

AGENDA

Hightstown Borough Council

April 17, 2023 | 6:30 p.m.

Hightstown Engine Company No. 1

140 North Main Street, Hightstown

AMENDED 4/17/2023 2:20 p.m.

PLEASE TURN OFF ALL CELL PHONES DURING YOUR ATTENDANCE AT THIS MEETING TO AVOID SOUNDS/RINGING OR CONVERSATIONS THAT MAY INTERFERE WITH THE RECORDING OR THE ABILITY OF ATTENDEES TO HEAR THE PROCEEDINGS. THANK YOU FOR YOUR COOPERATION.

Meeting called to order by Mayor Susan Bluth

STATEMENT: 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 advertised in the Trenton Times and Windsor-Hights Herald as required by law and is posted on the Hightstown Borough website.

Roll Call

Flag Salute

Approval of Agenda

Public Comment Any person wishing to address Council with his or her comments will have a maximum of three minutes to do so at this time.

Resolutions

2023-85 Authorizing Payment of Bills

2023-86 Authorizing Renewed Shared Services Agreement with East Windsor Township for Senior Services

2023-87 A Resolution Confirming the Sale of Block 62, Lot 15 (105 Springcrest Drive), in the Borough of Hightstown, County of Mercer, State of New Jersey, Pursuant to N.J.S.A. 40A:12-1 et seq.

2023-88 Amending the Personnel Policy Manual of the Borough of Hightstown

Consent Agenda

2023-89 Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2023 Budget

2023-90 A Resolution Supporting Paint & Sip Night 2023 Sponsored by Hightstown Borough Cultural Arts Commission

2023-91 A Resolution Supporting the Annual Stream Cleanup and Arbor Day Events Sponsored by the Hightstown Borough Environmental Commission

Subcommittee Reports

Mayor/Council/Administrative Updates

Adjournment

Resolution 2023-85

*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 \$718,265.23 from the following accounts:

Current		\$623,999.36
W/S Operating		94,265.87
General Capital		0.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		0.00
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>\$718,265.23</u>

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023.

Margaret Riggio
Borough Clerk

Date: April 17, 2023

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 4/17/23

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
NJ DEP/TREASURER STATE OF NJ	3/29/2023	23-00401	035292	\$ 835.00
COMCAST BUSINESS	3/29/2023	23-00354	035291	\$ 175.35
PSE&G	3/29/2023	23-00368	035289	\$ 896.91
VERIZON WIRELESS	3/29/2023	23-00356	035288	\$ 266.15
VERIZON	3/29/2023	23-00357	035287	\$ 243.96
JCP&L (STREET LIGHTING)	3/29/2023	23-00355	035291	\$ 2,284.85
J.P.MORGAN CHASE BANK	3/31/2023	23-00320	1572	\$ 549,600.00
PUBLIC EMPLOYEE RETIREMENT SYS	3/31/2023	23-00412	35293	\$ 24,443.51
JANINE M. KRUPA	4/4/2023	23-00427	35344	\$ 2,364.82
T-MOBILE	4/6/2023	23-00416	35346	\$ 61.60
PSE&G	4/6/2023	23-00411	35347	\$ 4,064.60
JCP&L	4/6/2023	23-00415	35348	\$ 2,071.75
AT&T MOBILITY	4/6/2023	23-00419	35351	\$ 993.43
COMCAST BUSINESS	4/6/2023	23-00413	35350	\$ 118.17
COMCAST	4/6/2023	23-00418	35349	\$ 195.38
VERIZON	4/6/2023	23-00429	035352	\$ 383.94
TOTAL				\$ 588,999.42
 <u>WATER AND SEWER OPERATING</u>				
J.P.MORGAN CHASE BANK	3/31/2023	23-00320	1395	\$ 80,937.50
STATE OF NJ - SFWTR	4/4/2023	23-00428	35345	\$ 382.49
TOTAL				\$ 81,319.99
 <u>ESCROW</u>				
TOTAL				\$ -
 <u>GRANT</u>				
TOTAL				\$ -
 <u>TRUST- OTHER</u>				
TOTAL				\$ -
 <u>ANIMAL CONTROL TRUST</u>				
TOTAL				\$ -
 <u>LAW ENFORCEMENT TRUST</u>				
TOTAL				\$ -
 <u>UNEMPLOYMENT TRUST</u>				
TOTAL				\$ -
 <u>PUBLIC DEFENDER TRUST</u>				
TOTAL				\$ -
 <u>TAX LIEN TRUST</u>				
TOTAL				\$ -
 <u>GENERAL CAPITAL</u>				
TOTAL				\$ -
 <u>WATER AND SEWER CAPITAL</u>				
TOTAL				\$ -
MANUAL TOTAL				\$ 670,319.41

P.O. Type: All
Range: First
Format: Detail without Line Item Notes
Vendors: All
Rcvd Batch Id Range: First to Last

Include Project Line Items: Yes
to Last
Include Non-Budgeted: Y

Open: N
Rcvd: Y
Bid: Y

Paid: N
Held: Y
State: Y

Void: N
Aprv: N
Other: Y
Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
AMERIO20 AMERICAN AQUATIC TESTING, INC.														
		23-00409	03/30/23	INV #12613										
		1	7 DAY CHRONIC TOXICITY TEST	1,450.00	3-09-55-501-002-532	B Outside Lab Testing	R	03/30/23	04/11/23				12613	N
		Vendor Total:		1,450.00										
A1014 APPROVED FIRE PROTECTION, INC.														
		23-00082	01/31/23	MARCH GAS METER CALIBRATION										
		1	MARCH GAS METER CALIBRATION	163.08	3-09-55-501-002-557	B Plant Safety/Plant Security	R	01/31/23	04/05/23				IN00080641	N
		2	BW XT-BAT-K1 MAX XT BATTERY	87.00	3-09-55-501-002-557	B Plant Safety/Plant Security	R	03/30/23	04/05/23				IN00080641	N
		3	LABOR INSPECTION GAS MONITOING	39.88	3-09-55-501-002-557	B Plant Safety/Plant Security	R	03/30/23	04/05/23				IN00080641	N
				289.96										
		Vendor Total:		289.96										
ATLAN005 ATLANTIC COAST POLYMERS, INC														
		23-00382	03/24/23	POLYLIFT 500 POLYMER REMOVER										
		1	POLYLIFT 500 POLYMER REMOVER	325.00	3-09-55-501-002-535	B Chemicals Miscellaneous	R	03/24/23	04/10/23				28945	N
		2	FREIGHT	26.60	3-09-55-501-002-535	B Chemicals Miscellaneous	R	03/24/23	04/10/23				28945	N
				351.60										
		Vendor Total:		351.60										
ATOSD005 ATOS DETAILING LLC														
		23-00394	03/27/23	BASIC DETAILING HFD										
		1	BASIC INTERIOR DETAILING SUV	280.00	3-01-25-252-002-199	B Miscellaneous	R	03/27/23	04/05/23				00001	N
		2	BASIC EXTERIOR WASH SUV	60.00	3-01-25-252-002-199	B Miscellaneous	R	03/27/23	04/05/23				00001	N
				340.00										
		Vendor Total:		340.00										

