

- 2015-07** Final Reading and Public Hearing – Bond Ordinance Providing for Various Road Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$619,000 Therefor and Authorizing the Issuance of \$336,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof (Park Way, Grant Street, Hutchinson Street)
- Budget** Introduction of 2015 Budget
- Resolutions**
- 2015-XX** Authorizing the Payment of Bills
- 2015-109** Authorizing an Agreement with 12 Farms Restaurant for Use of Public Right-of-Way
- 2015-110** Awarding a Contract for Road Improvement Program – Lucas Construction Group, Inc.
- Consent Agenda**
- 2015-111** Authorizing Emergency Temporary Appropriations Prior to Adoption of The 2015 Budget
- 2015-112** Authorizing Issuance of Bingo License #BL-2015-01 to Hightstown Engine Co. No. 1
- 2015-113** Authorizing Issuance of Raffle License #RL-2015-01 to Hightstown Engine Co. No. 1
- 2015-114** Authorizing the Issuance of an Auction License – Empire Antiques
- 2015-115** Authorizing Application for a Recycling Tonnage Grant
- 2015-116** Establishing Summer Hours for Borough Hall Employees
- 2015-117** Authorizing Renewed Shared Services Agreement with East Windsor Township for Senior Services
- 2015-118** Making and Confirming Appointments to the Hightstown Borough Environmental Commission
- 2015-119** Authorizing and Supporting an Application for a Local Arts Program Grant
- 2015-096** Supporting Assembly Bill A-1109 Which seeks to Implement Stricter Rules and Regulations for Organizations that House and Care for Individual's with Developmental Disabilities
- Public Comment II** Any person wishing to address the Mayor and Council at this time will be allowed a maximum of three minutes for his or her comments.
- Mayor/Council/Administrative Reports**
- Executive Session:** **Resolution 2015-120**
- Contract Negotiations – Shared Services (Various – Police/Dispatch/Court)
(No action will be taken following executive session)

Adjournment

**Meeting Minutes
Hightstown Borough Council
Budget Meeting
March 25, 2015
6:30pm**

The meeting was called to order by Mayor Quattrone at 6:30pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Kurs</i>		✓
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Montferrat</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; and George Lang, CFO

Councilmember Misiura moved the agenda for approval, Councilmember Quattrone seconded.

Roll Call Vote: Council members Bluth, Hansen, Misiura, Montferrat and Stults voted yes.

Agenda approved 5-0.

Mayor Quattrone opened the public comment period and there being no comments, the public comment period was closed.

Council then reviewed the budget figures as presented by the Administrator and CFO. George Lang reviewed the set up of the budget book he distributed and explained the Annual Debt Statement; Borough debt; the differences between bonds, notes and loans; and funded and unfunded debt. There was Council inquiry and discussion regarding the bond schedules, bond sale and the cancellation of unfunded debt.

Mr. Lang noted that the Borough has had no considerable impact on the tax rate since 2010 and the cost of bonding for the new proposed road project was discussed. Mr. Lang noted that it will have minimal impact on the budget and recommended that there be no reduction in the scope of work to be done, noting that whatever infrastructure work put off now will cost considerably more to complete in the future.

There was discussion regarding the water/sewer projects that are needed and their impact on future budgets; estimated FEMA revenues; capital purchases (fire truck and ambulance) and the required down payment; and the ability to cancel debt on finished projects. Mr. Lang noted that the overall debt has decreased from 2013 and 2014.

Discussion was held regarding the proposed road project bond.

Councilmember Misiura moved to authorize Bond Counsel to move forward with the preparation of the bond needed for this project, with no deductions; Council President Hansen seconded.

Roll Call Vote: Council members Bluth, Hansen, Misiura, Montferrat and Stults voted yes.

Motion approved 5-0.

Mr. Lang will contact Bond Counsel to have the bond ordinance prepared for introduction at the April 6, 2015 meeting.
March 25, 2015 Budget

There was discussion regarding surplus balance; assessed property values and the impact on the budget; and the estimated overall increase of \$23.36 per household.

Councilmember Misiura departed the meeting at this time.

Mr. Lang explained the history of the tax levy and tax rates; and the percentage of collections and State Aid.

Councilmember Misiura returned to the meeting at this time.

Mr. Lang continued with an explanation of the Tax Levy Cap and the Cap Bank Ordinance, noting that Hightstown is well within the tax levy and expenditure cap. There was discussion.

The Council then reviewed salaries and budget allocations; the estimate for the Grant Writer and the scope of work; the budget for Professional Services; the Legal and Litigation Budget; health benefit costs; Dispatcher salaries and overtime; an additional employee for Public Works and the Waster Plant (to be shared between departments); Harvest Fair costs and revenue; establishing budgets for the various Boards and Committees; additional funds for housing inspections; contracting with a notification service (Code Red); flood insurance costs; and Police salary projections.

Mr. Lang advised that 1 cent is equal to approximately \$39,000.

Mr. Lang and Mr. Underhill noted that if Council has any further questions, they can be contacted.

Councilmember Bluth moved to adjourn at 9:10pm, Councilmember Stults seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi
Borough Clerk

**Meeting Minutes
Hightstown Borough Council
Budget Meeting
March 30, 2015
6:30pm**

The meeting was called to order by Mayor Quattrone at 6:30pm and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Hansen</i>	✓	
<i>Councilmember Kurs</i>		✓
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Montferrat</i>	✓	
<i>Councilmember Stults</i>	✓	
<i>Mayor Quattrone</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; and George Lang, CFO

Councilmember Stults moved the agenda for approval, Councilmember Bluth seconded.

Roll Call Vote: Council members Bluth, Hansen, Misiura, Montferrat and Stults voted yes.

Agenda approved 5-0.

Mayor Quattrone opened the public comment period and there being no comments, the public comment period was closed.

Budget discussion began with the need to establish budgets for the various Boards and Committees. Councilmember Montferrat reviewed the goals and accomplishments of the Historic Preservation Commission and there was discussion regarding the Cultural Arts Commission, Environmental Commission, and the Parks and Recreation Commission; it was noted that the Friends of the Monument and Garden Club do the plantings at the monument on Stockton Street and funds are needed for this program, and it was confirmed that these funds would be made available in the Public Works budget. Council decided on the following budgets for the various Board sand Committees:

Cultural Arts Commission	\$500.00	Environmental Commission: increase from \$700.00 to \$1,000.00
Monument Plantings	\$2,000.00	Historic Preservation Commission: increase from \$1,000.00 to \$1,900.00
Memorial Day Parade	\$1,000.00	

It was noted that \$6,000.00 has been budgeted for the Harvest Fair and there was discussion as to whether the Borough would hold it this year. Mayor Quattrone noted that he is in discussion with a resident who is interested in chairing the event. The consensus of Council was to hold the Harvest Fair, but not at the tax payers expense; it should be self-funded.

There was discussion regarding the water/sewer rate increase to replenish the fund balance shortfall; reduction in septic intake by 25% at the recommendations of the Engineers due to the impact on the plant; and the need to replace the media for the filters instead of replacing the filters themselves at an estimated cost of \$800,000.00. It was noted that the reduction in septic intake would extend the life of the equipment and reduce chemical costs at the plant.

There was discussion regarding the affect rain water has on the sewer plant; estimated revenues and expenditures; bond interest and principle payments; employee and Public Works allocations for salaries; the need for a Supervisory back-up license; possible downgrade of the classification of the plant for cost savings; automation capabilities; the capacity of the plant; the need for infrastructure pipe replacements; and gasoline/fuel costs.

Mr. Lang then explained the requirement for a 5% down payment on all bonded projects; self-liquidation; and that the bond principal and NJEIT payments are on a set schedule.

Council inquired as to the overall impact of this budget on the tax payers. Mr. Lang replied that it was about one cent due to a smaller rateable base. He recommended a one cent increase and that the budget be left as presented, using \$600,000.00 of surplus. There was discussion regarding the savings possible from the new police salaries and scheduled retirements.

Council approved the CFO to move forward with preparing the budget for introduction at the April 20, 2015 meeting, with the one cent increase. Mr. Lang noted that the amount to be raised by taxation is the same and does not increase in the municipal budget. There was discussion regarding the preparation of a press release regarding the budget, to be distributed after introduction.

Mr. Lang will distribute the revised budget, with the changes made to the Board and Committee budgets, prior to introduction.

Mr. Lang and Mr. Underhill noted that if Council has any further questions, they can be contacted.

Councilmember Montferrat moved to adjourn at 8:00pm, Councilmember Bluth seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi
Borough Clerk

Ordinance 2015-08

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, ENTITLED
“TRAFFIC,” SUB-SECTION 7-37-1, ENTITLED “REGULATION FOR THE MOVEMENT AND
THE PARKING OF TRAFFIC ON MUNICIPAL PROPERTY AND BOARD OF EDUCATION
PROIPERTY” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN, NEW JERSEY.”**

WHEREAS, the Police Department has determined that amendments are needed to Chapter 7, Sub-Section 7-37-1 of the Revised General Ordinances of the Borough of Hightstown.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

Section 1. That Chapter 7, entitled “Traffic,” Sub-Section 7-37-1, entitled “Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property” of the Revised General Ordinances of the Borough of Hightstown, is hereby amended to read (deletions are shown as ~~cross~~-outs and additions are shown with underline):

Subsection 7-37-1 Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property.

a. **Definitions.**

“Site Plan” shall be defined as the site plan dated March 4, 2002, which is on file in the office of the Borough Clerk and which depicts the Borough of Hightstown’s Main Street and Stockton Street parking lots.

“Main Street lot” is the municipal parking lot located at Block 28, Lot 56 in the Borough of Hightstown.

“Stockton Street lot” is the municipal parking lot located at Block 33, Lots 1, 11, 12, 33 and 35 in the Borough of Hightstown.

“Lot ‘A’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Lot ‘B’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Lot ‘C’” is that portion of the Stockton Street parking lot delineated as such by the New

Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Lot ‘D’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Lot ‘E’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Road ‘A’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Road ‘B’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

“Road ‘C’” is that portion of the Stockton Street parking lot delineated as such by the New Jersey Department of Transportation on the site plan prepared by Carmela Santaniello, Borough Engineer as of July 28, 2004 and marked up by the NJDOT (Mark A. Hiestand) on July 15, 2005, which plan is on file in the office of the Borough Clerk.

b. General Parking.

All vehicles must park in designated areas and between the lines provided upon any of the properties or parts of properties described below.

Property
1. Main Street lot
2. Stockton Street lot

c. Time Limit Parking.

No person shall park a vehicle for longer than the time limit upon any of the parking lots or parts of parking lots described below between the hours of 7 a.m. and 7 p.m. Mondays thru Saturdays, except holidays:

Name of Street	Sides	Hours	Location
Main Street lot	All	4	As indicated on the site plan
Stockton Street lot:			

Lot "A"	North and South	4	As indicated on the site plan
Lot "C"	East and West	4	As indicated on the site plan
Lot "D"	North and South	4	As indicated on the site plan

d. **Permit Parking.**

No person shall park a vehicle at the below-described locations unless said vehicle shall have a valid permit displayed. Said permit shall have been issued in accordance with the provisions of Section 7-37.1(h) herein.

Name of Street	Sides	Hours	Location
Stockton Street lot – Lot "E"	South	All	As indicated on the site plan
Stockton Street lot – Lot "B"	South	All	As indicated on the site plan

e. **Handicapped Parking.**

In accordance with the provisions of N.J.S.A. 39:4-197, handicapped parking spaces are designated on municipal and board of education property as described below. Such spaces are for use by persons who have been issued special identification cards, plates or placards issued by the Division of Motor Vehicles, or a temporary placard issued by the Chief of Police. No other person shall be permitted to park in these spaces. All stalls shall be 12 feet wide and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate).

Property	Location
Main Street lot	As indicated on the site plan.
Stockton Street lot	As indicated on the site plan.

f. **Parking of Certain Trucks, Trailers and Vehicles Prohibited.**

No person shall park any vehicle over three (3) tons gross weight (GVW), a school bus, or any other type of bus, recreational vehicle, camper, boat or trailer between the hours specified upon any of the properties or parts of properties described below:

Property	Hours	Location
Main Street lot	All	Entire lot
Stockton Street lot	All	Entire lot

g. **Tow-Away Zones.**

Any vehicle parked or standing upon any of the properties or parts of properties described below so as to obstruct or impede a normal flow of traffic or block entrances or exit ways, loading zones, oil fills, any grassy area or pedestrian walkway, or to present in any way a safety or traffic hazard, may be removed by towing the vehicle at the owner's or operator's expense.

Property
1. Main Street lot
2. Stockton Street lot

h. Stop Intersections.

The following described intersections are hereby designated as Stop Intersections. Stop signs shall be installed as provided herein:

<u>Intersection:</u>	<u>Stop sign on:</u>
Road "A" and Rogers Avenue	Road "A"
Road "C" and Rogers Avenue	Road "C"
Road "B" and Stockton Street	Road "B"

i. Speed Limits.

The speed limit for both directions of traffic on all roadways in the parking lots shall be 15 m.p.h. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limit authorized by the Department of Transportation.

k. Loading Zones.

The locations described below are hereby designated as Loading Zones. No person shall park a vehicle in said location during the time indicated other than for the loading or unloading of goods and materials.

Name of Street	Sides	Hours	Location
Stockton Street lot:			
Lot "A"	North	All	As indicated on the site plan
Lot "B"	East	All	As indicated on the site plan

l. Mid Block Crosswalks.

The following locations shall be established as Mid-Block Crosswalks:

Name of street	Location
Road "A"	As indicated on the site plan
Road "B"	As indicated on the site plan

All signing shall conform to the current edition of the Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

m. Permits; Qualification; Issuance.

A person seeking issuance of a parking permit for the Stockton Street lot shall file an application with the office of Borough Clerk on forms provided by ~~her~~ the Borough Clerk.

