

**Meeting Minutes**  
**Hightstown Borough Council**  
**November 7, 2022**  
**6:30 p.m.**

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

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

Agenda approved 6-0.

**APPROVAL OF MINUTES**

Councilmember Bluth moved to approve minutes from the following meetings:

- August 1, 2022 – Public Session
- August 2, 2022 – Executive Session
- August 15, 2022 – Public Session
- August 15, 2022 – Public Session

Councilmember Cicalese seconded.

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

Minutes approved 5-0 with 1 abstention.

## **PUBLIC COMMENT**

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

Borough Attorney, Fred Raffetto, read a statement regarding campaigning during the public comment period.

**Philip Wyckoff, 401 North Street** – Stated that he is concerned about the rerouted traffic from Wyckoff Mills Road. The traffic is now coming down William Street, what was not meant for this volume of traffic. He believes this is a recipe for an accident.

**Eugene Sarafin, 628 South Main Street** – Thanked Mr. Raffetto for his comment about campaigning during public comment. Spoke about saving democracy.

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

## **RESOLUTIONS**

### **Resolution 2022-188 Authorizing Payment of Bills**

Moved by Councilmember Jackson; Seconded by Councilmember Montferrat

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

Resolution adopted 6-0.

Resolution 2022-188

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

### **AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$1,663,109.05 from the following accounts:

Current		\$1,232,299.87
W/S Operating		234,634.49
General Capital		7,753.99
Water/Sewer Capital		150,237.55
Grant		600.00
Trust		1,466.08
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		29,342.57
Public Defender Trust		111.50
Housing Trust		0.00
Escrow		<u>6,663.00</u>
Total		<u>\$1,663,109.05</u>

**Resolution 2022-189 Authorizing Payment No. 19 – The Musial Group, P.A. (Architectural and Contract Administration Services for Municipal Facilities Located at 230 Mercer Street)**

Moved by Councilmember Misiura; Seconded by Councilmember Montferrat.

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

Resolution adopted 6-0.

Resolution 2022-189

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

**AUTHORIZING PAYMENT NO. 19 - THE MUSIAL GROUP, P.A.  
(ARCHITECTURAL AND CONTRACT ADMINISTRATION SERVICES FOR  
MUNICIPAL FACILITIES LOCATED AT 230 MERCER STREET)**

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

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

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

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

**WHEREAS**, Resolution 2020-153, adopted on August 3, 2020, amended the contact to not exceed \$511,995.00 without further authorization of the Governing Body; and

**WHEREAS**, the architect has submitted payment request No. 19 for professional services for August 28, 2022 – September 30, 2022 in the total amount of \$32,931.04.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the payment request to The Musial Group, P.A. of Mountainside, New Jersey in the amount of \$32,931.04, is hereby approved as detailed herein, and the Deputy CFO is authorized to issue same.

**Resolution 2022-190 Authorizing Payment No. 2 – Allied Painting, Inc. (Water Tank Painting and Repair at First Avenue, Leshin Lane and Cranbury Station Road.**

Moved by Councilmember Fowler; Seconded by Councilmember Jackson.

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

Resolution adopted 6-0.

Resolution 2022-190

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

**AUTHORIZING PAYMENT NO. 2– 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. 2 in the amount of \$60,6669.84, for partial payment through October 7, 2022; and

**WHEREAS**, the Borough Engineer has recommended approval of Payment Request No. 2 to the contractor in the amount of \$60,669.84.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Change Order No. 1 and Payment Request No. 2 to Allied Painting, Inc., of Cherry Hill New Jersey for \$60,669.84 is hereby approved as detailed herein, and the Deputy CFO is authorized to issue same.

**CONSENT AGENDA**

Councilmember Bluth moved Resolutions 2022-191; 2022-192; 2022-193 and 2022-194 as a Consent Agenda; Councilmember Fowler seconded.

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

Resolutions adopted 6-0.