Vendor #	Name	PO #	PO Date	Description	Contract Amount	PO Type	Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
COUNT015 COUNTY OF MONMOUTH-														
		23-00408	03/30/23	USE OF TRUCK WASH										
		1 INV	HGHT 02-23-09		110.00		3-01-26-305-001-199	B Miscellaneous	R	03/30/23	04/05/23		HGHT 02-23-09	N
		Vendor Total:			110.00									
C0100 CRANBURY CUSTOM LETTERING														
		23-00367	03/22/23	2010 CHEVY TAHOE REPAIRS-EMS										
		1	2010 CHEVY TAHOE REPAIRS-EMS		463.00		2-01-25-260-001-034	B Vehicle Repair	R	03/22/23	04/05/23		ORDER# 20721	N
		Vendor Total:			463.00									
C0088 CUSTOM ENVIRONMENTAL TECH, INC														
		23-00079	01/31/23	ZETA LYTE 1A RES 2022-205										
		3 INV	8237 3/17/23	ZETA LYTE 1A	1,452.00		3-09-55-501-002-554	B ZETA LYTE 1A POLYMER	R	01/31/23	04/05/23		8237	N
		Vendor Total:			1,452.00									
DEBLO005 DEBLOCK ENVIRONMENTAL SVCS,LLC														
		23-00137	02/06/23	BACK UP OPERATOR FOR AWWTP										
		2 INV	00009092 1/31/23		500.00		3-09-55-501-002-528	B Outside Consulting Services (B	R	02/06/23	04/11/23		00009092	N
		Vendor Total:			500.00									
B0966 ERB'S GARAGE INC														
		23-00436	04/11/23	REPAIR TO VOLVO										
		1	REPAIR TO VOLVO		6,084.84		3-01-26-305-001-034	B Motor Vehicle Parts & Access.	R	04/11/23	04/12/23		16890	N
		Vendor Total:			6,084.84									
Q0176 EUROFINS QC, LLC														
		23-00407	03/30/23	WATER ANALYSIS										
		1 INV	6300039243	WATER ANALYSIS	247.50		3-09-55-501-001-532	B Outside Testing/Labs	R	03/30/23	04/05/23		6300039243	N
		Vendor Total:			247.50									

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
G0185 GRAINGER, INC.														
23-00325	03/15/23	ADAPTERS												
1	ITEM 1DAJ5 - 3/4 X 3/4 MALE	45.35	3-09-55-501-001-503	B Water Plant Maintenance	R	03/15/23	04/05/23	9641690582	N					
2	ITEM 1DAK3 - 3/4 X 3/4 FEMALE	71.25	3-09-55-501-001-503	B Water Plant Maintenance	R	03/15/23	04/05/23	9641690582	N					
		116.60												
	Vendor Total:	116.60												
H0048 HIGHTS REALTY LLC														
23-00417	04/04/23	APRIL 2023 HPD RENT												
1	APRIL 2023 HPD RENT	4,953.03	3-01-26-310-001-025	B Building Rental	R	04/04/23	04/05/23	APRIL 2023	N					
	Vendor Total:	4,953.03												
HILLW005 HILL-WALLACK, LLP														
23-00453	04/11/23	INV 708447 UNDERPAYMENT ENG												
1	INV 708447 UNDERPAYMENT ENG	100.00	3-01-20-155-001-027	B General Matters	R	04/11/23	04/12/23	708447 BALANCE	N					
	Vendor Total:	100.00												
H1100 HOME DEPOT CREDIT SERVICES														
23-00438	04/11/23	MAR 2023 INVOICES												
1	INV 5083956 - BLADES/TAPE	23.75	3-01-26-310-001-024	B Building Maintenance	R	04/11/23	04/12/23	5083956	N					
2	INV 5615637 - BROOM	16.97	3-01-26-310-001-024	B Building Maintenance	R	04/11/23	04/12/23	5615637	N					
3	INV 4525172 - TAPE/CONNECTORS	11.46	3-01-26-310-001-024	B Building Maintenance	R	04/11/23	04/12/23	4525172	N					
4	INV 2516824 - LEVER/RING TAGS	42.80	3-01-26-310-001-024	B Building Maintenance	R	04/11/23	04/12/23	2516824	N					
5	INV 2020074 - BELL/PAINT	39.84	3-09-55-501-001-535	B Hydrants and Line Repair	R	04/11/23	04/12/23	2020074	N					
6	INV 5043031 - WOOD	34.07	3-01-25-240-001-117	B Ammunition & Target Practice	R	04/11/23	04/12/23	5043031	N					
		168.89												
	Vendor Total:	168.89												
M0180 MCMASTER-CARR														
23-00398	03/29/23	AIR RELEASE VALVES												
1	INV 95031949 - AIR RELEASE VLV	288.00	3-09-55-501-001-503	B Water Plant Maintenance	R	03/29/23	04/05/23	95031949	N					
2	INV 95037959 - AIR RELEASE VLV	144.00	3-09-55-501-001-503	B Water Plant Maintenance	R	03/29/23	04/05/23	95037959	N					
3	CREDIT 95054737 - RETURN OF 1	144.00	3-09-55-501-001-503	B Water Plant Maintenance	R	03/29/23	04/05/23	95054737	N					

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
PRIMA005 PRI MANAGEMENT GROUP											
	23-00422	04/04/23	TRAINING - ALEXANDER								
	1		TRAINING - ALEXANDER	259.00	3-01-25-240-001-042	R	04/04/23	04/05/23		20977	N
	2		TRAINING - ALEXANDER	159.00	3-01-25-240-001-042	R	04/04/23	04/05/23		20977	N
	3		TRAINING - ALEXANDER	159.00	3-01-25-240-001-042	R	04/04/23	04/05/23		20977	N
				577.00							
			Vendor Total:	577.00							
P0016 PRINCETON ONE THIRTY SUPPLY											
	23-00361	03/22/23	AWWTP SUPPLIES								
	1		CASES OF PAPER TOWELS	78.00	3-09-55-501-002-523	R	03/22/23	04/05/23		057078	N
	2		CASES OF TOILET PAPER	79.98	3-09-55-501-002-523	R	03/22/23	04/05/23		057078	N
	3		24X33 SMALL TRASH BAGS	90.00	3-09-55-501-002-523	R	03/22/23	04/05/23		057078	N
				247.98							
			Vendor Total:	247.98							
RRPRO005 R & R PRODUCTS, INC											
	23-00406	03/30/23	BELTS/BLADES FOR MOWERS								
	1		ORDER W461958 - BELTS/BLADES	187.90	3-01-28-369-001-139	R	03/30/23	04/05/23		w461958	N
			Vendor Total:	187.90							
REDAR005 RED ARROW TECHNOLOGIES, LLC											
	23-00420	04/04/23	TECH SUPPORT APRIL 2023								
	1		TECH SUPPORT & SERVICES	1,749.63	3-01-20-140-001-094	R	04/04/23	04/05/23		12532	N
	2		INTERNET & WEB	1,408.50	3-01-20-140-001-060	R	04/04/23	04/05/23		12532	N
	3		TECH SUPPORT/INTERNET/WEB	653.89	3-09-55-501-002-530	R	04/04/23	04/05/23		12532	N
	4		TECH SUPPORT/INTERNET/WEB	287.95	3-09-55-501-001-530	R	04/04/23	04/05/23		12532	N
	5		TELEPHONE SUPPORT	700.00	3-01-31-440-001-085	R	04/04/23	04/05/23		12532	N
				4,799.97							
			Vendor Total:	4,799.97							

