproof Vest Partnership

Resolution 2022-182

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

**A RESOLUTION SUPPORTING LIGHT UP THE LAKE 2022
SPONSORED BY HIGHTSTOWN BOROUGH CULTURAL ARTS
COMMISSION**

WHEREAS, the Cultural Arts Commission is a recognized commission of Hightstown Borough pursuant to Article 2-48 entitled “Cultural Arts” of “The Revised General Ordinances of the Borough of Hightstown”; and

WHEREAS, one of the obligations of the Cultural Arts Commission as set forth in the in Article 2-48 is to sponsor artistic activities for the benefit of the Hightstown Community; and

WHEREAS, one such activity planned and sponsored by the Cultural Arts Commission is entitled “Light up the Lake” in which individuals paint or carve their own pumpkin to be displayed along Peddie Lake; and

WHEREAS, this year’s light up the lake is scheduled to take place on October 29, 2022, at Memorial Park, 123 North Main Street, Hightstown.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support Light of the Lake 2022 and look forward to another successful community event sponsored by the Cultural Arts Commission.

Resolution 2022-183

BOROUGH OF HIGHTSTOWN

*COUNTY OF MERCER
STATE OF NEW JERSEY*

**A RESOLUTION SUPPORTING THE CLOSURE OF STOCKTON
STREET FOR HALLOWEEN ACTIVITIES**

WHEREAS, as in years past, Stockton Street will be closed on October 31, 2022, to provide for safe Halloween activities for the community; and

WHEREAS, the road closure will begin at 5:30 p.m. and last until 9:30 p.m.; and

WHEREAS, Stockton Street will be closed from Church Street to Summit Avenue; and

WHEREAS, residents are asked to discontinue distribution of candy at 9:00 p.m.; and

WHEREAS, the Hightstown Police Department will be on site to ensure the safety of all participants.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Hightstown support the closure of Stockton Street on October 31, 2022 as detailed herein and look forward to another memorable evening for the Hightstown Community.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

- Complete Streets – met last week.
- Parks & Rec – Chair, Jordan Adler resigned. Several openings on the commission.

Councilmember Fowler

- Harvest Fair – Unfortunately, had to cancel because of the tropical storm. There typically is no rain date scheduled because most vendors do not like to have to commit to 2 dates. Many of the scheduled vendors have already asked that their vendor fee be moved to the 2023 fair.

Councilmember Montferrat

- Property Maintenance – Working with the Construction Office and they are making good progress.
- Thanked the Harvest Fair Committee. A lot of work had gone into the planning. He is looking forward to next year.

Council President Bluth

- Cultural Arts Commission – Light up the Lake will be taking place at Memorial Park on October 29th.

Fred Raffetto, Borough Attorney

- Informed Council that the closing for 239 Wycoff Mills Road had taken place

George Lang, CFO

- Bond Anticipation Notes were sold with Lakeland Bank. One year note at 3.19% which is a good rate

Peggy Riggio, Borough Clerk

- Bids for chemicals were received and opened. We did receive bids for all chemicals needed. All contracts will be for 1 year.
- Cameras for the Stockton Street Parking Lot have been received and are operational. Dave Bell will work with Public Works on getting them installed.
- Laptops for Council have been ordered. They are do to arrive this week.
- Election Day is November 8th. Polls are open from 5:00 a.m. – 8:00 p.m. There is also early voting available and vote by mail. Information is on the Borough website.
- Stockton Street will once again be closed on Halloween for trick or treating.

Dimitri Musing, Borough Administrator

- Expressed gratitude to the Harvest Fair Committee. They worked hard to organize the event and had to cancel due to Hurricane Ian.
- Thanked Public Works for their work in getting the Borough ready for the storm.
- He feels the Borough is running well right now. Our top priority is property maintenance.

Mayor Quattrone

- Received many calls this weeks. He would like residents to know that that their concerns do not fall on deaf ears.
- Thanked the Harvest Fair Committee for their work. It was sad we had to cancel but it was the right call.
- There has been a lot of talk about traffic. All cars have the right to use the roads. State highway trucks pass all day and all night. As far as the new warehouse in East Windsor; construction vehicles are being paid by load or trip. They have a job to do and have a right to use the road. Council needs to make decisions based on what is best for the entire community. We try to do the best we can. When something doesn't work, we do our best to work around it to make it work.

EXECUTIVE SESSION

Resolution 2022-184 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Montferrat; Seconded by Councilmember Cicalese

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

Resolution adopted 6-0.

Resolution 2022-195

*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 7, 2022, via www.zoom.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 – Potential of Appointment of Special Council

Attorney Client Privilege

Personnel – Superintendent AWWTP

Litigation – Schloss v. Hightstown

Action may be taken following Executive Session

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 7, 2023, 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.

Council adjourned to executive session at 7:03 p.m.

Council returned to public session at 7:41 p.m.

ADJOURNMENT 7:42 p.m.

Moved by Councilmember Fowler; Seconded by Councilmember Montferrat. All ayes.

Respectfully Submitted,



Margaret Riggio
Borough Clerk

Approved by Hightstown Borough Council: **12/5/2022**