

UNAPPROVED
BOROUGH OF HIGH BRIDGE

MAYOR AND BOROUGH COUNCIL
Meeting Date: March 27, 2014

CALL TO ORDER: The meeting of the Mayor and Council of the Borough of High Bridge came to order with Mayor Desire, at 7:30 PM on the above date. "Pursuant to the Open Public Meetings Act, notice of 2014 meeting dates was published in the Hunterdon County Democrat on January 9, 2014 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: DPW Employees. Mayor Desire presented Michael Hann and Richard Drift a Resolution of Recognition, stating that Rich is a town hero and Mike managed full and part time employees.

RESOLUTION #94-2014: Councilwoman Hughes motioned to adopt a resolution recognizing the impressive work done by the DPW employees to keep the streets clear during the many storms of the Winter of 2013-2014, 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.

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 March 13, 2014. Councilwoman Hughes 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 March 13, 2014. Councilwoman Hughes seconded. 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.

Brent Dugan requested the LOSAP list. Attorney Goodman advised making an OPRA request.

Dr. Brenden Coughlin asked for an explanation of Resolution #101-2014 and does the Borough have a Sales and Use Tax Certificate?

Councilman Stemple stated that the Billy Casper Management would have a certificate. Dr. Coughlin went on to state that he had OPRA'd invoices for the painting of the Club House. The Club House was most likely painted by the maintenance staff.

Sally Ward spoke to say that she had fun painting the Custom Alloy/High Bridge float for the parade in Flemington on March 22, 2014.

Councilwoman Miller thanked Ms. Ward for her help. Attorney Goodman stated that the float was spectacular.

COUNCIL COMMITTEE AND SPECIAL ASSIGNMENT: Monthly reports March 27, 2014

Councilman Flynn: **PLANNING & ENGINEERING**

1. Tonight the Award of Bid for Cregar Road project will be approved.
2. Additional funds for the new Borough Hall will be approved tonight.
3. Received a letter from Hunterdon County stating that they will be repaving Route 513, Main Street and asked that parking on one side of the road be eliminated to make safer. Spoke with Engineer and Planner, can remark the parking spaces. Will be talking to HBBA, EDC, Planning Board and residents to get feedback. Need to coordinate with Streetscapes project.

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

1. Electronic Recycling Event will be held on April 26, 2014 from 8:30AM to 12:30PM.

PUBLIC HEALTH:
SOLID WASTE/RECYCLING:

1. Submitted nominations for the Hunterdon County Planning Board Awards. Submitted the Solitude Dam project and the Multi Purpose Trail off Nassau Road.

Councilwoman Scarcia: INFORMATION, ECONOMIC DEVELOPMENT, CULTURAL & HERITAGE &EVENTS

NEWSLETTER/INFORMATION:

ECONOMIC DEVELOPMENT:

1. Continue to track the "One Seat Ride Initiative" by the Raritan Valley Coalition. A representative attended the February meeting.
2. Communication continues with NJTransit regarding possible purchase of the Station. Councilman Hughes mentioned that there are some historical items inside. Mayor Desire suggested having a one-day "open house" at the station for prospective businesses to see the space inside.
3. Working with HBBA on their goals, may have a HB Business appreciation day in April, to support local businesses.

RECREATION:

1. Will be upgrading the gazebo at Union Forge Park with use of a grant to repair the cupola and add more landscaping.
2. Worked on the specs for Field Maintenance Bid.

Councilwoman Miller: EMERGENCY SERVICES, EDUCATION & MUNICIPAL COURT

POLICE:

1. Will be receiving a weekly management report.
2. Report for January: 7 adult arrests; 640 calls; 2 criminal mischief; 2 domestic violence; 22 investigations/follow ups; 14 motor vehicle accidents; 59 motor vehicle stops; 2 thefts; 60.5 hours of OT.
3. Report for February: 15 investigations; 1 domestic violence; 6 motor vehicle accidents; 2 thefts; 53 motor vehicle stops; 648 calls; 0 juvenile; 7 adult arrests.

RESCUE SQUAD:

1. Will be meeting next week.

FIRE DEPARTMENT:

1. The ladder truck is in production.
2. Will be meeting quarterly.

EDUCATION:

COURT:

OFFICE OF EMERGENCY MANAGEMENT:

CULTURAL & HERITAGE:

1. The float made by Custom Alloy made an impression at the 300th Anniversary Parade in Flemington of March 22nd. Thank you for designing, the construction, the volunteer painters, the 2nd New Jersey Helm's Co., Hunterdon County Mini-Historian Ellie Curtin, the Huskies Cheer Team, members of American Legion 188, and Tim the fabricator. It showed the best of our community over the past 300 years in High Bridge.
2. Working on the first floor of Solitude House along with the Historical Society. Display cases have been donated. Could use more help.