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge	PO Type Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
R0077 ROBERTS ENGINEERING GRP LLC														
		23-00432	04/10/23	INV 6954 UNDERPAYMENT POSTAGE										
		1	INV 6954	UNDERPAYMENT POSTAGE	87.35	3-01-20-165-001-028	B	General Engineering	R	04/10/23	04/10/23		6954 BALANCE	N
		Vendor Total:			87.35									
M0254 SF MOBILE-VISION														
		23-00399	03/29/23	BODY WORN CAMERA REPAIR										
		1	BODY WORN	CAMERA REPAIR	139.00	3-01-25-240-001-029	B	Maint. Contracts - Other	R	03/29/23	04/05/23		51689	N
		Vendor Total:			139.00									
TELCO005 TELCO BILL CENTER INC.														
		23-00421	04/04/23	POT SOLV RECURRING CHARGES										
		1	POT SOLV	RECURRING CHARGES	401.25	3-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSI	R	04/04/23	04/05/23		1765	N
		Vendor Total:			401.25									
T0147 TRACTOR SUPPLY COMPANY														
		23-00439	04/11/23	CONNECTOR KIT/BOW RAKES										
		1	INV 400701	CONN KIT/BOW RAKES	75.14	3-01-26-290-001-050	B	DPW Work Equipment	R	04/11/23	04/12/23		400701	N
		2	INV 400701	REMOVE TAX	4.67	3-01-26-290-001-050	B	DPW Work Equipment	R	04/11/23	04/12/23		400701	N
					<u>70.47</u>									
		Vendor Total:			70.47									
U0007 UNIVAR USA INC														
		23-00112	02/01/23	RES 2022-209 LIMEHI-CALC AWWT			B							
		2	INV50877091	1/26/23 LIMEHICALC	1,750.00	3-09-55-501-002-553	B	Calcium Hydroxide (Lime)	R	02/01/23	04/05/23		50877091	N
		3	INV50991754	3/9/23 LIMEHICALC	1,750.00	3-09-55-501-002-553	B	Calcium Hydroxide (Lime)	R	02/01/23	04/05/23		50991754	N
					<u>3,500.00</u>									
		Vendor Total:			3,500.00									
U0013 USA BLUE BOOK														
		23-00342	03/15/23	PH 7.00 BUFFER YELLOW										
		1	PH 7.00	BUFFER YELLOW	290.90	3-09-55-501-002-506	B	Lab. Equipment & Supplies	R	03/15/23	04/12/23		303368	N

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
U0013	USA BLUE BOOK				Continued							
		23-00342	03/15/23	PH 7.00 BUFFER YELLOW	Continued							
		2		FREIGHT	56.10	3-09-55-501-002-506	R	03/15/23	04/12/23		303368	N
					347.00							
	Vendor Total:				347.00							

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
V0275	V.E. RALPH & SON, INC.											
		23-00157	02/09/23	MEDICAL SUPPLIES & EQUIPMENT								
		1		LAERDAL SUCTION UNIT	1,149.00	3-01-25-260-001-080	R	02/09/23	04/05/23		INV 449629	N
		2		AMBU ADULT SPUR II W PEEPVALVE	226.00	3-01-25-260-001-136	R	02/09/23	04/05/23		449629	N
		3		SUCTION TUBING 6FT 6MM ID	19.08	3-01-25-260-001-136	R	02/09/23	04/05/23		449629	N
		4		ADC MULTIKUF, 4 CUFFSBLACK	146.50	3-01-25-260-001-136	R	02/09/23	04/05/23		450291	N
		5		SSCOR DUCANOT CATHETER-EACH	44.25	3-01-25-260-001-136	R	02/09/23	04/05/23		449696	N
		6		EPINEPHRINE AUTO INJECTOR0.3MG	850.00	3-01-25-260-001-136	R	02/09/23	04/05/23		449629	N
		7		PED NON-REBRTHG MASK	41.25	3-01-25-260-001-136	R	02/09/23	04/05/23		449629	N
		8		SAFE-TOUCH NITRILE EXAMGLOVES	99.75	3-01-25-260-001-136	R	02/09/23	04/05/23		449629	N
		9		ACTISPLINT ROLLED 4.25"X36"	41.70	3-01-25-260-001-136	R	02/09/23	04/05/23		449629	N
		10		SAFE-TOUCH NITRILE EXAMGLOVES	99.75	3-01-25-260-001-136	R	02/27/23	04/05/23		C106479	N
		11		SAFE-TOUCH NITRILE EXAMGLOVES	99.75	3-01-25-260-001-136	R	03/03/23	04/05/23		450000	N
					2,617.53							
	Vendor Total:				2,617.53							

Total Purchase Orders: 36 Total P.O. Line Items: 76 Total List Amount: 47,945.82 Total Void Amount: 0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	10,036.97	0.00	10,036.97	0.00	0.00	10,036.97
CURRENT FUND	3-01	24,962.97	0.00	24,962.97	0.00	0.00	24,962.97
	3-09	12,945.88	0.00	12,945.88	0.00	0.00	12,945.88
Year Total:		37,908.85	0.00	37,908.85	0.00	0.00	37,908.85
Total of All Funds:		47,945.82	0.00	47,945.82	0.00	0.00	47,945.82

Resolution 2023-86

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

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

WHEREAS, with the adoption of Resolution 2022-166 on September 6, 2022, the Borough Council approved a Shared Services Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2020 through February 29, 2021 at a cost of thirty-nine thousand five hundred twenty-eight dollars and eighty cents (\$39,528.80) for the 12-month period; and

WHEREAS, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 28, 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 Senior Services for the period March 1, 2022 through February 28, 2023; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, for the period March 1, 2022 through February 28, 2023 will five hundred seventy-one dollars and thirty-six cents (\$40,571.36) for this 12-month period; 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 as follows:

1. The Shared Services Agreement with the Township of East Windsor for Senior Services for the period March 1, 2022 through February 22, 2023 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement for same.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023.

Margaret Riggio
Borough Clerk

CERTIFICATION OF FUNDS

I, George Lang, CFO of the Borough of Hightstown, certify availability of funds as follows:

Account #	Appropriation Title	Amount
2-01-43-509-001-202	Senior Center	33,809.47
3-01-43-509-001-202	Senior Center	6,7161.89

George Lang

George Lang, CFO
04/13/2023

SHARED SERVICES AGREEMENT
BETWEEN
EAST WINDSOR TOWNSHIP
AND
HIGHTSTOWN BOROUGH
FOR SENIOR SERVICES

THIS AGREEMENT, made this day of April 2023, between the TOWNSHIP OF EAST WINDSOR, a municipal corporation of the State of New Jersey, with offices at 16 Lanning Boulevard, East Windsor, Mercer County, New Jersey 08520, hereinafter called "East Windsor," and HIGHTSTOWN BOROUGH, a municipal corporation of the State of New Jersey, with offices at 156 Bank Street, Hightstown, Mercer County, New Jersey 08520, hereinafter called "Hightstown."

