

MEETING MINUTES OF MAYOR AND COUNCIL OF HIGH BRIDGE BOROUGH

MEETING DATE **October 8, 2015** **REGULAR COUNCIL** **7:30 PM**
MEETING PLACE **High Bridge Firehouse** **7 Maryland Ave.**

Actual meeting may contain discussion of items not mentioned on the agenda and alternatively any items specifically listed may be omitted.

1. CALL TO ORDER:

Mayor calls meeting to order and makes the following statement: "Pursuant to the Open Public Meetings Act, notice of 2015 Meeting Dates was published in the Hunterdon County Democrat on January 1, 2015, Noticed in the Express Times on January 15, 2015, and posted on the bulletin board at Borough Hall. Action may be taken."

2. FLAG SALUTE: Led by Council President Lynn Hughes

3. ROLL CALL:

Roll Call Vote										P=Present A=Absent				
Hughes	P	Scarcia	P	Shipps	P	Stemple	P	Strange	P	Zappa	P	Mayor Desire	P	

Mayor Desire enters at 8:20 p.m.

Also in attendance are Administrator John Gregory, Deputy Clerk Adam Young, Attorney Barry Goodman, and five members of the public and press.

**4. READING AND APPROVAL OF MINUTES: -
MOTION TO DISPENSE WITH THE READING OF PRIOR MEETING MINUTES FOR:**

Regular Meeting Minutes June 25, & September 24 2015

Motion to Approve:				Zappa				Second:				Strange			
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y				

MOTION TO APPROVE OR CORRECT PRIOR MEETING MINUTES:

Regular Meeting Minutes June 25, & September 24 2015

Motion to Amend/Approve:				Zappa				Second:				Strange			
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y				

Executive Session meeting minutes of September 24, 2015

Motion to Amend/Approve:				Zappa				Second:				Scarcia			
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipps	A	Stemple	Y	Strange	Y	Zappa	Y				

5. PROCLAMATION: - BREAST CANCER AWARENESS MONTH.

6. VISITORS: None at this time.

7. 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 section of the agenda. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

Michele Schwartz thanked the participants and Borough Hall staff for their hard work and efforts with the Paint Out. She described the successes of the event and that feedback has been very positive.

John Johnson relayed to Council that the Solitude Village Association has suspended the order to show cause as it pertains to the Solitude Village Water tower. Attorney Goodman disagreed and stated that the order to show cause has been adjourned, and that their Attorney has not been in contact about these issues. Mr. Johnson asked about the status of the contract. Mr. Goodman explained the conditions needed to draft the contract. Discussion ensued. Mr. Johnson and Administrator Gregory explained the details of the FEMA approval letter, how the reimbursement will work, and what terms will be included in the contract. Mr. Goodman finished by saying that the agreement needs to be revised. Councilman Stemple added that a copy of the Solitude Village Association bylaws need to be provided to show that their board has the authority to approve any actions in this matter.

Dr. Brenden Coughlin explained his experiences at Borough and Solitude Village Condominium Association meetings. Dr. Coughlin read a prepared statement which was then physically remitted to Council.

Sally Ward says she enjoyed the Paint Out and expressed thanks to everyone involved. She suggested the agenda be posted on the website, separated from supporting documentation.

Christina Whited is dismayed by the use of tape on poles on Main Street and asked that someone contact the organizations to let them know that it looks messy. Administrator Gregory agreed and said he will contact them.

8. 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.

RESOLUTION #	TITLE	PURPOSE
198-2015	Authorizing Water Connection	Block 39.08 Lot 606 & 57 West Main St. to connect to High Bridge Water System
199-2015	Award of Contract Dosch King	For emulsion for the Pothole Patcher
200-2015	Water Utility Fines	Fines for failure to act once noticed for a faulty meter replacement
201-2015	Amend Capital Budget	To Update the Capital Budget for the water Utility to Fund Truck
202-2015	Issue RFP for Risk Manager	Seek proposals for a Risk Manager
203-2015	Approve Barbara Kinsky as regular employee	Remove Probationary Status
Motion to Approve Resolutions 199 to 201 and 203:		SHIPPS Second: STRANGE
Roll Call Vote		Y=Yes; N=No; A=Abstain; At=Absent
Hughes	Y	Scarcia Y Shipps Y Stemple Y Strange Y Zappa Y

Resolution 198-2015

Discussion: Councilwoman Shipps and Councilwoman Hughes asked about having communication with Mike Hann regarding this matter. Mr. Gregory explained the issues and conditions for the process needed to approve the water connection.