1. *Qualification.* Permits shall be issued only to:

- a. Residents of Block 33 and residents of those lots situated in Block 23 which border Main Street.
- b. Owners of businesses located in Block 33 and in those lots situated in Block 23 which border Main Street.
- c. Employees of businesses located in Block 33 and in those lots situated in Block 23 which border Main Street.
- d. Owners of businesses located in Block 21.01 which have no onsite parking.
- e. Employees of businesses located in Block 21.01 which have no onsite parking.
- f. Residents of Block 21.01 which have no onsite parking.
- g. Owners of businesses located in Block 54.
- h. Employees of businesses located in Block 54.

Proof of eligibility shall be provided at the time of application, and shall consist of: for residents, a valid New Jersey driver's license showing address of residence; and for business owners or employees, a notarized statement by the business owner, on forms supplied by the Borough Clerk, attesting to eligibility of applicant. Owners and employees of industrial businesses shall not be eligible to obtain parking permits under this subsection.

Permits issued to owners or employees of businesses located in Block 54 shall be valid only in the permit parking area leased by the Borough, located at 105 South Main Street, and shall not be valid in the Stockton Street municipal parking lot.

2. *Permit Period.* Permits issued shall cover the period from the date of issuance through the following June 30, except that no permits issued shall expire before June 30, 2003.

3. *Contents.* The application shall contain the following information:

- a. The name, address and day and evening telephone numbers of the applicant.
- b. Proof of eligibility as detailed herein.

If, while the application is pending or during the term of any permit granted thereunder, there is any change that would alter the information given in the application, the applicant shall notify the Borough Clerk, in writing, within twenty-four (24) hours after such change.

4. *Fee.* The fee for parking permits in the Stockton Street lot shall be seventy-five (\$75.00) dollars per permit period and shall be paid at the filing of the application. Such fee shall be prorated on a monthly basis if application is made after the first month of the permit period and the monthly rate shall be charged for each month or partial month remaining in the permit period.

5. *Regulation.* The issued permit shall be conspicuously displayed in the vehicle, at the time of use of the appropriate parking lot. If the parking permit is not conspicuously displayed, the vehicle owner shall be found in violation of this ordinance.

n. **Enforcement.**

Parking regulations detailed herein shall be enforced by the Hightstown Police Department and any parking enforcement officers appointed by the Borough in accordance with *N.J.S.A.* 40A:9-154.7.

o. **Penalties.**

Unless another penalty is expressly provided for by New Jersey statute, every person convicted of a violation of this Ordinance or any supplement thereto shall be liable to a penalty of not more than ~~fifty nine~~ one hundred dollars (\$~~59~~100.00) or imprisonment for a term not exceeding fifteen (15) days, or both.

(Ord. No. 2002-03; Ord. No. 2003-20; Ord. No. 2003-24; Ord. No. 2004-24; Ord. No. 2006-04; Ord. No. 2006-12; Ord. No. 2006-26; Ord. No. 2008-03; Ord. No. 2008-20)

Section 3. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduced:

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

Ordinance 2015-09

BOROUGH OF HIGHTSTOWN
 COUNTY OF MERCER
 STATE OF NEW JERSEY

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, *N.J.S. 40A: 4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, *N.J.S.A. 40A: 4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Hightstown in the County of Mercer finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 2.0% increase in the budget for said year, amounting to \$107,540.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$188,196.05, and that the CY 2015 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, be filed with said Director within 5 days after such adoption.

Introduction: April 20, 2015

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Ordinance 2015-04

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

AN ORDINANCE AMENDING THE BOROUGH'S REDEVELOPMENT PLAN RELATING TO SUB-AREA I (BANK STREET) WITHIN THE BOROUGH OF HIGHTSTOWN.

WHEREAS, on September 7, 2004, the Hightstown Borough Council adopted Ordinance No. 2004-20, which approved and adopted a Redevelopment Plan (also referenced as the "Plan") for the Borough of Hightstown, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*; and

WHEREAS, the Plan divided the Redevelopment Area of the Borough into three (3) distinct Sub-Areas; and

WHEREAS, the Sub-Areas include the following: Sub-Area I (Bank Street); Sub-Area II (South Academy Street); and Sub-Area III (Route 33); and

WHEREAS, though the Plan identified these three (3) Sub-Areas as Redevelopment Areas within the Borough, the Plan only created land use and design criteria relating to Sub-Area I (Bank Street), with the understanding that the Borough Council would adopt additional measures in the future to establish such criteria relative to Sub-Areas II and III; and

WHEREAS, on October 2, 2006, the Borough Council adopted Ordinance No. 2006-19, which amended the Plan in certain respects relating to Sub-Area I (Bank Street); and

WHEREAS, on October 6, 2008, the Borough Council adopted Ordinance No. 2008-16, which further amended the Plan in certain respects relating to Sub-Area I (Bank Street); and

WHEREAS, subsequent to the adoption of the aforesaid Ordinances, the Borough has continued to diligently review the criteria relating to Sub-Area I (Bank Street), in an effort to ensure that the proposed redevelopment of this area is most beneficial to the Borough as well as feasible for proposed redevelopers; and

WHEREAS, the Borough has determined that it is necessary and appropriate to further amend the Plan in certain limited respects; and

WHEREAS, the proposed revisions have been reviewed and approved by the Borough's Planning Board; and

WHEREAS, a copy of the proposed revised Plan, dated January 12, 2015, is attached hereto and made a part hereof.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, 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 Council hereby approves and adopts the attached amended Redevelopment Plan, dated January 12, 2015, as the official Redevelopment Plan of the Borough.
2. That the attached Redevelopment Plan shall supersede any and all prior Redevelopment Plans within the Borough of Hightstown relating to Sub-Area I (Bank Street), Sub-Area II (Academy Street) and Sub-Area III (Route 33), as well as the land use development regulations governing the properties located in Sub-Area I (Bank Street). The Borough Council shall take further action in the future in order to create new land use development regulations governing the properties located in Sub-Areas II and III. Until such time, the existing land use development regulations that govern the properties located within Sub-Areas II and III shall control development of those Sub-Areas. To the extent that any inconsistencies exist between the Official Zoning Map and the attached Redevelopment Plan, then the Official Zoning Map shall be amended accordingly.
3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
5. That this Ordinance shall take effect following final passage and publication in accordance with the law.

Introduced: March 16, 2015

Adopted:

ATTEST:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

I. INTRODUCTION

The purpose of the Main Street Redevelopment Plan (the “Redevelopment Plan”) is to provide a framework for the improvement and continued revitalization of the area as designated by the Borough of Hightstown’s Planning Board, Mayor, and Council. The recommendations contained within this document will provide a structure for both physical improvements to the lands and structures within the Main Street Redevelopment Area as well as policies to guide said improvements. The Main Street Redevelopment Area is sometimes referred to herein as the “Redevelopment Area”.

The statutory requirements as per N.J.S.A 40A:12A-7 state that “The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” P.L. 1985, c. 398 (C.52:18A-196 et al).

As described in the Determination of Need Report, dated October 14, 2003, as approved by the Borough of Hightstown Planning Board, and Mayor and Council, within the nearly built-out Borough, the Main Street Redevelopment Area is defined as the southern side of Bank Street from North Main Street to North Academy Street; the western side of South Academy Street from Rogers Avenue to Railroad Avenue; all parcels fronting on the eastern side of Mercer Street from West Ward Avenue to South Main Street and including the right-of-way; the block bound by Main Street, Stockton Street, Railroad Avenue and Rogers Avenue and the right-of-way of Railroad Avenue; and, the area on the eastern side of Main Street from the Borough parking lot to and including the walking bridge over the Peddie Lake dam. The Redevelopment Area is delineated on the attached Main Street Redevelopment Area Map and includes 81 individual parcels with 32 different owners.

The parcels contained within the Main Street Redevelopment Area include Block 54, Lots 6 - 10, 13, 14.01, 16.01 & 23; Block 40, Lots 14 - 28; Block 33, Lots 1 - 30 & 32 - 36; Block 30, Lots 1

- 13; Block 28, Lots 56 & 57; and, Block 21, Lots 1 - 14 & 26. The landowners are identified in Appendix 2, Property Owners List, attached.

To address the diverse existing uses, and the large number of parcels and land owners within the Main Street Redevelopment Area, the Redevelopment Plan proposes to divide the Redevelopment Area into three (3) Sub-Areas. This will allow for a more manageable implementation phase, and permit the Borough to coordinate and manage each of the three (3) use-specific projects, residential, mixed-use, and downtown-commercial, individually. Each Sub-Area may be approved and developed independently.

The three (3) Sub-Areas, including a geographical description, are as follows:

Sub-Area I (Bank Street): Proposed mixed-use redevelopment project that includes the southern side of Bank Street from North Main Street to North Academy Street, the eastern side of North Academy Street, and the western side of North Main Street from the Firehouse to Bank Street. The Sub-Area includes Block 30, Lots 1 - 13; and, Block 21, Lots 1 - 14 & 26.

Sub-Area II (South Academy Street): Proposed residential infill redevelopment project that includes portions of the western side of South Academy Street from Rogers Avenue to Railroad Avenue. The Sub-Area includes Block 40, Lots 14 - 28.

Sub-Area III (Rt. 33): Proposed downtown commercial parking and streetscaping redevelopment project that includes all parcels fronting on the eastern side of Mercer Street from West Ward Avenue to South Main Street and including the right-of-way; the block bounded by Main Street, Stockton Street, Railroad Avenue and Rogers Avenue and the right-of-way of Railroad Avenue; and, the area on the eastern side of Main Street from the Borough parking lot to and including the walking bridge over the Peddie Lake dam. The Sub-Area includes Block 54, Lots 6 - 10, 13, 14.01, 16.01 & 23; Block 33, Lots 1 - 30 & 32 - 36; and, Block 28, Lots 56 & 57.

IIa. GOALS AND OBJECTIVES

The overarching goals for the Main Street Redevelopment Area are to:

- Eliminate blighted conditions which are negatively impacting the quality of life for residents;
- Develop new opportunities to increase ratables;
- Create new opportunities for community recreation and cultural activities;

- Enhance the view from Route 33/County Road 539 into the newly revitalized central business district of the Borough of Hightstown; and,
- Build upon the core node of mixed-use development to better utilize the frontage and access to the Route 33 transportation corridor.

Specific objectives for the Main Street Redevelopment Sub-Areas include:

Sub-Area I (Bank Street):

- Eliminate blighted, underutilized and vacant buildings and [through adaptive re-use and/or new construction](#) create a new mixed-use development within the town center;
- Create an opportunity for new commercial, governmental, greenway, and residential facilities; and,
- Provide a new greenway along Rocky Brook to link existing facilities within the Borough.

Sub-Area II (South Academy Street):

- Create new opportunities for home ownership in the Borough; and,
- Eliminate blighted and vacant units to stabilize the neighborhood.

Sub-Area III (Rt. 33):

- Facilitate the economic revitalization of the downtown district;
- Create new off-street parking opportunities; and,
- Provide new streetscaping to improve economic conditions within the area.

The Redevelopment Plan will facilitate the Borough's efforts to achieve these goals and objectives, and will improve the quality of life for residents and the economic development climate for the entire Borough.

IIb. PHYSICAL DESCRIPTION OF THE MAIN STREET REDEVELOPMENT AREA

The Main Street Redevelopment Area contains approximately 12 acres of land area. These 12 acres include a small portion of wetlands, the Rocky Brook (waters of the State), and a significant "Brownfield" site, which site may be constrained due to state and federal regulations, and is currently undergoing remediation by the responsible party. It is not anticipated that these two (2) factors will significantly impact implementation of the Main Street Redevelopment Plan.

The Redevelopment Area is delineated on the attached Main Street Redevelopment Area Map and includes 81 individual parcels with 32 different owners. Also see the Main Street Redevelopment Area Map, for a geographic plotting of these blocks and lots.

The Main Street Redevelopment Area contains a mix of uses, as listed below.

Sub-Area I (Bank Street): Municipal facilities (municipal building, firehouse, and Historic Society building) and partially-vacant industrial and warehouse buildings.

Sub-Area II (South Academy Street Area): Vacant residential structures and undeveloped lots.

Sub-Area III (Rt. 33): Commercial/retail structures and vacant lots.

With the exception of the parcels on Bank Street and South Academy Streets, the parcels front on Main Street (N.J.S.H. 33). All lots are within the Borough's state-designated Town Center area. See also Appendix 1, Existing Zoning and Base Map, attached hereto.

IIIa. RELATIONSHIP OF THE MAIN STREET REDEVELOPMENT PLAN TO DEFINITE LOCAL OBJECTIVES:

The Main Street Redevelopment Plan is consistent with the Borough's 1998 Master Plan. For example, a goal of the Master Plan is to "Revitalize the central downtown business district and improve the economic viability of the Borough." An additional goal of the Circulation Element of the Plan is that "... pedestrian movement must be a priority. Linkages must be reestablished between the various areas of town." In addition, the trend toward decline of the downtown business district was recognized as an issue within the Master Plan. This Redevelopment Plan is a critical step in reversing that trend.

IIIb. PROPOSED LAND USES AND BUILDING REQUIREMENTS:

1. EXISTING ZONING

The Main Street Redevelopment Area includes portions of four (4) zoning districts. They are: the PED (Planned Economic Development), R-4 (Residential Single-Family), CC-1 (Central Commercial 1), and the CC-2 (Central Commercial 2) districts. The PED district contains the partially-vacant former Phillips Lighting industrial and warehouse buildings. The R-4 district also includes the South Academy Sub-Area, which contains vacant residential structures and lots. Properties within both the CC-1 and CC-2 districts (Sub-Area II - Rt. 33) are generally-conforming and fully-utilized; however, the rear portion of these lots are used for parking and have a confusing array of ownership and odd configurations. As a result, access is constrained and impedes future economic development within the downtown portion of the Borough.

See Appendix 1, Existing Zoning and Base Map for details.