WITNESSETH

WHEREAS, East Windsor operates the Senior Citizen Center and programs at the facility owned by East Windsor located at 40 Lanning Boulevard, East Windsor, New Jersey (hereinafter called "the Center"); and

WHEREAS, East Windsor Township and Hightstown Borough have entered into Shared Service Agreements whereby the Center and its programs have been available to senior citizens of Hightstown Borough; and

WHEREAS, Hightstown desires to continue to make the programs and services of the Center available to its senior citizens through a contract with East Windsor; and

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40:8A-1 et seq., permits local units of this State to enter into a contract with any other local unit for the provision within their jurisdiction of any service which any party to the agreement is empowered to render within its own jurisdiction.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. INCORPORATION OF RECITALS

The WHEREAS clauses set forth above are hereby incorporated into and made a part of this agreement.

2. TERM/EFFECTIVE DATE

The term of this agreement shall be from March 1, 2022 through February 28, 2023. This agreement shall become effective upon the adoption of resolutions by both East Windsor and Hightstown approving same and authorizing its execution by the appropriate officials.

3. SCOPE OF SERVICES

During the term of this agreement, East Windsor shall operate the Center and make available to the senior citizens of Hightstown all of the services and programs offered through the Center, including but not limited to the Mercer County Nutrition Project for the Elderly and Senior Transportation. East Windsor shall be responsible for the operation of the Center, its services and programs. In connection therewith, East Windsor shall employ a Senior Citizen Center Director, provide necessary maintenance and upkeep of the Center, provide for daily scheduling and routing for the Senior Bus Service, and provide coordination with Mercer County, as needed, to maintain and operate the Nutrition Project for the Elderly.

4. MAINTENANCE OF RECORDS

East Windsor shall maintain records of the names and addresses of the senior citizens of each municipality who attend the Center or participate in its services or programs. To the extent practicable, these records shall reflect the number and nature of services or programs utilized by each participant. These records will be updated and provided to Hightstown on a quarterly basis. Additionally, the Center shall be open for inspection by Hightstown officials during normal operating hours.

5. HIGHTSTOWN'S CONTRIBUTION FOR OPERATION OF THE CENTER

The parties agree that Hightstown shall pay to East Windsor forty thousand five hundred seventy-one dollars and thirty-six cents (\$40,571.36).

6. Hightstown's contribution for any successor agreement following the end of this term shall be based on the actual costs of operating the Center in 2022 as certified by East Windsor's Chief Financial Officer, net of Senior Transportation bus fares, any unanticipated Federal, State or County revenue, along with the attendance and participation records of the Center maintained by East Windsor.

7. PAYMENT

Hightstown shall pay to East Windsor for services provided under this agreement the sum of \$40,571.36 payable as follows:

May 1, 2022	\$10,142.84
August 1, 2022	\$10,142.84
November 1, 2022	\$10,142.84
February 1, 2023	\$10,142.84

INDEMNIFICATION

Hightstown shall defend and hold harmless East Windsor against any and all claims brought against East Windsor or any of its agents or employees arising out of East Windsor providing any services to Hightstown senior citizens on behalf of Hightstown under the terms of this agreement. Provided, however, that Hightstown shall not be responsible for any such claims arising out of the willful, wanton, malicious or criminal conduct of any agent or employee of East Windsor.

Hightstown shall provide a certificate of insurance naming East Windsor as an additional insured providing coverage for the obligations under this agreement.

8. RENEWAL

Prior to March 1, 2023, the parties will need to notify the other in writing if it desires to continue services and negotiate a new contract.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the respective dates indicated below:

ATTEST:

TOWNSHIP OF EAST WINDSOR

Allison Quigley, Municipal Clerk

JANICE S. MIRONOV, Mayor

Date: _____

ATTEST:

BOROUGH OF HIGHTSTOWN

Peggy Riggio, Borough Clerk

Susan Bluth, Mayor

Date: _____

Resolution 2023-87

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

**A RESOLUTION CONFIRMING THE SALE OF BLOCK 62, LOT 15
(105 SPRINGCREST DRIVE), IN THE BOROUGH OF HIGHTSTOWN, COUNTY OF
MERCER, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-1, *et seq.***

WHEREAS, on March 6, 2023, the Borough Council of the Borough of Hightstown (also referenced as the “Borough”) adopted Ordinance No. 2023-04 (the “Ordinance”), which declared certain real property owned by the Borough which is known and designated as Block 62, Lot 15 on the Official Tax Map of the Borough, and which property has a physical address of 105 Springcrest Drive (the “Property”), in the Borough of Hightstown, County of Mercer, State of New Jersey, to be excess surplus lands given that the Property is no longer needed for any public purposes of the Borough; and

WHEREAS, the Borough Council therefore authorized a sale of the Property at a private sale to the highest bidder from among the contiguous property owners pursuant to N.J.S.A. 40A:12-13(b)(5), given that the Property is an undersized lot in the R-1 Zone and is without any capital improvements thereon; and

WHEREAS, the proposed sale of the Property is subject to a number of terms and conditions which are set forth in the Ordinance, including a minimum bid price and the retention by the Borough of a perpetual easement over, under and across the Property in order to allow the Borough and its agents to access and maintain the existing water and sewer pipe(s) that is/are located beneath the Property; and

WHEREAS, following the adoption of the Ordinance, the Borough Administrator sent letters via certified mail, return receipt requested, and regular mail to all contiguous land owners advising them of the potential sale of the Property and of their right to submit a sealed bid to purchase the Property, if they were interested; and

WHEREAS, the letters alerted the contiguous Property owners that any offers to purchase the Property must be submitted through a sealed bid process no later than 10 o’clock a.m. (EST) on Tuesday, April 4, 2023, in order for the bid to be considered; and

WHEREAS, following the adoption of the Ordinance, a notice regarding the proposed sale, including the minimum bid price and all other terms and conditions, was posted on the bulletin board at both the Borough Hall (156 Bank Street) and at the firehouse property given that the Borough conducts its regular meetings within the firehouse; and

WHEREAS, advertisement of the proposed sale of the Property was also made in a newspaper circulated within the municipality within five (5) days following the adoption of the Ordinance; and

WHEREAS, following the adoption of the Ordinance and the provision of the notices referenced above, the Borough received one (1) sealed bid from a contiguous property owner(s) who is/are interested in purchasing the Property, which bid was timely submitted; and

WHEREAS, the bid was submitted by Matt and Pam Gorajek, whose address is: 8 Spruce Court, Hightstown, New Jersey 08520 (Block 62, Lot 31); and

WHEREAS, the bid submitted by Matt and Pam Gorajek was in the amount of Four Thousand Two Hundred and 00/100 Dollars (\$4,200.00), which sum exceeds the minimum bid price for the Property as set forth in the Ordinance; and

WHEREAS, the bid submitted by Matt and Pam Gorajek contained the ten percent (10%) deposit as required by the Ordinance, and complies in all other respects with the requirements set forth in the Ordinance; and

WHEREAS, the Borough did not receive any other bids from any of the other contiguous Property owners; and

WHEREAS, the Borough has previously determined that a sale of the Property will be beneficial to the Borough since it will return the Property to the tax rolls and create revenues for the Borough; and

WHEREAS, a sale of the Property will also relieve the Borough of any future maintenance responsibilities relating to the Property; and

WHEREAS, given the above, the Borough Council now wishes to confirm the sale of the Property to Matt and Pam Gorajek on their bid of Four Thousand Two Hundred and 00/100 Dollars (\$4,200.00), subject to all of the terms and conditions set forth in the Ordinance.