Resolution 2022-191

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

**PROCLAIMING DECEMBER 5, 2022, 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 110,143 women, 16,442 children and 7,567 men. Additionally, Womanspace has assisted more than 308,446 hotline callers over the last 45 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 5, 2022, as a visible symbol of that support; and

**WHEREAS**, the proceeds from Communities of Light 2022 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 5, 2022, 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 2022-192

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

**AUTHORIZING THE RENEWAL OF A SHARED SERVICES AGREEMENT WITH  
ROBBINSVILLE TOWNSHIP FOR EMERGENCY MEDICAL SERVICES**

**WHEREAS**, Resolution 2020-200 authorized a shared services agreement for Robbinsville Township to provide Emergency Medical Service coverage in Hightstown Borough; and

**WHEREAS**, said agreement was approved for the period January 1, 2021 through December 31, 2021 with the option to renew for two additional one-year periods; and

**WHEREAS**, Resolution 2021-159 renewed said agreement for the period January 1, 2022 through December 31, 2022 with the option to renew for one additional one-year period; and

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

**WHEREAS**, the Mayor and Council wish to renew the Shared Services Agreement for Emergency Medical Service for the period January 1, 2023 through December 31, 2023, which constitutes the final year applicable to the current agreement; and

**WHEREAS**, the Borough's net share of costs for these services, by the terms of this agreement, will be Forty Thousand Dollars (\$40,000.00) annually; and

**WHEREAS** funds for this expenditure will be made available in the 2023 budget;

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

1. The extension of the Shared Services Agreement with the Township of Robbinsville for Emergency Medical Service for the period January 1, 2023 through December 31, 2023 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. This agreement is approved subject to the provision of adequate funds in the Borough's 2023 budget.

Resolution 2022-193

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

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH MERCER COUNTY  
REGARDING EMERGENCY TELECOMMUNICATIONS SERVICES**

**WHEREAS**, in 2008 Hightstown Borough entered into an interlocal agreement with Mercer County for assistance with the dispatch of fire apparatus and provision of operational communications for the fire service community in the Borough, and will be provided at no cost to the Borough; and

**WHEREAS**, the County of Mercer has offered to continue to assist the Borough of Hightstown as needed in providing emergency telecommunication services January 1, 2023 through December 31, 2027 and

**WHEREAS**, these services include assistance in the dispatch of fire apparatus and provision of operational communications for the fire service community in the Borough, and will be provided at no cost to the Borough; and

**WHEREAS**, the County has requested that the Borough enter into a shared services agreement for these services; and

**WHEREAS**, it is the desire of the Mayor and Borough Council to enter into this agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the attached Shared Services Agreement with the County of Mercer for assistance in the dispatch of fire apparatus and provision of operational communications for the fire service community in the Borough of Hightstown, as needed, is

hereby approved, and the Mayor and Borough Clerk are authorized to execute same.

Resolution 2022-194

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

**AUTHORIZING A RENEWED SHARED SERVICES AGREEMENT WITH MERCER  
COUNTY FOR EMS DISPATCH SERVICES**

**WHEREAS**, with the adoption of Resolution 2014-126 on June 2, 2014, the Borough Council approved a Shared Services Agreement with Mercer County for Emergency Medical Dispatch Services for the period of July 1, 2014 to December 31, 2016; and

**WHEREAS**, Hightstown Borough has entered into successor agreements annually since the inception of the original agreement; and

**WHEREAS**, the parties desire to enter into a successor agreement to continue the provision of Emergency Medical Dispatch Services to the Borough by Mercer County for a one-year period, January 1, 2023 through December 31, 2023; and

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

**WHEREAS**, the Mayor and Council have reviewed the proposed Shared Services Agreement for Emergency Medical Dispatch Services for the period January 1, 2023 through December 31, 2023; and

**WHEREAS**, the Borough's net share of costs for these services, by the terms of this agreement, for the period January 1, 2023 through December 31, 2023 will be Four Thousand Eight Hundred and 10 Dollars (\$4,810.00) for this 12-month period; and

**WHEREAS**, additional terms of said Services shall be established in a shared services agreement signed by Mercer County and Hightstown Borough; and

**WHEREAS**, it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2023 budget.

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

1. The Mayor and Municipal Clerk are hereby authorized to execute a shared services agreement for EMS Dispatch Services as stated herein.
2. This agreement is approved subject to the provision of adequate funds in the Borough's 2022 budget.

**DISCUSSION**

**Amend Resolution for Area in Need of Redevelopment**

Mr. Musing explained that Resolution 2022-69 was being amended to remove the eminent domain language. The Borough has no intentions of taking over any private properties. Discussion ensued. Council agreed to remove

the prior language and moved to amend Resolution 2022-69.

Moved by Councilmember Misiura; Seconded by Councilmember Montferrat.

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

Resolution adopted 6-0.