2. PROPOSED ZONING

Sub-Area I (Bank Street): Additional redevelopment design and land use standards have been promulgated to address a number of development issues, including density, parking and other design issues. ~~In addition, the Redevelopment Plan includes a provision for the construction of affordable housing on site. See Section IIIb.3, herein for additional details.~~

The Bank Street Sub-Area Redevelopment District (pages 17-28), includes appropriate design standards for building height, façades, sidewalk, parking access and layout and other related improvements. This will facilitate a redevelopment project in which the buildings do not overwhelm the adjacent neighborhoods, and are constructed to standards which are in harmony with the existing environs. The new standards supersede the existing PED zoning regulation that would otherwise apply to Sub-Area I, except where specified otherwise herein, and will provide a framework to ensure any new development will be pedestrian-friendly and provide an attractive viewscape for motorists traveling in the area.

Sub-Area II (South Academy Street): The Sub-Area II district includes the northern side of South Academy Street from Railroad Avenue to Rogers Avenue. This portion of the Redevelopment Area will receive additional policies, proposed zoning, design and development standards in an anticipated amendment to this Redevelopment Plan.

Sub-Area III (Rt. 33): The third portion of the Redevelopment Plan may not require any revisions to the existing zoning, since only parking, streetscape, and other aesthetic enhancements are proposed for the tracts within this Sub-Area. If required, Sub-Area III may receive additional policies, proposed zoning, design and development standards in a subsequent amendment to this Redevelopment Plan.

3. PROPOSED IMPROVEMENTS AND DESIGN STANDARDS

There are a number of requirements for each Sub-Area of the Main Street Redevelopment Area. The requirements are outlined in the following classifications. Each of the Sub-Areas may be treated as independent phases of the overall Redevelopment Plan, and may be undertaken by different Redevelopers and at different times, independent of each other.

Sub-Area I (Bank Street): See attached Bank Street Sub-Area Development Standards (pages 17-28), which provides guidelines and requirements associated with the physical development of the site by the selected Redeveloper.

In addition to compliance with the Development Standards referenced above, the selected Redeveloper of the Bank Street Sub-Area shall be required to comply with the following:

- a. Municipal Facility: ~~A new or reconstructed municipal facility shall be designed, constructed and fitted out by the selected Redeveloper to the Borough's specifications, or a monetary contribution in lieu thereof shall be made by the selected Redeveloper as set forth herein. Compliance with this requirement may be achieved through one (1) of the following means, to be negotiated by the Borough and the selected Redeveloper and detailed in the Redeveloper Agreement: (1) through adaptive reuse and reconstruction of the existing municipal building facilities, located at Block 30, Lots 10, 11, and 12 on the Borough's Tax Map, or (2) through adaptive reuse of the existing historic structures located at Block 30, Lot 2, with the outfitted space and land to be~~

~~conveyed to the Borough by deed, or (3) through construction of a new facility on property to be conveyed to the Borough by deed from the selected Redeveloper, or (4) through a monetary contribution in an amount to be negotiated by the Borough and the selected Redeveloper and detailed in the Redeveloper Agreement, which contribution may be used by the Borough, in the Borough's sole discretion, to assist with costs that are necessary for the Borough to renovate its existing municipal facility or to construct a new municipal facility or for any other purpose determined to be appropriate by the Borough. The specific option chosen, as well as all of the details associated with said transaction, shall be specified in more detail by the parties in the Redeveloper Agreement.~~

~~If the parties select one of the options specified as options (1) through (3) above, then a new or reconstructed municipal facility shall be designed, constructed and prepared by the selected Redeveloper to the Borough's specifications at the Redeveloper's cost so that the new or reconstructed facility is fully functional as a place of business. Borough Hall currently contains a vault for records storage and this vault must be maintained or replaced. Whether the facility is new or reconstructed it shall include exterior upgrades to the entire complex, including the police and garage areas. During the time that the Borough Hall is being newly built or reconstructed, temporary offices must be provided as needed for Borough employees. These temporary offices must be prepared and outfitted so that the temporary quarters are fully functional as a place of business.~~

~~Additionally, if the parties select one of the options specified as options (1) through (3) above, then the value of the option chosen shall be of equal or of greater value than the Borough of Hightstown owned municipal building property (as referenced above), as determined through the preparation of appraisals by a licensed appraiser to be selected by the Borough. A cash contribution shall be made by the selected Redeveloper to the Borough to offset any deficiency in value between the properties exchanged if it is determined that the Borough owned property is more valuable than the property and improvements being offered by the Redeveloper. No cash contribution shall be made by the Borough to the Redeveloper, however, if the deficiency is in favor of the Borough. The exact details of this transaction, including but not limited to the timing of the conveyance, the relocation of Borough employees, the preparation of appraisals, etc., shall be specified in the Redeveloper Agreement.~~

~~Finally, if the parties select one of the options specified as option (1) through (3) above, then the new or reconstructed/rehabilitated municipal facility shall comprise approximately 15,000 square feet.~~

~~In all cases, the Borough may require that at least forty (40) parking spaces shall be made available for Borough employees by the selected Redeveloper. In addition, the Borough may also require that at least twenty four (24) parking spaces shall be made available for the Volunteer Fire Department by the selected Redeveloper. Between sixty (60) and eighty (80) spaces are to be in a shared parking analysis~~

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~~and must be made available for Municipal Court parking needs. This shared parking need for the Municipal Court occurs during both day and evening hours have been vacant since 2011 when extensive flooding damaged the building during Hurricane Irene. The municipal functions have been re-located to a nearby Borough owned facility and the police station is operating out of leased office space at the southern end of the Borough. The selected redeveloper shall take into consideration these properties and either, a) acquire and incorporate them into their over-all redevelopment project, b) redevelop the properties in partnership with the Borough for municipal or other uses or c) coordinate with the Borough the redevelopment of those properties which will be undertaken separately by the Borough. In either of the three scenarios, these properties shall be included in the redevelopers site planning.~~ -The terms of all of the above shall be detailed in Redeveloper Agreement.

- b. Recreational Facilities: The selected Redeveloper ~~shall~~ may shall be required to make a contribution for recreational facilities in an amount to be negotiated by the Borough and the selected Redeveloper and detailed in the Redeveloper Agreement. Said contribution shall be deposited in a Recreation Trust Fund established for the Borough of Hightstown, the purpose of which is to provide for the purchase, lease, acquisition, maintenance and/or improvement of recreational facilities serving the Borough, with specific emphasis on the additional needs arising as a result of the residential and non-residential construction contemplated under this Redevelopment Plan. Said contribution shall be paid in accordance with requirements to be set forth in the Redeveloper Agreement.
- c. Affordable Housing: ~~The selected Redeveloper shall be required to provide sufficient low and/or moderate income dwelling units in order for the Borough to satisfactorily address and meet the regulations of the Council on Affordable Housing (COAH) as a result of the Redevelopment project. An exact calculation of the affordable housing obligation will be determined using the most current COAH rules once the Redeveloper's final land development plans have been approved by the Planning Board. However, in no event shall the obligations exceed fourteen (14) units. The Redeveloper shall satisfy the Borough's COAH obligation as a result of the Redevelopment project by on site construction of the required affordable housing units meeting COAH's requirements. See Appendix 6. At the current time it is anticipated that no affordable housing units will be required.~~
- d. ~~Small Cities Block Grant: The selected Redeveloper shall provide a contribution to the Borough in the amount of Thirty five Thousand Dollars (\$35,000.00), which shall be used by the Borough to represent the ten percent (10%) matching funds that is required for the Borough to obtain a \$350,000 Small~~

~~Cities Block Grant previously awarded by the State of New Jersey Department of Community Affairs in relation to the redevelopment of the Bank Street Sub-Area. Said contribution shall be paid in accordance with requirements to be set forth in the Redeveloper Agreement.~~

- ~~ed.~~ Restaurant: The inclusion of a full-service, sit-down restaurant is highly encouraged as part of the redevelopment project.
- ~~e.~~ Artist Live/Work Studio Lofts: The inclusion of artist live/work studio lofts in all or a portion of the existing mill structures is highly encouraged as part of the redevelopment project.
- ~~ff.~~ Bridge construction/rehabilitation: The original bridge structure traversing Rocky Brook connecting the existing industrial buildings at the site shall be exposed, rehabilitated, and made ADA compliant, if required by law, and an additional pedestrian bridge shall be constructed across Rocky Brook to facilitate pedestrian access to and from all areas of the redevelopment area. The construction of said pedestrian bridge is conditioned upon the receipt of all necessary permits and approvals from State agencies having jurisdiction over such a stream crossing.
- ~~gg.~~ Payment in Lieu of Taxes (PILOT): The selected Redeveloper may apply to the Borough for a PILOT associated with the redevelopment project, in accordance with applicable law. Specific requirements associated with any such PILOT shall be set forth in the Redeveloper Agreement, and further action of the Governing Body will be required to effectuate any such PILOT.
- ~~hh.~~ Development Standards: As indicated above, the attached Bank Street Sub-Area Development Standards provide the overall guidelines and requirements associated with the physical development of the site by the selected Redeveloper.

Sub-Area II (South Academy Street):

Land Use: This portion of South Academy Street currently contains residential uses and is adjacent to the Hightstown Housing Authority property. Improved streetscape, improvements to nearby neighborhood recreational facilities, and other aesthetic enhancements are planned improvements for this Sub-Area. Subsequent amendments to the Redevelopment Plan may identify structures and lots within the designated area to be acquired and demolished and the lots could then be combined to facilitate the redevelopment of the area. As stated below in the relocation section, no residential relocations are part of this Redevelopment Plan. Alone, or in partnership with the selected Redeveloper, the Borough may also pursue various state and federal grant opportunities to help implement various elements of the Redevelopment Plan for Sub-Area II.

Sub-Area III (Rt. 33):

Land Use: While there are no specific design standards proposed for these downtown areas at this time, the streetscape enhancements envisioned for these loci are similar to those currently in the central downtown district. These include brick paver accents, period lighting, street furniture, stamped, painted crosswalks, etc. In addition, the walking bridge over the Peddie Lake dam may be replaced. A parking area plan for Block 33 has been prepared by Carmella Santanielo, of Van Cleef Engineering, entitled, "Stockton Street Parking Lot, Phase 2 Downtown Revitalization," dated 2/27/04, and is currently under construction.

IIIc. RELOCATION PLAN

As per N.J.S.A. 40A:12A-7a.(3) the Redevelopment Plan is required to provide for any residential and business relocations. No residential relocations are planned by the Borough. Except as may be otherwise provided in the Redeveloper Agreement for a specific Sub-Area, any and all costs associated with any business relocations resulting from agreements between the selected Redeveloper and property owners will be the responsibility of the selected Redeveloper.

IIIId. ACQUISITION OF PROPERTIES

Unless otherwise determined by the Redevelopment Agency, only the following properties, all within Sub-Area I (Bank Street), are proposed for acquisition as part of the Main Street Redevelopment Area:

- Block 30, Lots 1 - 7 and 10 - 12; and, Block 21, Lots 1 - 14 and 26

To encourage the Redevelopment Plan implementation, the stub portion of Mechanic Street into Sub-Area I ~~shall~~ may be vacated by the Borough. In addition, Block 30, Lots 8 and 9 (the Historic Society building), Lot 13, (the municipal firehouse), and Lots 10, 11, and 12 (the municipal buildings) are not proposed for acquisition.

The selected Redeveloper will assume responsibility for any and all property acquisitions within Blocks 30 and 21. The Borough may convey Lots 10, 11, and 12 in Block 30 to the Redeveloper in accordance with the terms of the Redeveloper Agreement.

[The redevelopment of Block 21, Lots 6-14 may occur at a later date and under a separate Redeveloper Agreement if those lots cannot be acquired at this time.](#)

IIIe. CONFORMANCE: THE RELATION OF THE MAIN STREET REDEVELOPMENT PLAN TO INTERGOVERNMENTAL PLANNING:

As per N.J.S.A. 40A:12A-7a.(4) the Redevelopment Plan must be in conformance with the Master Plans of the contiguous municipalities, the county master plan, and the State Development and Redevelopment Plan (SDRP). The Borough of Hightstown is totally encompassed by the Township of East Windsor, also located in Mercer County; however, none of the Redevelopment Plan's Sub-Areas border the Township of East Windsor (and its zoning

districts) and, therefore, no impacts are anticipated and conformance with the SDRP is not an issue.

The Main Street Redevelopment Plan, including all three (3) Sub-Areas, is consistent with the 1986 Mercer County Growth Management Plan and the 2001 SDRP, which both have similar goals and objectives. The Redevelopment Plan will further the following specific goals of the SDRP:

- (1) Land Use: “Promote redevelopment and development in Cores and neighborhoods of Centers and Nodes that have been identified through cooperative regional planning efforts.” *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 191.*
- (2) Economic Development: “Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace.” *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 191.*
- (3) Natural Resource Conservation: “Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites and Historic and Cultural Sites.” *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 191.*
- (4) Recreation: “Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects.” *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 192.*
- (5) Redevelopment: “Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduce dependency on the automobile.” *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 192.*

According to the SDRP, Hightstown is located within the suburban Planning Area (PA2) and is identified as a Town Center. In 1997, as part of the SDRP process, the Borough of Hightstown became an officially designated Town Center. This Redevelopment Plan will specifically promote the Borough’s State-certified Center Designation Plan and Implementation Agenda. According to page 15 of the Hightstown Town Center petition, “*Enhancing the appearance of the downtown will attract people and business. Similar coordination will be required to improve accessibility to an interconnected system of parking.*”

The Redevelopment Plan is also consistent with a number of activities outlined in the Center Designation petition to promote economic growth in Hightstown including:

- Revitalizing the Main Street business district and transportation corridor;
- Creating a more inviting user-friendly downtown;
- Improving parking facilities and access to parking; and,
- Expanding access to existing and future commercial establishments

Finally, the Main Street Redevelopment Plan is consistent with the goals of the Delaware Valley Regional Planning Commission's (DVRPC) Horizons 2025 Plan as follows:

- The Main Street Redevelopment Plan will assist in stabilizing an older borough by improving its current infrastructure to support and enhance the social, economic and physical character of the community.
- It encourages center-based planning since the Borough of Hightstown is a New Jersey-designated Town Center.