NOW, THEREFORE, BE IT 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 Borough hereby confirms the sale of the Property to Matt and Pam Gorajek, who reside at 8 Spruce Court in Hightstown, New Jersey, based upon their bid of Four Thousand Two Hundred and 00/100 Dollars (\$4,200.00).
2. That the sale of the Property shall be subject to all of the terms and conditions set forth in the Ordinance, including but not limited to the retention of a utility easement in favor of the Borough in perpetuity over, under and across the Property in order to allow the Borough and its agents to access and maintain the existing water and sewer pipe(s) that is/are located beneath the Property.
3. That, pursuant to the Ordinance, Matt and Pam Gorajek shall be required to pay any and all expenses incurred by the Borough in connection with the sale and transfer of title to the Property (up to a maximum amount of \$1,500.00), including but not limited to the payment by Matt and Pam Gorajek of the Borough's legal,

survey, title and environmental fees, if any, recording fees, advertisement costs, realty transfer fees and all other reasonable fees and costs incurred as part of the consideration. Said costs shall be itemized as part of the Settlement Statement to be prepared in anticipation of the closing and shall be paid to the Borough on the date of closing, along with the balance of the purchase price.

4. That all of the remaining terms and conditions associated with the sale, as set forth in Ordinance 2023-04, are hereby confirmed in the within Resolution, and shall be required as part of the closing of title to the Property.
5. That the Borough Attorney is hereby authorized and directed to move forward to prepare all necessary documents and to take all necessary actions in furtherance of the closing of title to the Property, in furtherance of the intentions of Ordinance 2023-04.
6. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, a Deed and all other necessary documents as prepared by the Borough's Attorney's office, in order to transfer title to the Property to Matt and Pam Gorajek, and to retain the perpetual utility easement referenced above.
7. That all other Borough officials, employees and/or professionals are hereby authorized and directed to undertake all necessary actions that are required in order to effectuate the intentions of the within Resolution and Ordinance 2023-04.
8. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Matt and Pam Gorajek;
 - b. Dimitri Musing, Borough Administrator; and
 - c. George Lang, Chief Financial Officer;
 - d. Margaret Riggio, Borough Clerk/Qualified Purchasing Agent;
 - e. Ken Pacera, CTA, Tax Assessor;
 - f. Pamela Lewis, CTC, Tax Collector; and
 - g. Frederick C. Raffetto, Borough Attorney.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023.

Margaret Riggio
Borough Clerk

Resolution 2023-88

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AMENDING THE PERSONNEL POLICY MANUAL OF THE BOROUGH OF HIGHTSTOWN

WHEREAS, The Borough Administrator has recommended that the Borough amend the Personnel Policy Manual to reflect updated policy changes for Borough Employees; and

WHEREAS, the Borough Council has determined that the Borough should amend the Personnel Policy Manual.

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following sections of the *Personnel Policy Manual of the Borough of Hightstown* are hereby amended as follows (additions underlined, deletions in ~~strikeout text~~):

SECTION 11

BOROUGH POLICY FOR A DRUG-FREE WORKPLACE

11-1. Purpose.

- A. The Borough of Hightstown is committed to maintaining the safety and health of its employees and will not tolerate any drug uses which may endanger the health and well-being of its employees or threaten its programs. To this end, this Section is enacted to provide information to Borough employees concerning the Borough's policy on a drug-free workplace, the danger of abusing drugs, how to obtain drug counseling, and the actions that the Borough will take when employees violate the policy.
- B. Employees who abuse controlled substances, which are defined as are substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. § 801.812, on or off the job, threaten the Borough's ability to operate in the best interests of the public, since such employees become less reliable, less productive, more accident-prone, and less likely to report to work in an acceptable mental and physical condition. This results in increased costs to the Borough and jeopardizes the image and reputation of the Borough and the well-being of its employees.
- C. Employees have the right to work in an environment which is free of substance abuse. In the interest of maintaining a safe and healthy drug-free workplace, the Borough of Hightstown is committed to strictly enforcing this policy and to

complying with the spirit of Drug-Free Workplace Act of 1988, and with the requirements of various State grants, of which the Borough may be a recipient.

- D. References in this section to drugs and drug abuses shall also be deemed to include alcohol and the abuse of alcohol.

11-2. Drug-free workplace policy.

- A. Borough employees are required to report to work in appropriate mental and physical condition. Reporting to work, or working, under the influence of a controlled substance (without a physician's prescription) is prohibited. In some instances, reporting to work under the influence of a physician's prescription may also be inappropriate and prohibited.

- B. The Borough maintains a drug free workplace consistent with the requirements of N.J.S.A. 24:6I-52, et. seq. Therefore, the manufacturing, distribution, dispensation, possession, and use of cannabis products, alcohol, or other illegal intoxicating substances on the premises of the Borough of Hightstown or during work hours is strictly prohibited. Premises of the Borough of Hightstown is defined as any place an employee works on Borough-funded activities.

~~The criminal use, manufacture or distribution of a controlled substance, on any Borough work site, is prohibited. A "work site" is defined as any place an employee works on Borough-funded activities.~~

- C. Borough employees are required to report any drug-related criminal conviction in accordance with the law. A written report of conviction must be made to the Borough Administrator within five (5) days of the conviction.
- D. Borough employee must informed the Business Administrator if they are prescribed a controlled substance.
- E. All Borough employees are subject to a conditional offer, reasonable suspicion and post accident drug testing.

~~11-3. Dangers of abusing drugs.~~

- ~~A. It is a documented medical fact that drug use and abuse is dangerous to a person's health. The Borough, in the spirit of the Drug Free Workplace Act of 1988, has established an on-going drug-free awareness program. As current information regarding drug abuse is published, it will be distributed on a timely basis. The Borough encourages all employees to seriously consider the effects of drug abuse on themselves and all around them.~~

~~B. Employees who are exposed to a drug-related situation should immediately report the situation to the Borough Administrator in writing.~~

~~11-4. Drug counseling.~~

~~The Borough, in conjunction with the Board of Health, maintains a list of drug counselling resources. This information is available from the Health Officer, and all requests for same will be kept strictly confidential.~~

11-3 Drug Testing for Non-CDL Employees

A. An employee may be required to submit to drug testing upon reasonable suspicion of an employee's use of a cannabis item, alcohol or an illegal controlled substance while engaged in the performance of the employee's work responsibilities, or upon finding any observable signs of intoxication related to usage of a cannabis item, alcohol, or other intoxicating substance, or following a work-related accident subject to investigation by the Borough.