Motion to amend Resolution 198-2015	Strange	Second:	Zappa
Roll Call Vote		Y=Yes; N=No; A=Abstain; At=Absent	
Hughes	Y	Scarcia Y Shipps Y Stemple Y Strange Y Zappa Y	

Motion to approve Resolution 198-2015	Stemple	Second:	Zappa
Roll Call Vote		Y=Yes; N=No; A=Abstain; At=Absent	
Hughes	Y	Scarcia Y Shipps Y Stemple Y Strange Y Zappa Y	

Resolution 202-2015

Discussion: Councilwoman Shipps asked why the Borough needs a risk manager. Administrator Gregory stated that the Borough needs a risk manager by law and the details of what a risk manager does, how the entity operates, etc.

Motion to approve Resolution 198-2015	Stemple	Second:	Zappa
Roll Call Vote		Y=Yes; N=No; A=Abstain; At=Absent	
Hughes	Y	Scarcia Y Shipps Y Stemple Y Strange Y Zappa Y	

9. COUNCIL COMMITTEE AND SPECIAL ASSIGNMENT: Monthly Report

Next reports due October 22, 2015

10. WRITTEN COMMUNICATIONS:

A. FEMA Approval Letter

11. NEW BUSINESS:

12. UNFINISHED BUSINESS:

13. NEW ORDINANCES – Amendments to and Introduction of Ordinances

A. Mayor Desire asks for a motion to introduce amendment to Ordinance #2015-31

<u>PURPOSE:</u>	<u>Provide increased overnight parking opportunities without permit but require removal of cars during snow events.</u>											
Motion to Introduce:	STRANGE				Second:				ZAPPA			
Roll Call Vote				Y=Yes; N=No; A=Abstain; At=Absent								
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y	

Mayor Desire states that the amendment to Ordinance #2015-31 shall be published in summary in the Express Times and/or the Hunterdon County Democrat along with the Public Hearing date of October 22, 2015.

B. Mayor Desire asks for a motion to introduce amendment to Ordinance #2015-32

<u>PURPOSE:</u>		<u>Renew Cable Franchise Agreement for 15 years for the Borough of High Bridge</u>											
Motion to Introduce:		Stemple				Second:				Hughes			
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipp	Y	Stemple	Y	Strange	Y	Zappa	Y		

Mayor Desire states that the amendment to Ordinance #2015-32 shall be published in summary in the Express Times and/or the Hunterdon County Democrat along with the Public Hearing date of October 22, 2015.

C. Mayor Desire asks for a motion to introduce amendment to Ordinance #2015-33

<u>PURPOSE:</u>		<u>Purchase truck for Water Utility Work and Maintenance due to catastrophic engine failure</u>											
Motion to Introduce:		Shipp				Second:				Zappa			
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipp	Y	Stemple	Y	Strange	Y	Zappa	Y		

Mayor Desire states that the amendment to Ordinance #2015-33 shall be published in summary in the Express Times and/or the Hunterdon County Democrat along with the Public Hearing date of October 22, 2015.

14. PUBLIC HEARING: 2ND READINGS.

A. Mayor Desire asks for a motion to Open Public Hearing on Ordinance #2015-29

Purpose		<u>Amendment add to clarify application process per Planning Board Recommendation</u>											
Motion to Open:		STEMPLE				Second:				SHIPPS			
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipp	Y	Stemple	Y	Strange	Y	Zappa	Y		

Questions and Comments: Administrator Gregory discussed the main intent of this amendment. Councilwoman Scarcia noted that she would like to add this to the website.

Mayor Desire asks for a motion to close the Public Hearing on Ordinance # 2015-29

Motion to Close:		STEMPLE				Second:				STRANGE			
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipp	Y	Stemple	Y	Strange	Y	Zappa	Y		

Mayor Desire asks for a motion to adopt Ordinance# 2015-29.