IV. IMPLEMENTATION

Implementation of the Redevelopment Plan for each Sub-Area will be detailed in the Redeveloper Agreement as negotiated by the Redevelopment Agency and the selected Redeveloper(s). An additional section, Funding Resources, is also appended to the Redevelopment Plan as a roadmap to potential sources of funding to ensure full implementation of any development scheme for each of the three Sub-Areas. No redevelopment activities may commence in any of the designated redevelopment areas governed by this Redevelopment Plan until a Redeveloper Agreement has been executed by the Borough and the selected Redeveloper(s) for the applicable area of the Borough.

V. CONCLUSION

The Main Street Redevelopment Plan has the potential to provide the largest fiscal and aesthetic impact that the Borough has experienced in many years. Significant volunteer, public and private sector, and professional commitments and expenditures of time and fiscal resources have been expended to facilitate the redevelopment of this area.

Additionally, the Redevelopment Plan creates the potential for a phased approach to redeveloping the area. It provides for pedestrian-friendly development, protects the natural resources of Rocky Brook and Peddie Lake, creates a green corridor through the center of town, enhances the frontage on County Route 539, stabilizes and revitalizes a neighborhood, and includes design standards for Sub-Area I to ensure that all structures within the Sub-Area fit the landscape.

The final outcome of the Main Street Redevelopment Plan will be the revitalization of critical areas of the community, while creating a new mixed-use development, which will bring significant new ratables into the community. Additional housing, economic, and recreational and cultural opportunities will also be created. Finally, the Main Street Redevelopment Plan will

help redefine the Borough of Hightstown and enhance its position as a State-Designated Town Center.

MAP I
MAP II
MAP III

Main Street Redevelopment Plan

Borough of Hightstown, Mercer County

PROPERTY OWNERS LIST (As of September-December 13, 2007 2014)		
BLOCK/LOT	OWNER OF RECORD & MAILING ADDRESS	
54/6 & 7	Dogias, A. Alexander & Lola, 4754 White Tail Lane, Newport Richey, FL 34653	Formatted: Space Before: 0.4 line, After: 0.4 line
54/8 & 9	JJD Properties, c/o Jeff Zelnick, 128 Christopher St., Montclair, NJ 07042 RPSP Holdings, LLC, 139 Mercer St. Hightstown NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
54/10 & 23	Jeffrey Bond, 210 S. Main St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
54/13 & 16.01	Hurley, Ruth V., 109 Mercer St., Hightstown, NJ 08520 KPM Holdings, LLC, 19 Robbins Rd., Millstone TWP 08535	Formatted: Space Before: 0.4 line, After: 0.4 line
54/14.01	Ordonez, Luis F. & Juan E., 138 S. Main St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/14	Carias, Hector & Barrios, Maydra, 207 Rogers Ave., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/15	Battash, Annie, 205 Rogers Avenue, Hightstown 10 Hidden Spring Lane East Windsor, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/16	Darling, Elizabeth & Shishone Evers, S. 200 Academy St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/17	Amin, Mohammad, 102 Bryn Mawr Avenue, Lansdowne, PA 19050	Formatted: Space Before: 0.4 line, After: 0.4 line
40/18	Ames, Samuel, 210 Academy St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/19	McKinnie, Virginia, 212 Academy St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/20	Ordonez Realty, LLC, 138 S. Main Street, Hightstown, NJ 08520 (20 & 21 consolidated in 2006)	Formatted: Space Before: 0.4 line, After: 0.4 line
40/22 - 24	DM Properties, Inc., 10 Gumani Court, Freehold, NJ 07728 Millstone Basin Area Hab for Humanity, 120 Main St. #207 Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/25	Bowman, Lucy, 238 Academy St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/26	Phillips, Dennis G., 240 Academy St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
40/28	Borough of Hightstown, 148 N. Main Street Regenthal, Frank W & Jamie A., 250 Academy St., Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
33/1, 9, 12, 33 & 35	Borough of Hightstown, 148 N. Main Street, Hightstown, NJ 08520	Formatted: Space Before: 0.4 line, After: 0.4 line
33/2	Wang, Bangning J. & Haichuan S., 2691 Magazine Lane, Tracy Trustees Wang Family, 43314 Clearwood Drive, Fremont CA	Formatted: Space Before: 0.4 line, After: 0.4 line

Main Street Redevelopment Plan

Borough of Hightstown, Mercer County

PROPERTY OWNERS LIST (As of September-December 13, 2007 2014)	
BLOCK/LOT	OWNER OF RECORD & MAILING ADDRESS
	CA 9537794538
33/3	Owner Unknown
33/4, 5 , 8, 10 & 13	Bond, Jeffrey, 210 S. Main St., Hightstown, NJ 08520
33/5	106 Main St., LLC, 106 Main St., Hightstown, NJ 08520
33/6	Blake, Deanna, 35 Prodelin Way, Englishtown Cheng, Yin & Zheng, Ziu Quin, 100 Main Street, Hightstown, NJ 07726 08520
33/7	Unknown Owner
33/11	Unknown Owner
33/14	Eastern Dragon Ocean, Inc., 114 Main St., 2 nd Floor, Hightstown, NJ 08520
33/15 & 16	Eastern Dragon Ocean, Inc., 114 Main St., 2 nd Floor, Hightstown, NJ 08520
33/17, 21, 22, 26, 27 & 31, 32	These lots no longer exist in the Borough
33/18, 29 & 34	TPS Management, c/o Richardson Management, 2115 State Highway 33, Trenton, NJ 08690-1740
33/19	Mannino, Giovanni B. & Maria, 22 Presfile Rd. Robbinsville, NJ 08694 Salnin LLC, 124 Main St., Hightsown, NJ 08520
33/20	Alderman, Gloria, POB 7424, Monroe, NJ 08831
33/23 - 25	C.J. Vanderbeck, LLC, 344 Stockton St., Hightstown, NJ 08520
33/28 & 36	Sackowitz, Harry, 106 Mercer St., Hightstown, NJ 08520
33/30	Bond, Jeffrey & Tolmie, Catherine, 210 S. Main St., Hightstown, NJ 08520
30/1 - 7	Greystone Capital Partners NJ, LLC, 920 Matsonford Road, West Conshohocken, PA 19428
30/10-13	Borough of Hightstown, 148 N. Main Street, Hightstown, NJ 08520
30/8 & 9	Hightstown-East Windsor Historical Society, 164 N. Main Street, Trenton Hightstown , NJ 08520
28/56 & 57	Borough of Hightstown, 148 N. Main Street, Hightstown, NJ 08520

PROPERTY OWNERS LIST (As of September-December 13, 2007 2014)	
BLOCK/LOT	OWNER OF RECORD & MAILING ADDRESS
21/1 - 44 5 & 26	Greystone Capital Partners NJ, LLC, 920 Matsonford Road, West Conshohocken, PA 19428
<u>21/6-14</u>	<u>5C Industries LLC, 101 Bank Street, Hightstown, NJ 08520</u>

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IMPLEMENTATION FUNDING RESOURCES

Based on proposed development information provided at the various public hearings, the following list of grant/loan programs [and other funding sources](#) may be utilized to address some of these elements. The following is not a comprehensive list, but merely represents known opportunities. Additional funding sources will be identified as the project elements proceed and new opportunities surface.

- **NJ DOT Transportation Enhancement Program Fund:** This grant program could provide funds to make significant enhancements, such as period lighting, sidewalk replacement, street furniture and landscaping, to the remaining unimproved areas within the downtown district.
- **NJ DOT Bikeways Program:** This program could provide grants up to about \$150,000 each to build the **infrastructure** within the proposed greenway. Projects that connect to regional trails and local amenities/facilities will fare best.
- **NJ DOT Centers of Place Program:** This program provides grant funding to address transportation-related issues, such as parking, or pedestrian amenities, such as the Peddie lake crosswalk. Only municipalities which are listed as designated within the SDRP, such as Hightstown, are eligible for this grant program. In 2003 awards averaged \$187,000.
- **NJ DEP Historic Preservation Trust and the New Jersey Historic Commission Grant Programs:** These two (2) programs provide grants for restoration of historic structures, including design and capital costs necessary to preserve existing historic resources. Capital Preservation Grants are for construction expenses related to the preservation and restoration of historic properties and associated architectural and engineering expenses and awards range from \$5,000 to \$750,000; however, the applicant, (local government or a non-profit) must own the property or have a valid lease for 15 years, and the property must be listed, or eligible for listing, in the state or federal Register of Historic Places.
- **NJ DEP Environmental Infrastructure Financing Program:** This program could provide a low-interest loan (currently around 1.2%) for construction costs to replace/repair existing sewer and storm water systems to ensure the protection of water quality. This program may provide significant savings due to the lower interest rate of this program and costs of bonding locally. This program could also provide funding to study and remediate localized storm water flooding. While there is no upper limit to funding, most awards are multi-million in magnitude.
- **NJ DEP Livable Communities Program:** This program could provide grant funds for recreation-related improvements and development (excluding land acquisition) such as the greenway. In previous years, Livable Communities were capped at \$100,000.
- **NJ DEP Hazardous Discharge and Site Remediation (HDSRF) Program:** The grant program could provide up to \$2,000,000 in grant funding to the municipality for

environmental site investigation. Funds may be used for Preliminary Assessment (PA), Site Investigation (SI) and Remedial Investigation (RI). Funds may not be used for cleanup activities.

- **NJ DCA Small Cities Programs:**

- **Public Facilities:** These funds may be utilized to construct or improve essential public facilities which will primarily benefit people of low and moderate-income and/or redevelopment areas. In a designated redevelopment area, eligible activities include streets, sidewalks, streetscape improvements, lighting, infrastructure and recreational amenities. Awards are typically in the \$400,000 range.
- **Innovative Development Fund (IDF):** Projects within a redevelopment area, that propose two (2) or more inter-related activities such as land acquisition and parking, and are related to implementation of the redevelopment project, are eligible for this funding source. Additionally, IDF projects must be ineligible for any other Small Cities funding source. Awards generally range up to \$400,000.
- **Employment Development:** Projects that result in the creation of new employment opportunities for low and moderate income are eligible for funding under this category. Proposed projects may include loans to for-profit enterprises, or off-site public improvement grants. Awards generally range up to \$400,000.

~~• **Low Income Housing Tax Credits:** This competitive program can supply between 50% and 75% of development costs for affordable family or senior housing. The money is provided through syndication of tax credits that are bought by companies with a tax obligation and paid out over a ten (10) year period. Currently, LIHTCs are the most productive method of providing affordable housing in the country. A closely related, non-competitive program offers up to 30% of development costs. Both programs are administered by the NJ Housing and Mortgage Finance Agency.~~

- **Federal Historic Preservation Tax Incentives:** This program offers development costs for the rehabilitation and restoration of buildings that are National Historic Landmarks, that are listed in the National Register, and that contribute to National Register Historic Districts and certain local historic districts. Properties must be income-producing and must be rehabilitated according to standards set by the Secretary of the Interior. A 20% rehabilitation tax credit equals 20% of the amount spent in the certified rehabilitation of a certified historic structure. The 10% tax credit equals 10% of the amount spent to rehabilitate a non-historic building built before 1936.
- **Various NJ Economic Development Authority (EDA):** EDA offers a wide-range of loans and tax credits for projects that result in new job creation. As additional information becomes available on the types of uses within the Redevelopment Area, specific NJ EDA programs will be identified and targeted.

- **Municipal Bonding:** Local financing may be provided to the designated Redeveloper for portions of the project at a lower-than-market interest rate. The designated Redeveloper would benefit from the lower interest rate and would be responsible for all municipal fees, principal and interest payments.
- [Borough Insurance Claim: The Borough may be able to apply funds of up to 2 million dollars from the Hurricane Irene insurance claim towards work related to the vacant municipal properties, \(Block 30 Lots 10, 11 and 12\).](#)

Sub-Area I (BANK STREET) DESIGN CRITERIA

The overarching design criteria governing the redevelopment of the former Rug Mill site are as follows:

1. Green space shall be included to the maximum extent possible within the Sub-Area and should be considered an integral design element.
2. Reasonable efforts must be made to allow visibility of the site's retail/commercial facilities and the site's natural and historic features from North Main Street.
3. The surrounding Main Street streetscaping design shall be continued along the west side of the North Main Street frontage, to Bank Street. Elements of the existing streetscape design should be used within the site and along Bank Street, as accents. See Subsection k.1.
4. A greenway shall be established along the Rocky Brook corridor and a footbridge, subject to State approvals, shall be provided to link the Redevelopment Area together.
- 4.5. [The inclusion of an engineered passive water feature that shall also serve as a detention pond in the event of a flood shall be evaluated and if feasible incorporated into the project.](#)
- ~~5. New retail and office buildings shall be strongly encouraged to have fronts on Bank Street and the parking areas. Medical office uses are specifically encouraged.~~
6. Usable pedestrian access ways shall be provided throughout the site, connecting to existing perimeter sidewalks and to the Greenway.
7. Buildings shall be considered in terms of their relationship to the surrounding neighborhood and natural environment as well as in relation to the human scale.
8. Design visual and green space transitions, which include pedestrian connections and landscaping, to buffer the existing Historical Society property. Additionally, volunteer firefighters and fire equipment shall have unimpeded access to the firehouse.
9. Create a new street front along Academy Street that respects the scale and character of the neighborhood on the opposite side of the street.

- ~~10. Require that before 75% of all approved residential units receive Certificates of Occupancy that 100% of all non-residential uses shall be constructed and completed.~~
- ~~10.~~ 10. Roof top spaces shall be encouraged for passive and active recreation uses, such as patios, gardens, swimming pools and sunbathing areas.
11. The Borough of Hightstown recognizes the importance of environmental sustainability and, therefore, the Redeveloper is encouraged to evaluate the potential for LEED accreditation of the Bank Street Sub-Area I Redevelopment District.