B. Examples of the foregoing may include, but are not limited to:

1. When a Supervisor or Department Head observes that the conduct, reactions, job performance, work habits, physical symptoms, or appearance of the employee are indicative of the use or being under the influence of cannabis, alcohol, or other intoxicating substance while on the premises and/or during working hours.

2. When a Supervisor or Department Head receives information from a source deemed credible that an employee used or is under the influence of cannabis, alcohol, or other controlled substance while on the premises or during working hours or immediately before reporting to work.

3. When an employee is involved in an accident or incident during working hours which caused or contributed to substantial injury to person or property (or had the potential for doing so), or where there is evidence that the accident may have resulted, in whole or part, from the use of cannabis alcohol or other intoxicating substance.

C. A scientifically reliable objective testing method that indicates the presence of cannabinoid metabolites in the employee's bodily fluid alone is insufficient to support an adverse employment action. However, such a test combined with evidence-based documentation of physical signs or other evidence of impairment or use during an employee's prescribed work hours may be sufficient to support adverse action.

Thus, and until such time as the New Jersey Cannabis Regulatory Commission (NJCRC) establishes standards governing Workplace Impairment Recognition Experts (WIRE), who will assist in documenting, detecting and identifying an employee's usage of or impairment from a cannabis item or other intoxicating substance, Department Heads, Supervisors and/or other designated personnel shall document evidence of workplace use and/or

physical signs and evidence that support a determination that the employee is reasonably suspected of being under the influence of cannabis, alcohol or an intoxicating substance during the employee's prescribed work hours. Supervisors, Department Heads and/or other designated personnel shall document their findings in a Reasonable Suspicion Observed Behavior Report.

D. Reasonable suspicion of impairment may exist when the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Specific articulable symptoms of impairment that decrease or lessen the employee's performance of duties or tasks of the employee's job position, include but are not limited to:

- speech,
- physical dexterity,
- agility,
- coordination,
- demeanor,
- irrational or unusual behavior,
- negligence or carelessness in operating equipment or machinery,
- disregard for the safety of the employee or others, or
- involvement in an accident or other carelessness that results in an injury to the employee or others;
- significant deterioration in work performance, absenteeism, or
- an individual's appearance indicating substance abuse.

E. Supervisors, Department Heads and/or designated personnel that observe and document behavior constituting reasonable suspicion are required to initiate testing procedures as set forth above and do not have the option of sending the employee home as an alternative. Refusal to submit to testing when requested may result in immediate disciplinary action, up to and including termination.

F. The Borough may use the results of the drug test when determining the appropriate employment action concerning the employee, including, but not limited to dismissal, suspension, demotion, or other disciplinary action.

G. A drug test may also be conducted randomly by the Borough, or as part of a pre-employment screening, or regular screening of current employees to determine use during an employee's prescribed work hours.

Borough personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.

11-45. Disciplinary action.

- DAA. Borough employees who violate this Section will be subject to disciplinary action pursuant to Section 6.
- EBB. The manufacture or distribution of controlled substances on any Borough work site shall subject the offending employee to immediate dismissal.
- FCC. The use of a controlled substance on any Borough work site (or while conducting any Borough business) may result in suspension or dismissal.
- GDD. The failure of an employee to report that he has been convicted of a drug-related crime will subject the employee to immediate dismissal.

11-5 Employee Assistance

The Borough will offer a program of drug and alcohol counseling and treatment to its employee through its Employee Assistance Program

SECTION 12

CDL DRUG AND ALCOHOL TESTING POLICY AND PROCEDURES

12-1. Purpose.

This policy implements a program of drug and alcohol testing for any Borough employee who must hold a Commercial Driver's License ("CDL"). The purpose of this policy is to provide a drug and alcohol-free work environment and to protect the safety of coworkers and the public.

12-2 Alcohol and/or Drug Possession and Use.

- A. Any CDL Holder required to perform a safety-sensitive function shall not report for or remain on duty while having an alcohol concentration of 0.02 or greater or while being under the influence of a controlled substance. Any supervisor having actual knowledge that a CDL Holder has an alcohol concentration of 0.02 or greater or is under the influence of a controlled substance shall not permit same to perform or continue to perform safety-sensitive functions.
- B. Any CDL Holder shall not use alcohol within the four (4) hours preceding the performance of safety-sensitive functions and shall not report for work under the influence of a controlled substance. Any supervisor having actual knowledge that a CDL Holder has used alcohol within four (4) hours, or is under the influence of a controlled substance, shall not permit a CDL Holder to perform or continue to perform safety-sensitive functions.

- C. Any CDL Holder who shall be required to take a post-accident test shall not use alcohol for eight (8) hours following the accident or until they undergo the post-accident test, whichever occurs first.

12-3 Pre-employment /Pre-Duty.

Upon making an offer of employment to an applicant who shall be required by law to maintain a CDL, the Borough will inform said potential CDL Holder that the offer is contingent upon successful completion of a test for alcohol and controlled substances use.

12-4 Post-Accident Controlled Substance and Alcohol Testing.

- A. Employees shall be required to undergo an alcohol test and test for controlled substances when involved in an accident, which results in the following:
- human death;
 - bodily injury to a person who immediately receives medical treatment away from the accident;
 - one or more vehicles are disabled and must be towed from the scene;
 - the employee performing the safety-sensitive function is issued a traffic summons for a moving violation as a result of said accident; or
 - when deemed appropriate by Law Enforcement.
- B. In the event of an accident occurring as described above, the CDL Holder shall be required to follow reporting requirements, including remain at the scene, and be readily available to undergo alcohol and controlled substance testing. The employee shall be escorted to the testing site by a supervisor, or their designee, and/or any law enforcement official.
- C. Any CDL Holder subject to post-accident testing as required by this section, who leaves the scene of an accident before an alcohol/controlled substance test is administered or who fails to remain readily available for testing shall be deemed to have refused to submit to required testing.
- D. All alcohol testing required by this Section shall be performed by the Borough or its authorized agent not more than two (2) hours after the time of the accident. A report stating the reasons why the test was not administered shall be filed by a supervisor, or their designee, if the alcohol test is not done within two (2) hours. If an alcohol test cannot be done within eight (8) hours of the accident, then testing

must be abandoned. The time of the accident shall be determined by the hour utilized on the New Jersey Police Accident Report.

- E. Law Enforcement Agencies with the authority to do so may perform the alcohol and/or controlled substances testing required by this Section provided it is performed in compliance with US DOT requirements.

12-5 Random Controlled Substance/Alcohol Testing.