Resolution 2022-214  
*BOROUGH OF HIGHTSTOWN*  
*COUNTY OF MERCER*  
*STATE OF NEW JERSEY*

**AMENDING RESOLUTION 2022-069**

**WHEREAS**, on March 21, 2022, Hightstown Borough Council adopted Resolution 2022-069 titled *Resolution of the Borough of Hightstown, in the County of Mercer, Authorizing and Directing the Borough Planning Board to Determine Whether Certain Property Constitutes an Area in Need of Redevelopment*; and

**WHEREAS**, Council wishes to amend Resolution 2022-069 to include non-condemnation language; and

**WHEREAS**, Resolution 2022-069 is amended to read as follows:

**WHEREAS**, pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “Redevelopment Law”), municipalities may undertake studies to determine whether certain properties should be designated as an “area in need of redevelopment”; and

**WHEREAS**, at the February 14, 2022 meeting of the Borough’s Planning Board (the “Planning Board”), the Planning Board discussed the proposed Master Plan amendment Visioning for Downtown and Lakeside Improvements and Downtown Redevelopment Area, Phase 3; and

**WHEREAS**, among other things, the Planning Board noted that there is growing interest in developing other parts of the Borough’s downtown area as progress is made in the redevelopment of the Rug Mill Redevelopment Area on the western side of Main Street; and

**WHEREAS**, based on that discussion, the Planning Board recommended that the Borough Council consider the expansion of the previously designated Downtown Redevelopment Area, Phase 3 to include additional lots on the eastern side of Main Street and the associated Peddie Lake Shoreline, including the parcels designated as Block 28, Lots 48 through 55 on the Borough’s tax maps (collectively, the “Study Area”); and

**WHEREAS**, the Borough desires to authorize and direct the Planning Board to undertake a preliminary investigation to determine whether the Study Area meets criteria for designation as an area in need of redevelopment set forth in the Redevelopment Law; and

**WHEREAS**, if the Study Area is determined to meet the criteria for designation as an area in need of redevelopment and the Borough so designates the Study Area, then the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, excepting the power of eminent domain.

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

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



Section 2. The Planning Board is authorized and directed to undertake a preliminary investigation and conduct a public hearing to determine whether the Study Area meets criteria necessary for designation as an area in need of redevelopment under the Redevelopment Law and, if the Study Area so qualifies, to recommend whether it should be so designated.

Section 3. In the event the governing body shall designate the Study Area as a redevelopment area, the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, excepting the power of eminent domain.

Section 4. A copy of this resolution shall be forwarded to the Secretary of the Planning Board for action consistent herewith.

Section 5. This resolution shall take effect immediately.

## **SUBCOMMITTEE REPORTS**

### **PRC**

Councilmember Montferrat stated that the subcommittee met 2 weeks ago. We will be reaching out to PRC for additional dialogue.

### **Municipal Facilities**

Councilmember Montferrat stated that we are in the process of reviewing plans. The subcommittee will be meeting again on Wednesday.

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

### **Councilmember Fowler**

- Environmental Commission has lost another member. If anyone is interested in becoming a part of the Environmental Commission, please submit a Citizen Leadership form to the Borough Clerk.
- Downtown Hightstown
  - Collected candy for the residents on Stockton Street for Halloween. The candy was donated to 10 houses that signed up to receive the donations.
  - Lights will be put up on the lampposts downtown the weekend of November 20<sup>th</sup>.

### **Councilmember Misiura**

- Planning Board meeting next Monday. They will be hearing applications for the Peddie School and Meadow Lakes.
- Halloween on Stockton Street was great. The Police presence is effective. He thinks that more attention needs to be paid to South Main Street during Halloween.

### **Councilmember Montferrat**

- Property Maintenance – working with the Construction Office. This is an ongoing project.

**Councilmember Jackson**

- Halloween – it was great to see Stockton Street so crowded.
- HPC – Meets next week at 6:30

**Councilmember Cicalese**

- Complete Streets – Did not meet last month.
- Parks and Rec – in need of several members.

**Council President Bluth**

- Cultural Arts Commission
  - Light up the Lake was a huge success with over 100 people sharing their pumpkins. 60 pumpkins were donated by the Greater Hightstown Juniores, Kyle Family Farm and Stokes
  - Empty Bowls – Bowls that were made for the Cancelled 2020 Empty Bowls event are being used November 26<sup>th</sup> at 4 Boys Ice Cream. If you purchased a bowl, you can pick it up that day filled with ice cream. There will also be additional bowls for sale.