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BANK STREET SUB-AREA REDEVELOPMENT DISTRICT – DEVELOPMENT STANDARDS

LAND USE

1. **Land Use:** The Bank Street Sub-Area currently contains partially-vacant facilities, and commercial and governmental uses. The area is bounded by Route 33 (Main Street), Rocky Brook, and residential neighborhoods. Selected structures, if approved by the Borough, may be demolished, and existing environmental hazards remediated as required by the New Jersey Department of Environmental Protection (NJDEP). The lots will then be combined to facilitate the redevelopment of the area. In partnership with the selected Redeveloper, the Borough may pursue various state and federal grant opportunities to help accomplish the redevelopment of this Sub-Area. The collaborative partnership between the Borough and the selected Redeveloper may also seek funding assistance to assist in the development of the greenway along Rocky Brook.
 - a. The following uses are permitted within the Sub-Area I Redevelopment district:
 1. Adaptive reuse of the site's existing structures for residential and commercial/office use
 2. Residential uses including ~~duplexes/townhomes and multi-family dwellings held in a fee simple or condominium form of ownership. Rental apartments are prohibited and duplex town homes . (facing Academy Street only).~~
 3. Artist live/work studio lofts.
 2. ~~3-4.~~ Studios for the visual and performing arts
 - 4-5. Hotel
 - 5-6. Governmental uses and other public facilities
 - 6-7. Passive and active recreational facilities
 - 7-8. Retailing within a completely enclosed building, but excluding drive through retail. A variety of retail shops shall be provided to encourage and maximize consumer choice.

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- ~~8-9.~~ Personal and other business services within a completely enclosed building, excluding drive-thrus.
- ~~9-10.~~ Offices.
- ~~10-11.~~ Public facilities, including public parking facilities
- ~~11-12.~~ Restaurants and other places to eat and drink, but not including drive-thrus ~~or fast food type establishments.~~
- ~~12-13.~~ Banks and financial institutions, excluding drive-thrus.
- ~~13-14.~~ Residential dwelling units as upper floor use of buildings containing above-permitted principal uses.
- ~~14-15.~~ Scientific and research laboratories
- ~~15-16.~~ Pharmaceutical operations (non-manufacturing)
17. Computer centers, Galleries, theatres and performance spaces.
- ~~16-18.~~ For-profit only schools, testing centers and learning centers.

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b. Accessory Uses:

1. Signs
2. Parking decks and garages
3. Roof top recreation spaces and uses.

All other uses, unless specifically permitted, are prohibited.

- c.** Permitted residential dwelling types include: (1) townhomes/duplexes on fee simple lots or under a condominium form of ownership; and (2) multi-family dwellings which shall under a condominium form of ownership. Rental apartments are specifically prohibited. Townhomes/duplexes shall average at least 2,500 square feet of floor space, and multi family dwellings shall be no less than 1,000 square feet of floor space and contain no more than two (2) bedrooms per dwelling ~~unit; however, multi-family COAH dwellings shall be excluded from these requirements. These requirements may be amended by the Planning Board during site plan review.~~

~~d. The number of residential dwellings permitted within the Bank Street Sub Area, including all COAH units, shall be between a minimum of eighty (80) units and a maximum of one hundred thirty (130) units. The total number shall be inclusive of eight (8) townhomes/duplex units and an acceptable number of multi-family condominium type units, which exact number shall be determined between the Borough and the selected Redeveloper through negotiation and which shall be incorporated into the Redeveloper Agreement. The numeric requirements may be amended by the Redevelopment Agency and the final number of approved units shall be based on the traffic and parking studies submitted to and approved by the Planning Board during site plan review.~~

~~e.d.~~ Only townhouse/duplex units shall be permitted to front on North Academy Street.

DESIGN STANDARDS

1. **Setbacks and Buffers:** In consideration of Rocky Brook and the critical need for an attractive viewscape from New Jersey State Highway 33 and County Route 539, the following setbacks and buffers will be required.

- a. **Setbacks:**

1. All buildings shall have minimum set backs consistent with the building setback of the Historical Society (Block 30, Lots 8 and 9) from County Route 539 (North Main Street). All parking and roadways shall be setback a minimum of 15 feet from the interior edge of the existing sidewalk along North Main Street (C.R. 539), to facilitate the creation of the viewscape from Route 33 into the new mixed-use development. Based on review of the parking study, additional buffering, green space, and/or landscaping may be required.
2. It is the intent of the Governing Body to retain as much of the historic structures as practicable. Any demolition of any part of the existing structures is subject to approval of the Planning Board through the site plan review process.
3. Ten (10) foot front and side yard setbacks shall be required for all new structures along Bank Street.
4. Minimum front yard setbacks for townhomes/duplexes shall be fifteen (15) feet. Minimum rear yard setback for townhomes/duplexes shall be thirty (30) feet. Porches may

project not more than five (5) feet into the required front yard setback.

5. Minimum lot depth for townhomes/duplexes shall be one hundred ten (110) feet.
6. Minimum distance between townhome/duplexes shall be fifteen (15) feet, equally divided between lots.
7. The minimum set back for accessory structures shall be five (5) feet.

b. Buffers:

1. All proposed structures, with the exception of improvements to the greenway and parking lots, shall be set back from any environmentally-sensitive areas as designated by the NJDEP and the Rocky Brook. A minimum 10 foot wide buffer, measured from top of bank and extending to 28 feet in width or greater, wherever practicable, shall be provided on both sides of the Rocky Brook as per the Hightstown Environmental Commission's greenway design concept specifications (February 1999). Specifically, the Rocky Brook buffer is to be 28 feet in width on both sides of the water body, unless the selected Redeveloper demonstrates to the satisfaction of the Planning Board that compliance with same is impracticable and will exact undue hardship on the ability of the selected Redeveloper to provide adequate parking for the development, in which case the buffer area may be reduced in certain locations along the Rocky Brook to no less than ten (10) feet in width. A continuous eight (8) foot wide pathway shall be provided within the greenway along the Rocky Brook to permit public access through the greenway and link with the planned eight (8) foot wide pedestrian access bridge. The planned pedestrian access bridge shall have a minimum span to conform with floodway requirements. The Environmental Commission shall review the Redeveloper's greenway plan and provide comment to the Planning Board.

- c. Buffers as required by the regulations in effect at the time of plan approval shall be provided for any environmentally sensitive lands as designated by NJDEP. Those areas, as well as the buffers, shall be deed restricted to prevent future development, with the exception of trails for recreational or pedestrian circulation

purposes, and the Borough of Hightstown shall be granted an easement on said lands for that purpose.

- d. A thirty (30) foot buffer shall be required between any new structures, with the exception of service area structures, and the Historic Society building (Block 30, Lots 8 and 9). This buffer may include green space, pedestrian improvements such as sidewalks, and recycling/rubbish storage areas.
- e. Individual driveways and garages shall not be permitted to front on North Academy Street.

2. Design Standards

~~a. **Impervious Coverage:** An amount not to exceed 75% of the total redevelopment area (excluding Block 30, Lots 8, 9 through 13); within the Bank Street Sub Area, may be covered by impervious surfaces. This includes structures, parking areas, and other related infrastructure. Any redevelopment activities or structures shall be in conformance with applicable NJDEP regulations and Borough Ordinances with regard to storm water control.~~

~~b. **Floor Area Ratio (FAR):** FAR for commercial uses within Sub Area I (excluding Block 30, Lots 8, 9 through 13) shall not exceed .30 of the entire tract (excluding Block 30, Lots 8, 9 through 13), and also excluding basement space used for storage or underground parking.~~

~~c. Any principal non residential building may contain more than one (1) individual use, provided that the total FAR and lot coverage does not exceed the maximums specified herein.~~

~~d. A minimum of 20,000 leaseable square feet of both adaptive reuse and new buildings shall be commercial, office, governmental, and retail uses. The non residential construction referenced herein shall include one stand alone, two story building to be located along Bank Street measuring a minimum of 10,000 square feet and which complies with all design requirements set forth in this Redevelopment Plan and Borough Land Development Ordinances as well as those requirements as may be mandated by the Planning Board during site plan review. Based on the results of market, traffic, and parking studies, the requirements set forth herein may be relaxed by the Redevelopment Agency based on a recommendation from the Planning Board.~~

~~e.a. **Building Design:**~~

1. The maximum height of any new building or building addition, excluding residential townhomes/duplexes, shall not exceed the height of the existing Rug Mill structures. Rooftop appurtenances for new buildings or additions shall not exceed five (~~5~~10) feet above the roofline. The maximum height for adaptive reuse of existing site buildings shall be the existing building height, excluding screened rooftop appurtenances, which shall not exceed an additional five (~~5~~10) feet and shall be set back a minimum of (10) feet from the front facade.
2. Residential townhomes/duplexes shall not exceed two and one half stories or thirty-five (35) feet in height as measured from the grade curb level in front of each residential building to the highest point of the roof.
3. Residential uses shall be permitted on all floors of the existing buildings and accessory recreation uses for residents may be developed on building roof tops.
4. All new buildings, excluding residential townhomes/duplexes shall ~~match-compliment~~ the façade of the existing Rug Mill structures. Residential townhomes and duplexes shall match the character and style of the North Academy/Stockton Street neighborhood. Detailed architectural plans including colors, materials, and textures, shall be provided for all buildings and accessory structures. If rehabilitation of the municipal building is selected by the parties, detailed floor plans shall be provided for the new municipal facility.
5. The Architectural Review Committee shall review and advise the Planning Board and the Redeveloper with regard to architectural features, styles, materials and colors.
6. Buildings shall be located, designated and identified to allow for adequate fire and emergency access.
7. All new construction and adaptive reuse must conform to all applicable codes and standards including Americans with Disabilities (ADA) Act requirements.
8. All external mechanical, electrical, and plumbing appurtenances, including but not limited to electrical components and HVAC equipment, including roof-mounted units, shall not exceed five (~~5~~10) feet above the

roofline, shall be screened by landscaping or enclosed ~~to match the building façade,~~ and shall not be included in determining building height.

9. Such HVAC and other appurtenances shall comply with all state statutes governing noise levels for both day and night time uses.
10. All electrical, gas, water, sewer, telephone, cable television, power, phone, CATV, and other utilities shall be installed underground, as per current engineering standards. Roof antennae or towers shall not be permitted.

f.b. Circulation and Parking: The circulation plan will be dependent on final design submitted by the selected Redeveloper(s) to the Planning Board.

1. Usable pedestrian walkways within the site shall be designed to interconnect to parking lots and North Main and Bank Streets, and to the greenway where possible. Based upon the selected Redeveloper's parking plan, which plan will identify the number of potential on-street parking spaces along North Academy Street, the Planning Board may allow on-street parking along North Academy Street to be included in the Redeveloper's overall parking requirement calculations. Four (4) spaces of on-street parking on Bank Street shall be made available for use by the existing business on the corner of Bank and North Main Streets and shall not be included in any shared use parking analysis. Circulation throughout the site should be designed so that pedestrian pathways have priority and take precedence over vehicular circulation. Downtown parking ratios can only be sustained when complemented by a well developed pedestrian system. The downtown parking ratios that follow will be permitted only when the Redeveloper can demonstrate to the Planning Board that the design of the site's pedestrian circulation adequately establishes pedestrian priorities and connections to the downtown. Absent such design, additional parking on-site may be required.
2. Retail or other commercial uses shall provide one (1) parking space for every 500 square feet of gross floor area utilized by the commercial or retail use. Retail or food service drive-thrus are prohibited.
3. Office uses shall provide one (1) parking space for each 400 square feet of gross floor area utilized by the office use.

4. Movie houses, other theaters, restaurants, and entertainment uses shall provide one (1) space for every three (3) seats or one (1) space per 40 square feet of usable seating, floor, or activity area, whichever is greater.
5. The Planning Board may approve a total reduction of the required parking where such reduction is demonstrated by a study of the combined, or shared uses and customary operation of the uses that adequate parking would be provided for the actual uses. The Planning Board shall also encourage the developer to pursue accessible off-site shared parking use.
6. The selected Redeveloper's traffic study shall investigate such limiting factors including but not limited to, safe and efficient access, existing roadway capacities and levels of service, traffic signals, timing, existing and proposed volumes, peak hour analyses, and the ability of the existing conditions to safely absorb the projected amount of traffic. Utilization of the property shall be dependent upon the results of the traffic study, which results may alter the number of units, mix of uses and commercial floor area permitted on-site.
7. For 90 degree parking, standard parking spaces shall be nine (9) feet in width and a minimum of eighteen (18) feet in length. [Up to 1/3 of the parking spaces may be designed as compact car spaces and designated as such. For 90 degree parking compact parking spaces shall be \(8\) feet by \(15\) feet.](#)
8. The location, size, and signage of accessible parking spaces must conform to all ADA requirements.
9. Parking lot layout, landscaping, and buffering shall be designed to enhance the viewscape from New Jersey State Highway (NJSH) Route 33 (North Main Street) frontage.
10. The interior of parking lots shall be landscaped to provide shade and visual relief.
11. Parking garages and decks are permitted accessory uses in Sub-Area I, and are subject to Planning Board approval. Approval of the need for and size of the parking garage shall be determined by the Planning Board in conjunction with the overall number of parking spaces required. If the selected Redeveloper proposes a parking garage or deck, it must be properly located by the Redeveloper to provide clear views of all scenic and historic sites within Sub-Area I from key off-site and on-site vistas, as

determined by the Planning Board. Any approvals of a parking garage, including bulk and height, will be evaluated and determined by the Planning Board during the site plan review process.

12. Landscaped islands shall dictate flow and provide pedestrian safety zones.
13. For lots with eleven (11) or more spaces, a minimum of one (1) tree shall be planted for every twenty (20) spaces and shall not include those planted along the perimeter.
14. Parking spaces and ADA accessible spaces shall be clearly marked at all times.
15. Parking for residential units shall require two (2) parking spaces per unit, subject to approval under N.J.A.C. 5:21-3.5 (Special Area Standards).
16. Individual driveways and garages shall not be permitted to front on North Academy Street.
17. Increase the safety of pedestrians, bicyclists and motorists by providing streetscape improvements and a mid-block pedestrian crossing on Bank Street.

~~g.c.~~ **Loading and Unloading:** All such activities shall occur on the interior of the development and not on any state, county or municipal right-of-way. Hours of delivery shall be determined by the Planning Board and set forth as a condition of approval.

