

BOROUGH OF HIGH BRIDGE

MAYOR AND BOROUGH COUNCIL

Meeting Date: September 26, 2013

CALL TO ORDER: The meeting of the Mayor and Council of the Borough of High Bridge came to order with Mayor Desire presiding, at 7:30 PM on the above date. "Pursuant to the Open Public Meetings Act, notice of 2013 meeting dates was published in the Hunterdon County Democrat on January 10, 2013 and posted on the bulletin board in Borough Hall. The meeting was held in the Fire House, 7 Maryland Ave., High Bridge, NJ. Action may be taken."

Mayor Desire led those present in the salute to the Flag.

MEMBERS PRESENT:

- Mayor Desire
- Councilman Flynn
- Councilwoman Hughes
- Councilwoman Miller
- Councilman Rapp
- Councilwoman Scarcia
- Councilman Stemple

Attorney Barry Goodman, Municipal Clerk Diane Seals and eight members of the general public and news media were also present.

VISITORS:

- a. The High Bridge Planning Board/Board of Adjustment members were in attendance for Darlene Green's presentation of the "Borough of High Bridge Highland's Land Use Ordinance". Chairman Steven Dhein opened the Meeting for the Planning Board/Board of Adjustments. As a member of the Planning Board, Councilman Flynn sat with the Board.

At this time, Mayor Desire asked for a motion to bring Ordinance #2013-20 forward. Councilman Rapp motioned. Councilwoman Hughes seconded. Roll Call Vote: Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 5 ayes.

- b. Darlene Green, Borough Planner, discussed the "Borough of High Bridge Highland's Land Use Ordinance". Ms. Green explained that there were a half dozen changes that were asked to be made, sent the document off to the Highlands Council, was reviewed on August 21st, and sent to Attorney Goodman's office for legal review. The Planning Board/ Board of Adjustment voted to approve the document and determined that it complies with the Master Plan and sent it to Council. Member Brent Dugan stated that it is a pleasure working with Ms. Green.

ORDINANCE #2013-20

BOROUGH OF HIGH BRIDGE HIGHLANDS PLANNING AREA LAND USE ORDINANCE, FOR SUBMISSION TO THE NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL TOWARD ACHIEVING PLAN CONFORMANCE WITH THE HIGHLANDS REGIONAL MASTER PLAN BY THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2013-20.

Councilman Rapp motioned to open. Councilwoman Hughes seconded. Roll Call Vote: Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 5 ayes.

Questions and Comments:

There were no questions nor comments.

Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2013-20.

Councilman Rapp motioned to close. Councilwoman Hughes seconded. Roll Call Vote: Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 5 ayes.

Mayor Desire asked for a motion to adopt Ordinance #2013-20 and stated that Ordinance #2013-20 shall be published by title only in the Hunterdon County Democrat according to law.

Councilman Rapp motioned to adopt. Councilwoman Hughes seconded. Roll Call Vote: Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 5 ayes.

Let the minutes reflect that Councilman Flynn has taken his place at the Council table.

MOTION TO DISPENSE WITH THE READING OF MINUTES OF PRIOR MEETINGS:

Councilman Rapp motioned to dispense with the reading of the Regular and Executive Session Meeting Minutes of September 12, 2013. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

APPROVAL OR CORRECTION OF PRIOR MEETING MINUTES:

Councilman Rapp motioned to approve the Regular and Executive Session Meeting Minutes of September 12, 2013. Councilman Stemple would like the minutes to reflect that in Public Comments Mr. Ron Huttemann said the Golf Course was \$70,000.00 below budget, not \$70.00. Councilman Stemple seconded as amended. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

PUBLIC COMMENTS: It is the policy of the Borough Council that all public comments on an issue shall be limited to five (5) minutes per person and no person may make more than one (1) comment per subject. Comments may be made on any subject pertaining to Borough issues. Comments pertaining to Public Hearings should be saved for that portion of the agenda. No debating between residents. Comments should be addressed to Mayor and Council.