Motion to Adopt:		STEMPLE				Second:				STRANGE			
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipp	Y	Stemple	Y	Strange	Y	Zappa	Y		

Mayor Desire states that Ordinance # 2015-29 is adopted shall be published by title only in the Hunterdon County Democrat and/or Express Times according to law.

B. Mayor Desire asks for a motion Open Public Hearing on Ordinance #2015-30

Purpose		<u>Amend Noise ordinance making it less restrictive but easier to enforce regarding engine braking</u>											
Motion to Open:		Stemple				Second:				Hughes			
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent							
Hughes	Y	Scarcia	Y	Shipp	Y	Stemple	Y	Strange	Y	Zappa	Y		

Questions and Comments: Councilwoman Hughes notes that Mill Street has been excluded from this. Council discussed the reasons why engine braking is not necessary on High Bridge hills and a possible solution.

Mayor Desire asks for a motion to close the Public Hearing on Ordinance # 2015-30

Motion to amend with regard to the muffler and keep the public hearing open for the next meeting:	Zappa				Second:				Hughes				
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y		

15. DISCUSSION ITEMS:

A. New Jersey Best Practices - Administrator Gregory gave updates about our report and stated our score to be 94%. Council discussed how the financial process of worker's compensation is handled .

B. Resolution 196-2015 Authorization to sign Solitude Village Water Takeover Agreement

Purpose	<i>Authorize Administrator and Attorney to arrange for and sign Take Over of the Solitude Village Water Tower and Pump</i>												
Motion to amend Resolution 196-2015:	Zappa				Second:				Shipps				
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y		

Discussion: Mr. Goodman gave an overview of the legal situation previously discussed. Mr. Goodman recommended that the resolution capture the four conditions necessary and Council discussed the conditions to amend into the resolution. Mr. Johnson was given an opportunity to speak about those conditions and Council further discussed.

Motion to approve Resolution 196-2015 as amended:	Zappa				Second:				Shipps				
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y		

16. 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. No debating between residents. Comments should be addressed to Mayor and Council at the public microphone.

Sally Ward asked about discussion points of Resolution 196-2015. Council explained those points. Further discussion about the conditions pertaining to the Solitude Village water tower is discussed by Council.

Christina Whited thanked Council for the efforts and actions pertaining to the issue of owner occupied businesses on Main Street. She appreciates the direct input of knowledgeable Borough residents being taken into account and made practical.

17. LEGAL ISSUES: Lawsuit with Clinton; Mr. Goodman states that he filed a motion yesterday to dismiss the counter claim that Clinton filed to compel arbitration. Mr. Goodman gave updates as to the past timeline of this issue.

18. BILL LIST:

Approval of Bills as signed and listed on the Bill Payment List.

Total Amount: \$ 221,373.58

Councilman Stemple noted that some items may have had sales tax applied where not necessary. Administrator Gregory and Council suggested the Borough make the purchases, using a sales tax exempt form, and using a p-card through the Borough.

Motion to Approve:	Strange				Second:				Shipps				
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y		

Councilwoman Shipps abstained from any Police Department related matters.

Councilman Stemple abstained from any Fire Department related matters.

19. EXECUTIVE SESSION: Executive Session if Needed OR Move to Adjourn.

RESOLUTION # 198E-2015: Defective Equipment legal advice regarding Borough plow

Motion to amend to remove litigation pertaining to Solitude Village out of Executive Session:	Hughes				Second:				Shipps				
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y		

Motion to Move into Executive Session:	Shipps				Second:				Strange				
Roll Call Vote								Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y		

Motion to Return to Open Session:			Stemple			Second:			Shipps		
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	Y

20. ADJOURNMENT:

Mayor Desire or presiding officer asks if there is any further business.

Motion to Adjourn:			Stemple			Second:			Shipps		
Roll Call Vote						Y=Yes; N=No; A=Abstain; At=Absent					
Hughes	Y	Scarcia	Y	Shipps	Y	Stemple	Y	Strange	Y	Zappa	y

Next Council Meeting, October 22, 2015 REGULAR MEETING, 7:30PM, Fire House, 7 Maryland Ave., High Bridge, NJ.

EXECUTIVE SESSION ITEMS: (space for members of council and clerk to take notes on each item)