~~h.d.~~ **Signs:**

Except as noted below, all applicable provisions of Chapter 29, Signs, of the existing *Revised General Ordinances of the Borough of Hightstown*, including but not limited to provisions applicable to PED and shopping centers shall apply to Sub-Area I:

1. One (1) free standing sign shall be permitted along the North Main Street frontage, and one (1) free standing sign to identify the commercial buildings shall be permitted along the Bank Street frontage.
2. Each retail store front shall be permitted a façade sign.
3. The Redeveloper shall provide a comprehensive sign package, including colors and materials, to the Planning

Board. The Planning Board may approve a comprehensive sign package for the project that exceeds the standards in Chapter 29 and/or in this document, without the need for a variance, in terms of sign area and number of signs if it is demonstrated to the Board's satisfaction such additional signage is necessary to appropriately identify the uses on the site from the street, and is consistent with good planning for the site.

i.e. Lighting:

All lighting shall be post or building mounted and oriented earthward to minimize light pollution.

1. Parking area lighting shall be post-mounted, located on landscaped islands, and shall not exceed 20 feet in height above grade.
2. Street fixtures should be period lighting similar to those sited in the downtown area along Mercer Street.
3. Pedestrian and access point lighting shall be post-mounted and shall not exceed 14 feet in height above grade.
4. Where parking lighting abuts residential areas, fixtures shall be shielded to eliminate light overflow into residential lots.
5. Lighting shall conform to the Borough's specifications and the developer shall pay the up-front cost per fixture for street lights to reduce the ongoing operational and maintenance costs to the municipality. Exact details will be specified in the Redeveloper Agreement.
6. Lighting in interior parking and commercial/office areas of the development shall be privately owned and maintained by the selected Redeveloper.

j.f. Fences/Enclosures: Shall be prohibited with the following exceptions:

1. All bulk waste/recycling receptacles (dumpsters) shall be fully screened. Such screening shall be of adequate height to fully shield the receptacle and shall utilize plantings and/or brick construction with a brick front and gated access way which can be secured during periods of non-use. Chain link fencing is prohibited. If landscape

screening is utilized, bollards shall be provided to maintain the integrity of the planted screening. Full brick construction shall be required for structures located within designated buffer areas adjacent to any residential or commercial building.

2. Ornamental fencing along North Main Street.
3. Privacy fencing along the rear boundary of the Bank Street Sub-Area abutting the properties designated as Block 21, Lots 15, 19, 21 and 22.
4. Heights of all fencing are subject to Planning Board review and approval.

k.g. Infrastructure:

Sidewalk/Walkways: Pedestrian or connecting walkways shall be constructed of pavers, concrete and/or textured concrete in colors and/or patterns consistent with the existing Main Street infrastructure. All walkways shall be a minimum of five (5) feet in width, and shall extend from the building façade to the curb line, with an area for landscaping and street trees. All facilities within the eastern portion of the Bank Street Sub-Area shall be connected by such walkways. Crosswalks traversing parking areas shall be constructed of similar decorative paving materials.. All materials shall be compatible with the existing streetscape along Main Street.

Roadways: As appropriate, all roadways must conform to the State of New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21, unless otherwise approved under N.J.A.C. 5:21-3.5 (Special Area Standards).

Water, Sewer and Stormwater Management: These systems are to be investigated, constructed and upgraded, as required, by the designated Redeveloper, and shall be subject to review and approval by all applicable federal, state, and local agencies, and will be the responsibility of the selected Redeveloper(s) based on the final approved usages within the area. All water, sewer and stormwater systems must conform to the State of New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21, as relating to the residential component of the proposed plan, unless otherwise approved under N.J.A.C. 5:21-3.5 (Special Area Standards), and to the NJDEP Stormwater regulations as relating to the non-residential components of the plan, and shall be subject to

applicable state laws and regulations in effect at the time of plan approval.

~~h.~~ Unless expressly modified herein, all existing Borough of Hightstown Site Plan and Subdivision Ordinances and criteria shall apply to development plans submitted within the Bank Street Sub-Area I Redevelopment district as per Chapters 26, 27, 28 and 29 of the Borough of Hightstown Code. In the event of any inconsistencies between the approved Redevelopment Plan and the aforementioned Code chapters, this Redevelopment Plan shall govern.

~~m.i.~~ The Planning Board is hereby authorized to grant all necessary relief pursuant to N.J.S.A. 40:55D-70a., b. and c., as well as all requested waivers.

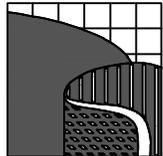
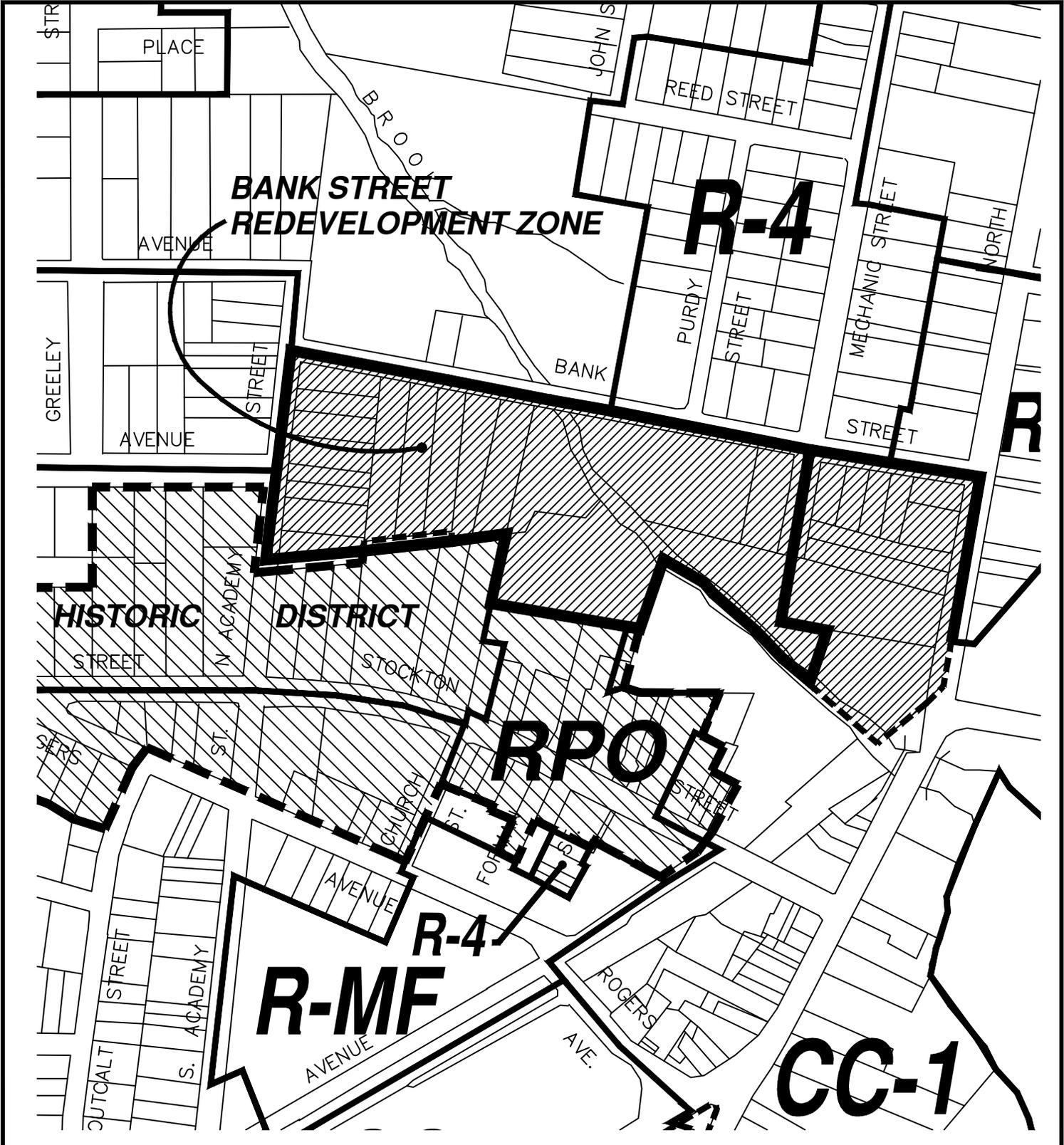
~~n.j.~~ A final project market study shall be submitted to the Planning Board together with a Site Plan application.

~~o.k.~~ All NJDEP environmental remediation documents, including all approvals, regarding the Mill Property shall be submitted to the Planning Board and Borough Engineer together with a Site Plan application.

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BANK STREET REDEVELOPMENT ZONE

ZONING MAP
 BOROUGH OF HIGHTSTOWN,
 Mercer County, New Jersey

SCALE: 1"=250'

DWG. No: Re. Zone
 DATE: April 7, 2015

Ordinance 2015-05

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ENTITLED “ADMINISTRATION,” SECTION 26, ENTITLED “MUNICIPAL COURT”, SUB-SECTION 6, ENTITLED “PUBLIC DEFENDER; APPLICATION FEE” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”

WHEREAS, the Municipal Court Administrator has determined that amendments are needed to Chapter 2, Section 26, Sub-Section 6 of the Revised General Ordinances of the Borough of Hightstown.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

Section 1. That Chapter 2, entitled “Administration,” Section 24, entitled “Municipal Court,” Sub-Section 6, entitled “Public Defender; Application fee” of the Revised General Ordinances of the Borough of Hightstown, is hereby amended to read (deletions are shown as ~~cross-outs~~ and additions are shown with underline):

Subsection 2-24.6 Public Defender; Application Fee.

A person applying for representation by the Borough Public Defender shall pay an application fee of ~~one hundred (\$100.00) dollars~~ which is equivalent to the maximum amount allowable under N.J.S.A. 2B:24-1, et seq. The Municipal Court may waive the fee, in whole or in part, if the Court determines, in its discretion, that the application fee represents an unreasonable burden on the person seeking representation. The Municipal Court may permit a person to pay the application fee over a specific period of time, not to exceed four (4) months.

Section 2. Severability. If any sentence, paragraph or section of this Ordinance, or the application thereof to any persons or circumstances shall be adjudged by a court of competent jurisdiction to be invalid, or if by legislative action any sentence, paragraph or section of this Ordinance shall lose its force and effect, such judgment or action shall not affect, impair or void the remainder of this Ordinance.

Section 3. Effective Date. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 4. Repealer. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Introduced: April 6, 2015

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

Ordinance 2015-06

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

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL
APPROPRIATION OF \$215,000 FOR VARIOUS ROAD
IMPROVEMENTS IN AND BY THE BOROUGH OF
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY,
AND AUTHORIZING THE ISSUANCE OF \$215,000 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST
THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$215,000, such sum being in addition to the \$682,000 appropriated (which included a \$252,836 Municipal Aid Grant from the State of New Jersey Department of Transportation (the "State Grant")) therefor by bond ordinance 2013-23 of the Borough, finally adopted November 18, 2015 (the "Original Bond Ordinance"), which includes a. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$215,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is various road improvements, including Park Avenue, Greeley Street and Glen Brook Place, as described in the Original Bond Ordinance, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$644,164, including the \$429,164 authorized

by the Original Bond Ordinance and the \$215,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$897,000, including the \$682,000 appropriated by the Original Bond Ordinance and the \$215,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$215,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$108,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$93,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$15,000 is estimated therefor herein.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the [ARule@](#)) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduced: April 6, 2015

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

Ordinance 2015-07

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

**BOND ORDINANCE PROVIDING FOR VARIOUS ROAD
IMPROVEMENTS IN AND BY THE BOROUGH OF
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW
JERSEY, APPROPRIATING \$619,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$335,500 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE
COST THEREOF**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$619,000, including the \$283,500 Grant from the State of Jersey Department of Transportation expected to be received (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$335,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various road improvements, including Park Way, Grant Street and Hutchison Street, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$335,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$95,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or if other than as referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduced: April 6, 2015

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

BOROUGH OF HIGHTSTOWN					
2015 BUDGET					
BUDGET AT A GLANCE					
		2014	2015	Inc / Dec	Inc / Dec
		ADOPTED	INTRODUCED	Amount	Percent
APPROPRIATIONS					
20	General Government	\$ 868,917.00	\$ 766,628.00	(102,289.00)	-11.77%
21	Land Use Administration	57,700.00	54,300.00	(3,400.00)	-5.89%
23	Insurance	701,807.00	803,000.00	101,193.00	14.42%
25	Public Safety	1,747,167.00	1,732,978.00	(14,189.00)	-0.81%
26	Public Works	685,906.00	691,986.00	6,080.00	0.89%
27	Health & Human Services	83,060.00	73,488.00	(9,572.00)	-11.52%
28	Park & Recreation	81,900.00	85,350.00	3,450.00	4.21%
30	Unclassified	105,700.00	66,700.00	(39,000.00)	-36.90%
31	Utilities	243,100.00	236,600.00	(6,500.00)	-2.67%
32	Landfill/Solid Waste	206,500.00	206,000.00	(500.00)	-0.24%
33	Construction Code	146,844.00	162,055.00	15,211.00	10.36%
36	Statutory Expenditures	503,570.00	523,527.00	19,957.00	3.96%
41	Grants	13,048.58	7,213.38	(5,835.20)	-44.72%
43	Shared Services	276,839.00	296,826.00	19,987.00	7.22%
44	Capital Improvements	26,000.00	45,500.00	19,500.00	75.00%
45	Debt Service	507,376.00	571,576.00	64,200.00	12.65%
46	Deferred Charges	100,000.00	-	(100,000.00)	-100.00%
47	Transfer to Board of Education	41,696.00	41,558.00	(138.00)	-0.33%
50	Reserve for Uncollected Taxes	450,000.00	465,000.00	15,000.00	3.33%
	TOTAL APPROPRIATIONS	\$ 6,847,130.58	\$ 6,830,285.38	\$ (16,845.20)	-0.25%
REVENUES					
1	Surplus Anticipated	\$ 720,000.00	\$ 600,000.00	(120,000.00)	-16.67%
3A	Local Revenues	426,500.00	440,500.00	14,000.00	3.28%
3B	State Aid Without Offset Approp.	503,550.00	503,550.00	-	0.00%
3C	Uniform Construction Code	50,000.00	50,000.00	-	0.00%
3D	Shared Service Agreements	220,200.00	236,200.00	16,000.00	7.27%
3F	Public and Private - Grants	13,048.58	7,213.38	(5,835.20)	-44.72%
3G	Special Items of Revenue	128,116.00	167,106.00	38,990.00	30.43%
4	Receipts from Delinquent Taxes	260,000.00	300,000.00	40,000.00	15.38%
	Subtotal General Revenues	\$ 2,321,414.58	\$ 2,304,569.38	\$ (16,845.20)	-0.73%
6A	Amount Raised by Taxation	4,525,716.00	4,525,716.00	-	0.00%
	TOTAL REVENUES	\$ 6,847,130.58	\$ 6,830,285.38	\$ (16,845.20)	-0.25%
	Total Net Assessed Valuation	391,858,797.00	389,586,874.00		
	Tax Rate per \$100 of Assessed	\$ 1.155	\$ 1.162	\$ 0.007	
	Average Residential Assessment	212,383.00	212,600.00		
	Taxes on Average Home	\$ 2,453.02	\$ 2,470.41	\$ 17.39	