Dr. Brenden Coughlin said that there was an intoxicated employee of the Golf Course arrested and would like to know if he was drinking while on the job. Attorney Goodman advised, that as this is an ongoing investigation, it would be inappropriate to comment. Dr. Coughlin went on to ask if the Golf Financials for August have come out yet and why should the Borough pay Municipal Clerk extra for elections as it is part of her job. Municipal Clerk Seals answered that statutorily she covers two elections. The Governor has called for two extra elections and the State will reimburse the municipalities for costs. Dr. Coughlin would like to see the Bill of Sale for the Clubhouse. Councilman Stemple stated that it is the Borough's property. Sally Ward attended Community Day and thought it was a lot of fun. Volunteers, along with Mayor Desire, were flipping hamburgers.

Sharon Apperson also thought it was fun and the kids had a wonderful time.

Adrienne Shipps asked for an update on the Administrator's position. Mayor Desire spoke to say there are still options to explore.

COUNCIL COMMITTEE AND SPECIAL ASSIGNMENT: Goals/Monthly reports September 26, 2013

Councilman Flynn: **PLANNING & ENGINEERING**

1. Looking into the use of natural gas or diesel for Emergency generator for Well #8. The purchase of a generator for the Golf Club is on hold for now.
2. The new Borough Hall specs are being worked on.
3. Combining Cregar Rd Phase III and IV and will begin in the Spring.
4. Need to have an RFP drawn up for Hydro Power.

Councilwoman Hughes: **PUBLIC HEALTH, ENVIRONMENTAL, SOLID WASTE/RECYCLING, OPEN SPACE ENVIRONMENTAL:**

1. Police garden will be planted this Fall, all paid for with grant money.
2. Eagle Scout Project School Vegetable garden boxes will be built this Fall.

PUBLIC HEALTH:

SOLID WASTE/RECYCLING:

Councilwoman Scarcia: **EDUCATION & MUNICIPAL COURT**

EDUCATION:

MUNICIPAL COURT:

RECREATION: Liaison

1. Improving the Background Check Ordinance for Coaches.
2. Working toward new programs for other groups, such as seniors.
3. Replace rusty backstops at Union Forge by fund raising.

POLICE:

1. One Goal is to totally outfit a patrol car with radar.
2. Looking for one large fund raiser for the Emergency Squad.

Councilwoman Miller: **INFORMATION, ECONOMIC DEVELOPMENT, CULTURE & HERITAGE & EVENTS**

NEWSLETTER/INFORMATION:

1. Consolidated the Newsletter, the next issue will be February.
2. Web site is up and running, user friendly.

CULTURAL & HERITAGE:

1. Create an interpretive historical sign for the Dam.
2. Do more stabilization projects.
3. One more lecture in the Lecture Series, supported by a Block Grant, on October 22nd with Dennis Bertland's "House History Detectives: How to Conduct the Investigation"
4. Monthly work day was spent cleaning vines off the TISCO building.
5. Oct 6th will be another clean up day around the Borough were "Paint-Out" artist may set up.
6. Oct 12th there will be a Walking Tour of Main St.
7. Working on getting Historic District designation.
8. Developing Educational Outreach programs.
9. Assisting with the nomination of Solitude House for State and Federal Historic Registry.

Events Committee:

1. Big thanks to Councilwoman Scarcia and Police Officer Matt Lazier for the great "Community Day" and to all the volunteers, EDC, Mayor, CERT, the Emergency Services, K-9 Team, Recreation Committee, Custom Alloy, Shop-Rite, Huskies, Bands, High School students, the Masons and the NJ State Police.
2. "Paint – Out" will be Oct. 12th with an Art Show and Silent Auction on Main St. at 6:00PM.

ECONOMIC DEVELOPMENT:

1. New Banners on Main St.
2. Chairperson Adrienne Shipps and Brent Dugan attended the County's Economic Development Meeting.
3. Continue to reach out to the business community and help at Special Events, thank you.

Councilman Rapp: **DEPARTMENT OF PUBLIC WORKS & RECREATION**

PUBLIC WORKS:

1. Completed restoration of 8 to 10 Storm basins.
2. Moving on the installation of the above ground fuel tanks at the DPW.
3. Will be searching for water leaks with the new Leak Detection System.
4. DPW is fully staffed. Ad for part-time help was published.

RECREATION:

SWAC:

Councilman Stemple: **FINANCE & GOLF**

FINANCE:

1. Will be meeting in October to start the 2014 Budget process.
2. The Golf Course is \$55,000 short of budget. It is possible to achieve budget if the weather holds up.