- A. At least 50 percent of CDL holders shall be drug tested each year. At least 25 percent of all CDL holders shall be alcohol tested each year. Employees shall be selected for random testing using a scientifically valid method in accordance with federal guidelines. Future percentages shall depend on US DOT regulations.
- B. Random testing shall be unannounced, and the dates shall be spread reasonably throughout the year.
- C. All testing shall be done during normal duty hours. Employees may be escorted to the testing site by a supervisor. The employees, after learning of their selection for testing, may be required to remain in a specified area under the supervisor's observation at all times until being escorted to the testing site.
- D. The selection of CDL Holders shall be made by a scientifically valid lottery-type system. Under this selection process, each CDL Holder shall have an equal chance of being tested each time the selections are made. Therefore, a CDL Holder may not be selected at all during the course of the year, or they may be selected multiple times.
- E. Upon notification of selection for testing, the selected CDL Holder(s), accompanied by a supervisor, shall report directly to the testing site.
- F. In the event that a CDL Holder is off from work, their name shall be skipped and the next person's name on the list shall be selected and tested. The skipped CDL Holder's name shall be returned to the system for the next round of testing.

12-6 Reasonable Suspicion Testing.

The Borough shall require a CDL Holder to submit to an alcohol/controlled substance test when there is reasonable suspicion that the CDL Holder is under the influence of alcohol or controlled substance. The supervisor's determination that reasonable suspicion exists to require the CDL Holder to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the CDL Holder.

12-7 Return to Duty Testing.

Prior to returning to a safety-sensitive function, any CDL Holder who was determined to have engaged in alcohol/controlled substance related conduct prohibited by this Policy and the US DOT Mandate shall undergo a return to duty test. The CDL Holder shall be allowed to return to duty only with a result indicating a blood alcohol concentration of less than 0.02 and a negative test result for controlled substances.

12-8 Follow-Up Alcohol Testing and Controlled Substance.

Any CDL Holder who has referred for evaluation and/or treatment for alcohol use or controlled substance use, shall be subject to unannounced follow-up testing upon clearance for their return to work.

12-89 Controlled Substance Testing Procedure.

- A. All testing shall be done by urine sample by a certified laboratory with the results being reviewed by a Medical Review Officer (MRO).
- B. Testing shall be done for the following controlled substances, as well as any other substances for which testing is required by state or federal law or regulation for CDL holders:
- Marijuana (THC Metabolite)
 - Cocaine
 - Amphetamines
 - Opiates (including Heroin)
 - Phencyclidine (PCP)

12-10 Quality Assurance of Drug Testing

Drug and alcohol testing shall be administered by a third-party testing service designated by the Borough. The testing service shall comply with all applicable DOT guidelines and regulations regarding test administration, methods, protocols, communications, notices, and confidentiality.

12-11 Records Retention

The Borough shall retain for a period of not less than five (5) years the following records relating to this Policy:

1. Records of CDL Holder's Alcohol Tests in which said results indicate an alcohol concentration of 0.02 or greater.
1. Records of CDL Holder's verified positive Controlled Substances Tests.
2. Documentation of refusals to submit to required Alcohol and/or Controlled Substances Tests.
4. Breath Testing Equipment calibration documentation.
5. CDL Holder's evaluations and referrals.
6. A copy of each calendar year summary required by the US Department of Transportation and Federal Highway Administration.

12-1112 Referral to a Substance Abuse Professional (SAP).

- A. An employee who has engaged in alcohol use and/or controlled substances use prohibited by this Policy may be advised by the Borough of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and/or the use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs. Said employee may be evaluated by a SAP who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and/or controlled substances use.
- B. The Borough shall designate a SAP for the purpose of rendering services in connection with the anti-drug/alcohol program set forth in this Policy.
 - 1) The designated SAP shall determine whether an employee who has refused to submit to controlled substances test, has a verified positive controlled substances test result or engages in alcohol use prohibited by this Policy is in need of assistance in resolving problems associated with prohibited drug and/or alcohol use. The SAP shall then recommend a course of action to the employee.
 - 2) The SAP shall determine whether an employee who has refused to submit to a controlled substances test, has a verified positive controlled substances test result or engages in alcohol use prohibited by this Policy has properly followed the SAP's recommendations and/or any rehabilitation program prescribed by the SAP. The SAP shall notify The Borough as to whether the employee has so complied.

C. Upon referral to a SAP, the employee shall be required to abide by their recommendations for return to duty.

D. The employee shall pay for the cost of utilizing the SAP through their own health insurance. The Borough shall not be required to pay for the use of an SAP either directly or indirectly.

The requirements of this Section with respect to referral, evaluation and rehabilitation do not apply to applicants who refuse to submit to a preemployment controlled substances test or who has a pre-employment positive drug test.

12-132. Disciplinary action.

A. Borough employees who violate this Section will be subject to disciplinary action pursuant to Section 6.

B. The manufacture or distribution of controlled substances on any Borough work site shall subject the offending employee to immediate dismissal.

C. The use of a controlled substance on any Borough work site (or while conducting any Borough business) may result in suspension or dismissal.

D. The failure of an employee to report that he has been convicted of a drug-related crime will subject the employee to immediate dismissal.

Authority.

~~The program has been adopted in compliance with the Omnibus Transportation Employee Testing Act of 1991 and the rules implementing that Act. See 49 U.S.C. §§ 31301 to 31307; 49 C.F.R. Parts 40, 199, 382 and 391.~~

~~12-3. Definitions.~~

~~"Employee", as used in this policy, means a person employed by the Borough for whom possession of a valid CDL is a job requirement.~~

~~"Fail a test" means that confirmation testing has verified a positive result for the presence of prohibited drugs or alcohol levels in an employee's system.~~

~~"Pass a test" means that initial testing or confirmation testing does not show evidence of prohibited drugs or alcohol levels in an employee's system.~~

~~"Prohibited drugs" are substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. § 801.812: Marijuana, Cocaine, Opiates, Amphetamines and~~

~~Phencyclidine ("PCP"). (NOTE: A prescription medication, when used lawfully as directed by a physician, is not a prohibited drug for purposes of this policy.)~~

~~12-4.—Policy.~~

- ~~A.—No employee shall operate a motor vehicle while under the influence of alcohol or prohibited drug. No employee shall perform any safety sensitive function within four hours after using alcohol. No employee shall possess alcohol while operating a motor vehicle.~~
- ~~B.—Employees shall be subject to pre-employment, reasonable suspicion, random, post-accident, and follow-up testing as mandated by law. The Borough will take appropriate disciplinary action, up to and including termination, against employees who refuse to comply with the requirements of this policy or who fail a drug or alcohol test.~~
- ~~C.—Employees who unlawfully use, distribute or possess alcohol or prohibited drugs, whether during or outside of assigned work hours, are subject to prosecution.~~

~~12-5.—Education & Treatment.~~

- ~~A.—The Borough will establish a drug and alcohol awareness program to inform employees and their supervisors about the risks of drug and alcohol abuse.~~
- ~~B.—Alcoholism and drug addiction are treatable. Accordingly, as part of an Employee Assistance Program ("EAP"), the Borough will assist employees in overcoming drug and alcohol abuse and dependence through referrals to appropriate agencies and treatment programs. The Borough will also provide a confidential telephone number that employees may use in seeking such assistance.~~
- ~~C.—Supervisory personnel who may be called upon to determine whether an employee should be tested based on "reasonable suspicion" will receive a minimum of one (1) hour of training on the specific physical, behavioral and performance indicators of probable drug or alcohol use.~~