**Peggy Riggio, Borough Clerk**

- Tomorrow is Election Day. Polls are Open 6:00 a.m. to 8:00 p.m.
- Rabies Clinic on December 6<sup>th</sup> at the First Aid Squad 4:30 p.m. – 6:00 p.m.
- Council will be returning to in person meetings on November 21<sup>st</sup> at 6:30 p.m. at the Hightstown Firehouse Hall.

**Dimitri Musing, Borough Administrator**

- Halloween on Stockton Street was great. Our Police did a terrific job.
- Public works is doing amazing on leaf and yard waste pick up.
- New driver/laborer coming on board this week.

**Mayor Quattrone**

- Halloween on Stockton Street was fabulous. Happy to see everyone out again.

**EXECUTIVE SESSION**

**Resolution 2022-195 Authorizing a Meeting that Excludes the Public**

Moved by Councilmember Bluth; Seconded by Councilmember Fowler

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](http://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:

Litigation – Schloss v. Hightstown

Attorney Client Privilege

Contract Negotiations – Potential of Appointment of Special Council

Personnel – Superintendent AWWTP

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.

**ADJOURN TO EXECUTIVE SESSION AT 7:08 p.m.**

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

Council returned to Public Session at 8:33 p.m.

**A Resolution Authorizing an Agreement for Special Counsel Services – Ronald P. Mondello, Esq.**

Moved by Councilmember Bluth; Seconded by Councilmember Fowler.

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

Resolution adopted 6-0.

Resolution 2022-215

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

**A RESOLUTION AUTHORIZING AN AGREEMENT FOR  
SPECIAL COUNSEL SERVICES - RONALD P. MONDELLO, ESQ.**

**WHEREAS**, there exists a need for special counsel services for the remainder of 2022 relating to municipal cannabis issues (also referenced as the “services”); and

**WHEREAS**, the Borough of Hightstown (the “Borough”) has received the attached proposal (the “proposal”) dated November 1, 2022 from Ronald P. Mondello, Esq. of Fair Lawn, New Jersey, to perform the services; and

**WHEREAS**, Mr. Mondello is a recognized expert in the municipal cannabis legal field; and

**WHEREAS**, the Borough Council has determined to appoint Mr. Mondello to serve as special counsel to the Borough for such municipal cannabis issues as are referred to him by the Mayor and Council for the remainder of 2022, per the rate(s) specified in the attached proposal; and

**WHEREAS**, the Local Public Contracts Law authorizes the awarding of a contract for “professional services” without public advertising for bids and bidding, provided that the Resolution authorizing the contract and the contract itself are available for public inspection in the office of the Municipal Clerk and that the notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

**WHEREAS**, it is not anticipated that the value of this contract shall exceed \$17,500.00 for 2022; therefore, the contract is not subject to the provisions of the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the term of this contract shall expire on December 31, 2022, and may be renewed thereafter by further action of the Borough Council; and

**WHEREAS**, this contract is intended to be awarded as a “non-fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law; and

**WHEREAS**, the Borough Council wishes to confirm the appointment of Mr. Mondello to this position under the terms set forth above.

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

1. That the Mayor is authorized to execute, and the Borough Clerk to attest, an Agreement between the Borough of Hightstown and Ronald P. Mondello, Esq., which Agreement shall be in a form satisfactory to the Borough Attorney, for the above-referenced services for the remainder of the year 2022, at the rate(s) specified in the attached proposal dated November 1, 2022, in accordance with the provisions set forth above.
2. That the within contract is awarded as a “professional service” contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services will be performed by a person authorized by law to practice a recognized profession.
3. That said contract has been further awarded through a restricted (a/k/a “non-fair and open”) process, pursuant to and in accordance with the State’s Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.* (the “Pay-to-Play Law”) and Section 2-59 of the *Revised General Ordinances of the Borough of Hightstown*, and the Business Disclosure Entity Certification, and other certifications required pursuant to same shall be placed on file with the contract.
4. That notice of the adoption of this Resolution shall be published in a newspaper of general circulation within the Borough.

5. That a certified copy of this Resolution shall be provided to each of the following:
- a. Ronald P. Mondello, Esq.;
  - b. Dimitri Musing, Borough Administrator; and
  - c. Frederick C. Raffetto, Esq., Borough Attorney.

**ADJOURNMENT 8:35 p.m.**

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese. All ayes.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Margaret Riggio". The signature is written in dark ink and is positioned above the printed name and title.

Margaret Riggio, RMC  
Borough Clerk

Approved by Hightstown Borough Council: December 19, 2022