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET
ANTICIPATED REVENUES**

	<u>2014</u>	<u>2015</u>	<u>Increase (Decrease)</u>
1 Surplus Anticipated	720,000.00	600,000.00	(120,000.00)
Miscellaneous Revenues			
3A Alcoholic Beverages	7,500.00	7,500.00	-
3A Other Licenses	13,000.00	20,000.00	7,000.00
3A Fees and Permits	20,000.00	17,000.00	(3,000.00)
3A Municipal Court	240,000.00	240,000.00	-
3A Interest on Taxes	58,000.00	68,000.00	10,000.00
3A Interest on Investments	18,000.00	18,000.00	-
3A Lease of Borough Owned Property - Cell Tower	70,000.00	70,000.00	-
3B NET CMPTRA	69,904.00	61,789.00	(8,115.00)
3B Energy Tax Receipts	433,646.00	441,761.00	8,115.00
3C Uniform Construction Code	50,000.00	50,000.00	-
3D Shared Services - Cranbury 911	112,200.00	112,200.00	-
3D Shared Services - Roosevelt Trash Collection	59,000.00	61,000.00	2,000.00
3D Shared Services - Roosevelt Landfill Cost	35,000.00	35,000.00	-
3F Drunk Driving Enforcement Fund	-	-	-
3D Shared Services - Roosevelt Clerk	14,000.00	28,000.00	14,000.00
3F Clean Communities Programs	8,144.93	-	(8,144.93)
3F Alcohol Education and Rehabilitation Fund	4,903.65	-	(4,903.65)
3F JIF Safety Grant	-	2,082.03	2,082.03
3F Recycling Tonnage Grant	-	5,131.35	5,131.35
3G Uniform Fire Safety Act	9,000.00	9,000.00	-
3G Reserve for Debt Service	-	-	-
3G CATV Franchise Fee	36,899.00	35,051.00	(1,848.00)
3G Peddie School Gift	23,000.00	23,000.00	-
3G FEMA - Hurricane Irene	-	39,400.00	39,400.00
3G Hightstown Housing Authority In Lieu	25,000.00	25,000.00	-
3G Verizon Franchise Fee	34,217.00	35,655.00	1,438.00
	-	-	-
Total Miscellaneous Revenues	1,341,414.58	1,404,569.38	63,154.80
4 Delinquent Taxes	260,000.00	300,000.00	40,000.00
6A Taxes	4,525,716.00	4,525,716.00	-
Total General Revenues	6,847,130.58	6,830,285.38	(16,845.20)

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET**

	<u>2014</u> <u>Budget</u>	<u>2015</u> <u>Budget</u>	<u>Variance</u>
GENERAL GOVERNMENT:			
Administrative and Executive			
20-100 Salaries and Wages	48,750.00	55,930.00	7,180.00
20-100 Other Expenses	1,100.00	1,465.00	365.00
Mayor and Council			
20-110 Salaries and Wages	26,400.00	26,400.00	-
20-110 Other Expenses	2,700.00	2,600.00	(100.00)
Municipal Clerk			
20-120 Salaries and Wages	82,060.00	85,327.00	3,267.00
20-120 Other Expenses	10,865.00	11,200.00	335.00
Elections			
20-122 Salaries and Wages	-	-	-
20-122 Other Expenses	4,000.00	4,000.00	-
Office Supplies/Paper Products			
20-125 Other Expenses	15,000.00	10,200.00	(4,800.00)
Financial Administration			
20-130 Salaries and Wages	95,128.00	96,300.00	1,172.00
20-130 Other Expenses	9,750.00	9,750.00	-
Audit Services			
20-135 Other Expenses	14,000.00	14,000.00	-
Grant Writing			
20-136 Other Expenses	6,000.00	10,000.00	4,000.00
Data Processing			
20-140 Salaries and Wages	5,100.00	5,100.00	-
20-140 Other Expenses	28,500.00	29,000.00	500.00
Collection of Taxes			
20-145 Salaries and Wages	40,100.00	40,316.00	216.00
20-145 Other Expenses	6,050.00	7,650.00	1,600.00
Assessment of Taxes			
20-150 Salaries and Wages	17,136.00	17,479.00	343.00
20-150 Other Expenses	12,000.00	12,000.00	-
Interest on Tax Appeals			
20-152 Other Expenses	100.00	100.00	-
Legal Services			
20-155 Other Expenses	135,000.00	160,000.00	25,000.00
Legal Settlement			
20-156 Other Expenses	130,000.00	-	(130,000.00)
Engineering			
20-165 Other Expenses	30,000.00	30,500.00	500.00
Historical Sites Commission			
20-175 Other Expenses	1,000.00	1,900.00	900.00

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET**

	<u>2014</u> <u>Budget</u>	<u>2015</u> <u>Budget</u>	<u>Variance</u>
Municipal Court			
20-176 Salaries and Wages	135,043.00	122,276.00	(12,767.00)
20-176 Other Expenses	13,135.00	13,135.00	-
Planning /Zoning Board			
21-180 Salaries and Wages	24,700.00	21,700.00	(3,000.00)
21-180 Other Expenses	33,000.00	32,600.00	(400.00)
Insurance deductibles			
23-210 Other Expenses	3,000.00	3,000.00	-
General Liability			
23-212 Other Expenses	35,625.00	51,000.00	15,375.00
Workers Compensation			
23-213 Other Expenses	122,182.00	114,000.00	(8,182.00)
Group Insurance			
23-215 Other Expenses	511,000.00	620,000.00	109,000.00
Health Benefit Waiver			
23-221 Other Expenses	25,000.00	10,000.00	(15,000.00)
Unemployment Comp. Insur.			
23-225 Other Expenses	5,000.00	5,000.00	-
PUBLIC SAFETY FUNCTIONS			
Police Department			
25-240 Salaries and Wages	1,279,163.00	1,232,390.00	(46,773.00)
25-240 Other Expenses	107,548.00	110,658.00	3,110.00
Police Vehicle			
25-241 Other Expenses	32,000.00	32,000.00	-
Police Fire And Radio Comm.			
25-250 Salaries and Wages	163,486.00	188,880.00	25,394.00
25-250 Other Expenses	11,680.00	11,680.00	-
Emergency Management			
25-252 Salaries and Wages	5,000.00	2,000.00	(3,000.00)
25-252 Other Expenses	1,000.00	4,500.00	3,500.00
Fire Department			
25-253 Other Expenses	34,500.00	38,500.00	4,000.00
Aid to Fire Department			
25-255 Other Expenses	5,000.00	5,000.00	-
Uniform Fire Safety Act			
25-256 Salaries and Wages	14,000.00	14,000.00	-
25-256 Other Expenses	11,190.00	11,270.00	80.00
First Aid Organization			
25-260 Other Expenses	30,000.00	30,000.00	-
First Aid Contribution			
25-261 Other Expenses	1,500.00	1,500.00	-

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET**

	<u>2014</u> <u>Budget</u>	<u>2015</u> <u>Budget</u>	<u>Variance</u>
Municipal Prosecutor			
25-275 Other Expenses	14,600.00	14,600.00	-
PUBLIC WORKS FUNCTIONS			
Streets and Roads			
26-290 Salaries and Wages	131,000.00	157,000.00	26,000.00
26-290 Other Expenses	40,550.00	42,300.00	1,750.00
Snow Removal			
26-291 Salaries and Wages	15,000.00	6,000.00	(9,000.00)
26-291 Other Expenses	14,000.00	4,000.00	(10,000.00)
Sanitation/Solid Waste Coll.			
26-305 Salaries and Wages	68,000.00	53,000.00	(15,000.00)
26-305 Other Expenses	53,306.00	55,156.00	1,850.00
Buildings and Grounds			
26-310 Salaries and Wages	53,000.00	60,000.00	7,000.00
26-310 Other Expenses	86,200.00	93,500.00	7,300.00
Recycling			
26-311 Salaries and Wages	87,800.00	81,000.00	(6,800.00)
26-311 Other Expenses	52,800.00	55,780.00	2,980.00
Vehicle Maintenance			
26-315 Other Expenses	44,250.00	44,250.00	-
Community Services Act			
26-325 Other Expenses	40,000.00	40,000.00	-
HEALTH AND HUMAN SERVICES			
Board of Health			
27-330 Salaries and Wages	63,644.00	53,702.00	(9,942.00)
27-330 Other Expenses	6,216.00	6,286.00	70.00
Environmental Commission			
27-335 Other Expenses	700.00	1,000.00	300.00
27-345 Better Beginnings Contract	8,500.00	8,500.00	-
27-346 Hightsown/East Windsor Service Center	4,000.00	4,000.00	-
PARKS AND RECREATION			
Maintenance of Parks			
28-369 Salaries and Wages	54,500.00	59,000.00	4,500.00
28-369 Other Expenses	6,200.00	4,700.00	(1,500.00)
Recreation & Open Sp(Park Commission)			
28-370 Salaries and Wages	10,000.00	10,000.00	-
28-370 Other Expenses	11,200.00	11,150.00	(50.00)
Cultural Arts Commission			
28-373 Other Expenses	-	500.00	500.00

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET**

	<u>2014</u> <u>Budget</u>	<u>2015</u> <u>Budget</u>	<u>Variance</u>
UNCLASSIFIED			
Accumulated Sick & Vacation			
30-416 Other Expenses	95,000.00	50,000.00	(45,000.00)
Celebration Public Events			
30-420 Other Expenses	1,700.00	7,700.00	6,000.00
#			
30-421 Postage	9,000.00	9,000.00	-
31-430 Electricity	53,500.00	50,000.00	(3,500.00)
31-435 Street Lighting	46,000.00	46,000.00	-
31-440 Telephone	36,000.00	36,000.00	-
31-446 Natural Gas	18,000.00	18,000.00	-
31-460 Gasoline & Diesel Fuel	89,600.00	86,600.00	(3,000.00)
32-465 Landfill Disposal Costs	200,000.00	200,000.00	-
State Uniform Construction Code			
33-195 Salaries and Wages	112,694.00	119,500.00	6,806.00
33-195 Other Expenses	6,900.00	5,335.00	(1,565.00)
Housing Code Enforcement			
33-196 Salaries and Wages	26,700.00	36,000.00	9,300.00
33-196 Other Expenses	550.00	1,220.00	670.00
36-471 Public Employ. Retire. Sy	121,481.00	141,000.00	19,519.00
36-472 Social Security System	130,000.00	130,000.00	-
36-475 Police & Fire Ret. Sys.	247,089.00	247,527.00	438.00
36-477 Defined Contribution Retirement Plan	5,000.00	5,000.00	-
TOTAL IN CAP	5,389,171.00	5,360,612.00	(28,559.00)
Recycling Tax			
43-496 Other Expenses	6,500.00	6,000.00	(500.00)
Length of Service - LOSAP			
43-500 Other Expenses	36,500.00	36,000.00	(500.00)
Shared Service 911			
43-507 Salaries and Wages	50,841.00	52,092.00	1,251.00
43-507 Other Expenses	61,359.00	60,708.00	(651.00)
Shared Service-County EMS Dispatch			
43-508 Other Expenses	-	610.00	610.00
Shared Service Senior Citizens			
43-509 Other Expenses	26,915.00	27,505.00	590.00
Shared Services -Sr Citizens Transp			
43-510 Other Expenses	2,180.00	2,180.00	-

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET**

	<u>2014</u> <u>Budget</u>	<u>2015</u> <u>Budget</u>	<u>Variance</u>
Shared Services- Health			
43-511 Salaries and Wages	26,863.00	27,500.00	637.00
43-511 Other Expenses	27,681.00	28,231.00	550.00
Shared Services-EMS - East Windsor			
43-512 Other Expenses	20,000.00	15,000.00	(5,000.00)
Shared Services-Roosevelt Clerk			
43-514 Other Expenses	14,000.00	28,000.00	14,000.00
Shared Services Vehicle Maint			
43-515 Other Expenses	12,000.00	20,000.00	8,000.00
Shared Services Roosevelt			
43-516 Other Expenses	35,000.00	35,000.00	-
Clean Communities Grant			
44-702 Other Expenses	8,144.93	-	(8,144.93)
44-901 Capital Improvement Fund	1,000.00	45,500.00	44,500.00
44-905 Municipal Building Feasibility	25,000.00	-	(25,000.00)
45-920 Bond Principal	305,000.00	320,000.00	15,000.00
45-925 Note Principal	75,000.00	134,800.00	59,800.00
45-930 Interest on Bonds	100,750.00	91,600.00	(9,150.00)
45-935 Interest on Notes	16,700.00	15,250.00	(1,450.00)
45-945 Dam Restoration Loan	9,926.00	9,926.00	-
46-871 Emergency Authorization	100,000.00	-	(100,000.00)
46-872 Transfer to Board of Education	41,696.00	41,558.00	(138.00)
TOTAL OUT CAP	1,007,959.58	1,004,673.38	(3,286.20)
50-899 Reserve for Uncollected Taxes	450,000.00	465,000.00	15,000.00
	-	-	-
TOTAL BUDGET	<u>6,847,130.58</u>	<u>6,830,285.38</u>	<u>(16,845.20)</u>