~~12-6.—Pre-employment Testing.~~

~~No applicant shall be hired for a position covered by this policy unless that individual passes a drug test.~~

~~12-7.—Post-Accident Testing.~~

- ~~A.—As soon as possible, but no later than 8 hours after an accident occurs during employment hours, any employee whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident may be subject to drug and alcohol testing. No employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.~~

~~B. — The decision to test or not to test shall rest with the sole discretion of the employer based upon information available immediately after the accident. If an accident results in a fatality or the issuance of a citation to an employee, the employee shall be tested. Employees must immediately report all accidents and citations issued during their shift regardless of the type or ownership of vehicle involved.~~

~~**12-8. — Random Testing.**~~

~~At least 50 percent of all employees shall be drug tested each year. At least 25 percent of all employees shall be alcohol tested each year. Employees shall be selected for random testing using a scientifically valid method in accordance with federal guidelines.~~

~~**12-9. — Testing Based on Reasonable Suspicion.**~~

~~Wherever there is reasonable suspicion to believe an employee is using a prohibited drug or alcohol, the employee shall be subject to drug and alcohol testing. The decision to test must be based on a reasonable and articulable belief that the employee is using a prohibited drug or alcohol. That belief must be supported by specific, contemporaneous physical, behavioral, or performance indicators of probable drug or alcohol use. At least one supervisor of the employee trained in detecting possible drug or alcohol use symptoms shall substantiate the decision to test.~~

~~**12-10. — Administration of Drug and Alcohol Testing.**~~

~~Drug and alcohol testing shall be administered by a third party testing service designated by the Borough. The testing service shall comply with all applicable regulations regarding test administration, methods, protocols, communications, notices, and confidentiality.~~

~~**12-11. — Rehabilitation and Discipline**~~

~~A. — An employee is entitled to participate voluntarily in a treatment program through the Employee Assistance Program regardless of the outcome of a drug or alcohol test. However, if an employee fails a drug or alcohol test, participation in a treatment program will be a prerequisite to continued employment.~~

~~B. — Refusal to enroll, or failure to complete the treatment program shall be cause for immediate termination. Employees with a pattern of readings of .020 to .039 on alcohol tests may be required to enroll in a treatment program.~~

~~C. — In addition to treatment requirements, an employee who fails a drug or alcohol test is subject to the following discipline:~~

~~1. — Following the first confirmation of a failing test, the employee shall be subject to a minimum five (5) day suspension without pay.~~

~~2. — An employee who has been suspended for failing a test shall not be permitted to return to work until he or she passes a follow-up test.~~

- ~~3. An employee who fails a drug test may request a retest of the original specimen within 72 hours of receiving notice of a confirmed failure. The employee shall pay for the retest in advance. If the specimen passes, the employee will be reimbursed for the retest and, if on suspension, recalled to work.~~
- ~~4. In the case of an alcohol test result of .020 to .039, the penalty shall be a suspension of one day (24 hours) without pay. If a pattern of such results occurs, the suspension shall be longer.~~
- ~~5. An employee who fails a drug or alcohol test on a second occasion shall be summarily dismissed.~~

~~**12-12. Testing after Treatment.**~~

~~An employee who returns to duty after participation in a treatment program shall be subject to a reasonable program of follow up drug and alcohol testing without prior notice. The program shall not exceed sixty (60) months.~~

~~**12-13. Access to Test Results.**~~

~~An employee shall be entitled, upon submission of a written request, to have access to any records relating to the employee's alcohol tests or drug tests.~~

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023

Margaret Riggio
Borough Clerk

Resolution 2023-89

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2023 BUDGET

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2023 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 2023 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	1,066,378.00	382,000.00	1,448,378.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	199,500.00	205,000.00	404,500.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	1,265,878.00	587,000.00	1,852,878.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2023 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.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023.

Margaret Riggio
Borough Clerk

Borough of Hightstown
 Emergency Temporary No.2
 4/17/2023

SCHEDULE "A"

Current Fund

Administrative and Executive	Salaries and Wages	10,000.00
Mayor and Council	Salaries and Wages	5,000.00
Municipal Clerk	Salaries and Wages	15,000.00
Tax Collector	Other Expenses	500.00
Tax Assessor	Salaries and Wages	2,500.00
Engineer	Other Expenses	10,000.00
Planning Board	Salaries and Wages	5,000.00
Planning Board	Other Expenses	5,000.00
Police	Salaries and Wages	100,000.00
Police	Other Expenses	15,000.00
Emergency Management	Salaries and Wages	500.00
Group Insurance	Other Expenses	110,000.00
Buildings and Grounds	Salaries and Wages	10,000.00
Recycling	Other Expenses	5,000.00
Board of Health	Salaries and Wages	10,000.00
Parks and Recreation	Salaries and Wages	6,000.00
Telephone	Other Expenses	5,000.00
Postage	Other Expenses	2,000.00
Construction Code	Salaries and Wages	10,000.00
Police and Firemens' Retirement System	Other Expenses	498,810.00
Public Employees Retirement System	Other Expenses	<u>241,068.00</u>
Total Current Fund		<u>1,066,378.00</u>

Water-Sewer Operating Fund

Salaries and Wages	40,000.00
Other Expenses	75,000.00
Public Employees Retirement System	79,500.00
Social Security	<u>5,000.00</u>
Total Water Sewer Operating	<u>199,500.00</u>

Total	<u><u>1,265,878.00</u></u>
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Resolution 2023-90

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

**A RESOLUTION SUPPORTING PAINT & SIP NIGHT 2023
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 “Paint & Sip Night” in which individuals are guided by a local artist to recreate a colorful work of art; and

WHEREAS, this year’s Paint & Sip Night is scheduled to take place on April 27, 2023, at Tavern on the Lake 101 North Main Street, Hightstown.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support Paint & Sip Night 2023 and look forward to another successful community event sponsored by the Cultural Arts Commission and the Borough of Hightstown.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023.

Margaret Riggio
Borough Clerk

Resolution 2023-91

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

**A RESOLUTION SUPPORTING THE ANNUAL STREAM
CLEAN UP AND ARBOR DAY EVENTS SPONSORED BY
HIGHTSTOWN BOROUGH ENVIRONMENTAL
COMMISSION**

WHEREAS, the Environmental Commission is a recognized commission of Hightstown Borough pursuant to Article 2-32 entitled “Environmental Commission” of “The Revised General Ordinances of the Borough of Hightstown”; and

WHEREAS, as set forth in Article 2-32, the commission is established for the protection, development or use of natural resources, including water resources, located within the territorial limits of the Borough of Hightstown; and

WHEREAS, annually, the Environmental Commission sponsors a Stream Clean Up, Shredding Event and the planting of a tree in a Borough Park in honor of Arbor Day; and

WHEREAS, this year, Hightstown Borough has proclaimed Saturday, April 22, 2023, Arbor Day.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support the Annual Stream Cleanup, Shredding Event and Tree Planting and look forward to another successful Arbor Day Celebration sponsored by the Environmental Commission and the Borough of Hightstown.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on April 17, 2023.

Margaret Riggio
Borough Clerk