EVENTS:

1. Easter Egg Hunt is scheduled for April 12, 2014 at 11:00AM sharp at Union Forge Park. Rain date is April 19th.
2. Registration has begun for the Soap Box Derby, scheduled for June 7, 2014. Registration forms can be found on Face Book. Fund Raising is going well.

Councilman Rapp: DEPARTMENT OF PUBLIC WORKS & RECREATION

PUBLIC WORKS:

1. The clamshell attachment for the backhoe is on order.
2. Sweeping and paving continues.
3. Makes a difference when part timers can be brought in to help.

RECREATION:

SWAC:

Councilman Stemple: FINANCE & GOLF

FINANCE:

1. Concentrating on Golf finances. Moved membership fees into this year. February revenues were down \$15,000, YTD down \$30,000. Hardly used any labor or did any maintenance over the winter.

John Gregory: ADMINISTRATORS REPORT

No report due to absence.

Mayor, Mark Desire: EXECUTIVE SERVICES

1. Public Hearing tonight on vacant /abandoned properties and disorderly tenants Ordinances.
2. Will be receiving plans for the bridge on Mine Rd and will meet with residents.

PUBLIC HEARINGS: 2ND Reading.

ORDINANCE #2014-7

ORDINANCE APPROPRIATING \$11,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A CLAMSHELL BUCKET IN THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2014-07.

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

Questions and Comments:

Mayor Desire explained that this will make cleaning up snow, removing brush, and storm damage easier.

Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2014-07.

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

Mayor Desire asked for a motion to adopt Ordinance #2014-07 and stated that Ordinance #2014-07 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: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

ORDINANCE #2014-8

“REVISED GENERAL ORDINANCES BOROUGH OF HIGH BRIDGE”, TO BE ENTITLED “ “NUISANCES, PUBLIC HEALTH” UTILIZING NEW CHAPTER 276, TO BE ENTITLED “MAINTENANCE OF VACANT / ABANDONED PROPERTIES”

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2014-08.

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

Questions and Comments:

Mayor Desire explained this ordinance will help with the cost for maintenance of properties through liens. Councilman Stemple was concerned with the required posting of signs as it may bring too much attention to the fact that the property is vacant. Maybe put a less obvious sign.

Councilwoman Scarcia spoke to say the list of properties should be passed on to the Emergency Services.

Liz Barton expressed that signage was a bad idea.

Michael Barton asked what was the definition of vacant/abandoned. Attorney Goodman offered to look up the statute in N.J.S.A. 55.

Sally Ward spoke to say that a sign was a good thing.

Councilwoman Miller asked that Public Hearing be kept open until April 10th Meeting so clarification can be made.

Mayor Desire asked for a motion to keep the Public Hearing on Ordinance #2014-08 open until April 10, 2014.

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

ORDINANCE #2014-9

“REVISED GENERAL ORDINANCES BOROUGH OF HIGH BRIDGE”, TO BE ENTITLED “CHAPTER 265, DISORDERLY TENANT ORDINANCE”

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2014-09.

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

Questions and Comments:

Mayor Desire explained that the State has given power to municipalities to hold owners responsible for their tenants.

Adrienne Shipps asked who will contact the landlord and enforce the Ordinance.

Attorney Goodman stated that a Judge would be the designee.

Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2014-09.

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

Mayor Desire asked for a motion to adopt Ordinance #2014-09 and stated that Ordinance #2014-09 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: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

ORDINANCE #2014-10

REVISED GENERAL ORDINANCE OF THE BOROUGH OF HIGH BRIDGE ESTABLISHING AND ADOPTING THE ABANDONED PROPERTY REHABILITATION ACT, N.J.S.A. 55:19-78 ET SEQ, CHAPTER 277.

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2014-10.

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

Questions and Comments:

Mayor Desire explained that this is based on State statute that allows the Borough to create a list of abandoned properties, take off/put on as needed and the process to challenge.

Councilwoman Miller asked if this could be modified. Attorney Goodman advised not to modify as it could be subject to a challenge.

Liz Barton asked if this includes Exact Level. Kids are going in and out of the building, should be fenced. Mayor Desire said that the DEP is testing for environmental issues, in process of remediation, but is unsightly. This Ordinance gives the Borough ammunition to proceed.

Adrienne Shipps asked if Borough property is exempt such as Springside Farm. Would like to see clarification. Councilwoman Scarcia said that the area around can be cleaned up, secured.