POLICE DEPARTMENT:

FIRE DEPARTMENT:

EMERGENCY SQUAD:

OFFICE OF EMERGENCY MANAGEMENT:

Mayor, Mark Desire: **EXECUTIVE SERVICES & EMERGENCY SERVICES**

1. Continue to give tours in hopes of getting new businesses in the Borough.
2. We will be signing a "Memorandum of Understanding" with the State of NJ OEM, an agreement for training on computers for any claims made.
3. Continue to promote Historic Tourism.
4. Free Commercial on October 22nd at Comcast.
5. An "Award of Merit" was presented to the Borough by the national "Association of Dam Safety Officials" for outstanding contribution to dam safety. Mayor Desire read the presentation: "Lake Solitude Dam is an earthen embankment built in 1909, is eligible for the National Registry of Historic Places. The Dam construction technology was innovative for its time but has deteriorated since the time it was built in 1909 The spillway stands forty-two feet high. The Dam's previous owner was notified by the NJDEP that the dam's poor condition posed significant risk of life and property. The Borough acquired the lake and surrounding property to remediate or breach. The Borough acquired the property for 2.9 million dollars in 2007. Work was completed in 2012, ahead of schedule and under budget. The "Association of State Dam Safety Officials" nominated High Bridge for the work on this project. "Awards of Merit" are given to entities working in the dam safety field that have made outstanding contributions to the dam safety on a regional level. Past winners include companies owning or operating dams that have shown marked improvement in maintaining, rehabilitating, and their dam safety programs, individuals who have made contributions to dam safety in their communities and local agencies with innovative ideas for improving their dam safety programs. These awards are intended to recognize the overall contribution of an organization or municipal government, not to recognize the merits of the dam project itself. Nominated individual organization should demonstrate recent noteworthy efforts and accomplishments in the field of dam safety." The US has over 2.5 million dams, 1682 are high hazard dams in NJ. The "Wolfcreek Dam" in Kentucky was also recognized, at a cost of \$594 million. Thank you Dam Safety, DEP and Borough tax payers.

PUBLIC HEARINGS: 2ND Reading.

Moved to Visitor Section.

CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine by the Borough Council and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

None at this time.

WRITTEN COMMUNICATIONS:

1. Letter from Highlands Water Protection and Planning Council stating that the "Scope of Work" has been approved with a grant of \$16,885.00.
2. Month End Reports Tax/Finance.
3. Best Practices Inventory.
4. Certification of Funds Available for Above Ground Fuel Storage Tanks.
5. Certification of Funds Available for Replacement Sewer Pumps.
6. Certification of Funds Available for Leak Detection System.
7. Certification of Funds Available for Property Revaluation Program.

UNFINISHED BUSINESS:

NEW ORDINANCES: Introduction 1st reading.

At this time, Councilwoman Hughes made a motion to amend Ordinance #2013-21, changing B. Violations and Penalties, "each day" to "each time". Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

ORDINANCE #2013-21
AN ORDINANCE AMENDING CHAPTER 120, ARTICLE III, DOGS OF THE CODE OF THE BOROUGH OF HIGH BRIDGE

Mayor Desire asked for a motion to introduce Ordinance #2013-21 as amended.

Councilwoman Hughes motioned to introduce. Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Mayor Desire stated that Ordinance #2013-21 shall be published in its entirety in the Hunterdon County Democrat along with the Public Hearing date of October 10, 2013.

NEW BUSINESS:

1. **RESOLUTION #185-2013:** Councilwoman Miller motioned to adopt a resolution Approving Plenary Special Permit for Social Affair for the High Bridge Events Committee's "Paint-Out" Event to be held on October 12, 2013, a copy of which is attached hereto and made a part hereof these minutes. Michele Schwartz, Coordinator, explained that this permit is necessary for the Silent Auction and Wine Sampling at the "Paint-Out" Event, IDs will be checked. Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
2. **RESOLUTION #186-2013:** Councilman Rapp motioned to adopt a resolution Approving Pay for Municipal Clerk for Additional Twenty Hours for Two Extra Elections in 2013, that will be reimbursed by the State Division of Elections, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
3. **RESOLUTION #187-2013:** Councilwoman Miller motioned to adopt a resolution Authorizing Refund of "Paint-Out" Registration duplicate fee, a copy of which is attached hereto and made a part hereof these minutes. Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
4. **RESOLUTION #188-2013:** Councilman Rapp motioned to adopt a resolution Authorizing Reimbursement for Background Check and Driver's Abstract for Frederick Roll, new DPW employee, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
5. **RESOLUTION #189-2013:** Councilman Rapp motioned to adopt a resolution Authorizing Reimbursement for Background Check for Tara Riordan, Deputy Clerk, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
6. **RESOLUTION #190-2013:** Councilman Rapp motioned to adopt a resolution Authorizing a Municipal Lien on 59 Dewey Ave, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
7. **RESOLUTION #191-2013:** Councilman Rapp motioned to adopt a resolution Authorizing a Municipal Lien on 63 Highland Ave., a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
8. **RESOLUTION #192-2013:** Councilman Rapp motioned to adopt a resolution Authorizing Special Events Rental Agreement, a copy of which is attached hereto and made a part hereof these minutes. Councilman Flynn questioned the allowable capacity. Michele Schwartz said that there will be less people than last year as there are less artist signed up. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, nay; Scarcia, aye; Stemple, aye. Motion Carried: 5 ayes and 1 nay.
9. **RESOLUTION #193-2013:** Councilman Rapp motioned to adopt a resolution Approving Enabling Resolution with the State of NJ, Office of Emergency Management, a copy of which is attached hereto and made a part hereof these minutes. Mayor Desire explained that this agreement is to use software for any emergency claims. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
10. **RESOLUTION #194-2013:** Councilman Rapp motioned to adopt a resolution Approving Award of Contract for Leak Detection System for \$8,495.00, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
11. **RESOLUTION #195-2013:** Councilman Rapp motioned to adopt a resolution Approving Award of Contract for Replacement Sewer Pumps for \$36,000.00, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
12. **RESOLUTION #196-2013:** Councilman Rapp motioned to adopt a resolution Approving Award of Contract for Above Ground Fuel Tanks for \$98,373.10, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.
13. **RESOLUTION #197-2013:** Councilman Rapp motioned to adopt a resolution Approving Hunterdon County Clerk's Association Meeting for Municipal Clerk Seals on October 23, 2013 at a cost of \$25.00, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

14. **RESOLUTION #198-2013:** Councilman Rapp motioned to adopt a resolution Approving Brien K. Oughton's Application to the NJ State Firemen's Association, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes
15. **RESOLUTION #199-2013:** Councilman Rapp motioned to adopt a resolution Approving Award of Contract for Professional Property Revaluation for \$116,240.00, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

At this time, Mayor Desire asked that the agenda be amended to include RESOLUTION #200-2013, "Week of Respect". Councilman Rapp motioned to amend the agenda. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

16. **RESOLUTION #200-2013:** Councilwoman Hughes motioned to adopt a resolution supporting the High Bridge School's "Week of Respect" program, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Scarcia seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Mayor Desire added that there was a poster contest at school. The posters will be hung in the shops on Main St. along with a banner on the bridge.

PUBLIC COMMENTS: It is the policy of the Borough Council that all public comments on an issue shall be limited to one minute (1) per person and no person may make more than one (1) comment per subject at this second Public Comment section. Comments may be made on any subject pertaining to Borough issues. No debating between residents. Comments should be addressed to Mayor and Council.

Brent Dugan expressed his concern about the Emergency Squad training on the ATV. He feels that it is an ambulance, requiring more specific certification training. The members took the manufacturers training.

LEGAL ISSUES: Attorney Goodman stated that there were no legal issues at this time.

BILL LIST:

Councilman Rapp motioned to approve and direct payment of all vouchers as they appear on the Bill List in the total amount of **\$183,200.25**, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye and abstain of Check # 1265; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes and 1 abstention.

EXECUTIVE SESSION: RESOLUTION #201-2013: Councilman Rapp motioned to adopt a resolution that allows for Executive Session to seek legal advise regarding Solitude House Caretaker Bid and Administrator Position, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Miller seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Councilwoman Scarcia motioned to return to Open Session. Councilman Rapp seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Mayor Desire asked if there was any further business. There was none at this time. Mayor Desire asked for a motion to adjourn. Councilman Rapp motioned and Councilwoman Miller seconded. Vote: 6 ayes. Motion Carried.

ADJOURNMENT: 10:07 PM

Respectfully submitted,

Diane L. Seals, Municipal Clerk, RMC