Mayor Desire asked for a motion to keep the Public Hearing on Ordinance #2014-10 opened until April 10, 2014. Councilman Rapp motioned to keep opened. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

ORDINANCE #2014-11
ORDINANCE APPROPRIATING \$60,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND FOR CREGAR ROAD PHASES III / IV IMPROVEMENTS IN THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

Mayor Desire asked for a motion to open the Public Hearing on Ordinance #2014-11. Councilman Rapp motioned to open. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Questions and Comments:

Councilman Stemple explained that sewer lines will be replaced when Cregar Rd. is reconstructed.

Mayor Desire asked for a motion to close the Public Hearing on Ordinance #2014-11. Councilman Rapp motioned to close. Councilwoman Hughes seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

Mayor Desire asked for a motion to adopt Ordinance #2014-11 and stated that Ordinance #2014-11 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: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes.

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.

1. **RESOLUTION #95-2014:** Approve Capital Budget Amendment.
2. **RESOLUTION #96-2014:** Approve Length of Service Award (LOSAP) List.
3. **RESOLUTION #97-2014:** Approve Award of Bid for Cregar Road Project, Section 3 & 4 to "Top Line Construction" for \$778,960.73.
4. **RESOLUTION #98-2014:** Approve Amended Professional Service Contract for "Hatch Mott MacDonald".
5. **RESOLUTION #99-2014:** Authorize Refund of Permit Fees Collected.
6. **RESOLUTION #100-2014:** Authorize Refund of Escrow Monies.
7. **RESOLUTION #101-2014:** Approve Rescind Dedicated by Rider Trust Funds.

9. **RESOLUTION #103-2014:** Approve the "North Hunterdon Youth Baseball League" Parade on April 4, 2014 at 6:00PM on Arch Street to Jericho Field.

Councilman Rapp motioned to adopt Resolutions #95 thru #101 and #103, copies of which are 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.

8. **RESOLUTION #102-2014:** Approve 2014 Salaries. Councilman Rapp motioned to adopt a resolution approving Salaries for 2014, a copy of which is attached hereto and made a part hereof these minutes. Councilwoman Hughes seconded. Councilwoman Scarcia asked about the Chief's salary and have appraisals been completed. The Police Chief's salary has to be a certain amount above the Sergeant's pay contractually by State statute. Councilman Stemple said that until appraisals are done this shouldn't be adopted. Administrator Gregory had previously asked Council if there were any problems with any employees receiving a raise. No problems came up. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye; Rapp, aye; Scarcia, nay; Stemple, nay. Motion Carried: 4 ayes and 2 nays.

WRITTEN COMMUNICATIONS:

1. Resolution #2014-44 from Township of Union "Supporting a Water Tax to Fund the Loss of Land Equity for Property Owners in the Highlands Region."
2. Certification of Funds for "Hatch Mott MacDonald".
3. Certification of Funds Available for "Top Line Construction".
4. Monthly Tax/Finance Reports.
5. Letter from State of NJ DOT regarding "Safe Routes to School" Request for Applications.
6. Letter from State of NJ DOT regarding "Transportation Alternatives Program" Request for Applications.

UNFINISHED BUSINESS: None at this time.

NEW ORDINANCES: Introduction 1st reading.

ORDINANCE #2014-12
ORDINANCE APPROPRIATING \$100,000 FROM CAPITAL FUND BALANCE FOR ADDITIONAL COSTS FOR THE CONSTRUCTION OF THE BOROUGH HALL BUILDING

**IN AND BY THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON,
NEW JERSEY**

Mayor Desire asked for a motion to introduce Ordinance #2014-12.

Councilman Rapp motioned to introduce. Councilwoman Miller 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 #2014-12 shall be published in its entirety in the Hunterdon County Democrat along with the Public Hearing date of April 10, 2014.

NEW BUSINESS:

1. Discussion of "Safe Routes to School and Transportation Alternatives Programs". Grant applications are due May 15, 2014. "Hart" previously did a survey on routes. Should revisit these grants, contact the schools.

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. No comments at this time.

LEGAL ISSUES: 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 **\$456,563.96**, a copy of which is attached hereto and made a part hereof these minutes. Councilman Stemple seconded. Roll Call Vote: Flynn, aye; Hughes, aye; Miller, aye and abstain on check #1345; Rapp, aye; Scarcia, aye; Stemple, aye. Motion Carried: 6 ayes and 1 abstention.

EXECUTIVE SESSION: RESOLUTION #104-2014: Legal Advice on Potential Litigation with Town of Clinton.

Councilman Rapp motioned to adopt a resolution allowing for Executive Session for Legal Advice on Potential Litigation against Town of Clinton, 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.

Councilman Rapp motioned to return to Open Session. Councilwoman Miller 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: 9:36 PM

Respectfully submitted,

Diane L. Seals, Municipal Clerk, RMC