**HIGHTSTOWN BOROUGH
WATER - SEWER UTILITY
2015 BUDGET WORKSHEET
ANTICIPATED REVENUES**

	<u>2014</u>	<u>2015</u>	<u>INCREASE (DECREASE)</u>
Surplus Anticipated	<u>292,500.00</u>	<u>85,000.00</u>	<u>(207,500.00)</u>
Miscellaneous Revenues			
Water Sewer Rents	2,233,000.00	2,187,881.00	(45,119.00)
Increased Rents	-	319,618.00	319,618.00
Miscellaneous	655,500.00	552,285.00	(103,215.00)
Deficit	-	-	-
Total Water / Sewer Utility Revenues	<u><u>3,181,000.00</u></u>	<u><u>3,144,784.00</u></u>	<u><u>(36,216.00)</u></u>

**HIGHTSTOWN BOROUGH
2015 BUDGET WORKSHEET**

		<u>2014</u>	<u>2015</u>	<u>Variance</u>
		<u>Budget</u>	<u>Budget</u>	
Operating				
Water Sewer Salaries				
500-0	Salaries and Wages	807,840.00	759,887.00	(47,953.00)
Water Other Expenses				
501-1	Other Expenses	386,800.00	362,225.00	(24,575.00)
Sewer Other Expenses				
501-2	Other Expenses	977,601.00	988,672.00	11,071.00
Capital Improvements				
511-0	Capital Improvement Fund	-	8,000.00	8,000.00
Debt Service				
522-1	Bond Principal	505,000.00	530,000.00	25,000.00
522-2	Bond Interest	125,925.00	109,088.00	(16,837.00)
522-9	Note Principal	9,000.00	9,000.00	-
522-3	Note Interest	6,496.00	6,000.00	(496.00)
522-4	NJEIT 2012 Principal	103,589.00	103,676.00	87.00
522-5	NJEIT 2012 Interest	9,531.00	9,431.00	(100.00)
522-7	Water Main Loan Principal	97,746.00	97,746.00	-
522-8	Water Main Loan -Interest	18,059.00	17,059.00	(1,000.00)
Statutory				
540-1	PERS	65,413.00	76,000.00	10,587.00
541-1	Social Security System	66,000.00	66,000.00	-
542-0	Unemployment	2,000.00	2,000.00	-
		-	-	-
		3,181,000.00	3,144,784.00	(36,216.00)

Resolution 2015-108

*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 \$86,341.25 from the following accounts:

Current	\$17,147.59
W/S Operating	48,099.24
General Capital	0.00
Water/Sewer Capital	16,473.00
Grant	0.00
Trust	4,129.67
Housing Trust	0.00
Animal Control	0.00
Law Enforcement Trust	0.00
Housing Rehab Loans	0.00
Unemployment Trust	0.00
Escrow	<u>491.75</u>
 Total	 <u><u>\$86,341.25</u></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 20, 2015

Margaret M. Riggio
Deputy Borough Clerk

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
 Range: First to Last Rcvd: Y Held: Y Aprv: N
 Format: Detail without Line Item Notes Bid: Y State: Y Other: Y Exempt: Y

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
A0054 AQUA PRO-TECH LABORATORIES												
	15-00605	04/07/15	INVOICE 5030049M DATED 4/2/15									
	1		INVOICE 5030049M DATED 4/2/15	278.00	5-09-55-501-002-532	B Outside Lab Testing	R	04/07/15	04/15/15		5030049M	N
	Vendor Total:			278.00								
B0955 BROADVIEW NETWORKS												
	15-00610	04/13/15	inv 15983622 2/28/15-3/28/15									
	1		inv 15983622 2/28/15-3/28/15	1,782.68	5-01-31-440-001-085	B Telephone-Broadview	R	04/13/15	04/15/15		15983622	N
	Vendor Total:			1,782.68								
C0058 CINTAS CORPORATION #061												
	15-00140	01/30/15	2015 UNIFORM CONTRACT			B						
	11		INV 061741521 DATED 3/6/15	53.35	5-09-55-501-002-507	B Uniforms & Safety Equipment	R	01/30/15	04/15/15		061741521	N
	12		INV 061745444 DATED 3/13/15	53.35	5-09-55-501-002-507	B Uniforms & Safety Equipment	R	01/30/15	04/15/15		061745444	N
	13		INV 061749292 DATED 3/20/15	53.35	5-09-55-501-002-507	B Uniforms & Safety Equipment	R	01/30/15	04/15/15		061749292	N
	14		INV 061753433 DATED 3/27/15	53.35	5-09-55-501-002-507	B Uniforms & Safety Equipment	R	01/30/15	04/15/15		061753433	N
	Vendor Total:			213.40								
C0023 COMCAST												
	15-00615	04/13/15	8499052430034100 4/2/15 PD									
	1		8499052430034100 4/2/15 PD	142.85	5-01-20-140-001-060	B Internet Services and Web Services	R	04/13/15	04/15/15		849905243003410	N
	Vendor Total:			142.85								
COUNT015 COUNTY OF MONMOUTH-												
	15-00529	03/24/15	USE OF VEHICLE WASH									
	1		INV. HIGHTSTOWN-01-15-9	40.00	5-01-26-305-001-034	B Motor Vehicle Parts & Access.	R	03/24/15	04/15/15		HIGHTSTOWN	N
	Vendor Total:			40.00								

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
E0416 ENVIRONMENTAL RESOURCE ASSOC												
	14-02188	12/05/14	MICROBE, pH, DEMAND, ETC									
	1	#576	MICROBE	84.00	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
	2	#577	pH	47.60	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
	3	#578	DEMAND	55.30	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
	4	#579	NUTRIENT	43.40	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
	5	#580	HARDNESS	72.10	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
	6	#581	MINERALS	74.20	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
	7	#587	CHLORINE	43.40	4-09-55-501-002-520	B Discharge Permits/Licenses	R	12/05/14	04/15/15		749024	N
				<u>420.00</u>								
			Vendor Total:	420.00								
M0714 GENSERVE, INC.												
	15-00560	03/27/15	QUARTERLY SERVICE 0085813-IN									
	1	QUARTERLY SERVICE 0085813-IN	180.00	5-09-55-501-002-511	B Generator/Engine Maintenance Agreement (B)	R	03/27/15	04/15/15			0085813-IN	N
			Vendor Total:	180.00								
G0171 GEORGE E. CONLEY ELECTRIC												
	14-00548	03/24/14	ALARM MONITORING U20343									
	1	ALARM MONITORING - U20343	276.00	4-09-55-501-001-518	B Maint. Contracts - Plant	R	03/24/14	04/15/15			U20343-14	N
	15-00518	03/24/15	INV #22687, #22688									
	1	INV #22687	440.00	5-01-26-290-001-127	B Street Repair & Maintenance	R	03/24/15	04/15/15			22687	N
	2	INV #22688	252.35	5-09-55-501-001-503	B Water Plant Maintenance	R	03/24/15	04/15/15			22688	N
			<u>692.35</u>									
	15-00582	04/01/15	ALARM MONITORING									
	1	INV. F10680-15	276.00	5-09-55-501-001-518	B Maint. Contracts - Plant	R	04/01/15	04/15/15			F10680-15	N
	2	INV. U20343-15	276.00	5-09-55-501-001-518	B Maint. Contracts - Plant	R	04/01/15	04/15/15			U20343-15	N
			<u>552.00</u>									
			Vendor Total:	1,520.35								
G0050 GROVE SUPPLY INC												
	15-00508	03/18/15	INV #S4119342.001,S4114122.001									
	1	INV #S4119342.001 GALV NIPP	4.45	5-01-26-290-001-127	B Street Repair & Maintenance	R	03/18/15	04/15/15			S4119342.001	N

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
G0050 GROVE SUPPLY INC											
			Continued								
	15-00508	03/18/15	INV #S4119342.001,S4114122.001	Continued							
	2		INV #S4114122.001	31.90	5-09-55-501-001-535	R	03/18/15	04/15/15		S4114122.001	N
	3		INV #S4116473.001	5.54	5-09-55-501-001-535	R	03/18/15	04/15/15		S4116473.001	N
				41.89							
			Vendor Total:	41.89							
H0026 HALDEMAN FORD											
	15-00242	02/12/15	INV 82765 AMBULANCE REPAIRS								
	1		INV 82765 AMBULANCE REPAIRS	2,296.05	4-01-25-260-001-034	R	02/12/15	04/15/15		82765	N
			Vendor Total:	2,296.05							
H0126 HIGHTS ELECTRIC MOTOR, INC.											
	15-00555	03/27/15	REPLACEMENT VENTILATION MOTOR								
	1		REPLACEMENT VENTILATION MOTOR	58.53	5-09-55-501-002-549	R	03/27/15	04/15/15			N
			Vendor Total:	58.53							
H1100 HOME DEPOT CREDIT SERVICES											
	15-00523	03/24/15	INV #8042191								
	1		INV #8042191	107.61	5-09-55-501-002-503	R	03/24/15	04/15/15		8042191	N
	15-00532	03/25/15	SAKARETE AND SUPPLY LINE								
	1		INV. 1031882 - SAKRETE	15.20	5-01-26-310-001-024	R	03/25/15	04/15/15		1031882	N
	2		INV. 5031412 - SUPPLY LINE	5.98	5-01-26-310-001-024	R	03/25/15	04/15/15		5031412	N
				21.18							
			Vendor Total:	128.79							
JAMIE005 JAMIE C. YATES											
	15-00608	04/10/15	MILEAGE HLTH DEPARTMENT-YATES								
	1		MILEAGE HLTH DEPARTMENT-YATES	423.20	5-01-27-330-001-045	R	04/10/15	04/15/15		1/9-4/1/2015	N
			Vendor Total:	423.20							

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
L0218 LAYNE CHRISTENSEN COMPANY												
	15-00417	03/03/15	INSTALLATION OF 2 CLA-VALVES									
	1		INSTALLATION OF 2 CLA-VALVES	16,473.00	C-08-55-945-001-541	B Water Improvements 2011-03	R	03/03/15	04/15/15		89071201	N
	Vendor Total:			16,473.00								
M0058 MAIN POOL & CHEMICAL COMPANY												
	15-00354	02/24/15	RES 2015-39 SOD. BICARBONATE		B							
	2	INV 1546667	SODIUM BICARB	4,321.80	5-09-55-501-002-552	B Sodium Bicarbonate-Main Pool	R	02/24/15	04/15/15		1546667	N
	15-00357	02/24/15	RES 2015-32 CALC HYPOCHLORITE		B							
	3	INV 1546668	CALCIUM CHLORIDE	597.00	5-09-55-501-002-539	B Calcium Hypochlorite-Main Pool& Chemical	R	02/24/15	04/15/15		1546668	N
	15-00358	02/24/15	RES 2015-33 FLUORIDE		B							
	2	INV 1546764	DATED 3/24/15	808.80	5-09-55-501-001-528	B Fluorosilic Acid	R	02/24/15	04/15/15		1546764	N
	Vendor Total:			5,727.60								
M0098 MAT ELECTRONICS INC												
	15-00348	02/24/15	RECORDER SECURITY									
	1		RECORDER SECURITY	295.00	5-09-55-501-002-557	B Plant Safety/Plant Security	R	02/24/15	04/15/15		331684	N
	2		VGA CABLE	16.50	5-09-55-501-002-557	B Plant Safety/Plant Security	R	02/24/15	04/15/15		331684	N
	3		HMDI CABLE	24.95	5-09-55-501-002-557	B Plant Safety/Plant Security	R	02/24/15	04/15/15		331684	N
	4		SHIPPING	15.46	5-09-55-501-002-557	B Plant Safety/Plant Security	R	03/27/15	04/15/15		331684	N
				<u>351.91</u>								
	Vendor Total:			351.91								
M0180 MCMASTER-CARR												
	15-00222	02/10/15	1/4 PERFORATED SHEET 16 GAUGE									
	1		1/4 PERFORATED SHEET 16 GAUGE	203.33	5-09-55-501-002-503	B Sewer Plant Maintenance	R	02/10/15	04/15/15		22836719	N
	2		SOCKET WITH HOSE BARB	76.72	5-09-55-501-002-503	B Sewer Plant Maintenance	R	02/10/15	04/15/15		22836719	N
	3		PLUG WITH HOSE BARB	47.64	5-09-55-501-002-503	B Sewer Plant Maintenance	R	02/10/15	04/15/15		22836719	N
	4		BRASS HEAVY DUTY NOZZLE	55.36	5-09-55-501-002-503	B Sewer Plant Maintenance	R	02/10/15	04/15/15		22836719	N
	5		ALUM CAM/GROOVE HOSE COUPLING	51.96	5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		23014171	N
	6		ALUM CAM/GROOVE HOSE COUPLING	31.04	5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		23014171	N
	7		SHIPPING	14.31	5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		22836719	N
	8		CREDIT 23024814	76.72	5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		23024814	N

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
M0180 MCMaster-CARR													
Continued													
	15-00222	02/10/15	1/4 PERFORATED SHEET 16 GAUGE	Continued									
	9	CREDIT	23024814	47.64		5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		23024814	N
				356.00									
15-00583 04/01/15 ELECTRICAL AUTO PARTS													
	1	INV.	26355868 - RUBBER DRAW	100.69		5-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	04/01/15	04/15/15		26355868	N
15-00591 04/02/15 INV #25819067													
	1	INV	#25819067	32.45		5-01-26-305-001-038	B General Hardware Tools & Parts	R	04/02/15	04/15/15		25819067	N
			Vendor Total:	489.14									
MORT0005 MORTON SALT, INC.													
	15-00294	02/19/15	50 TONS OF SALT										
	1	44.21	TONS OF SALT	2,304.67		T-12-56-286-000-850	B Snow Removal-Chem, Salt & Sand	R	02/19/15	04/15/15		5400740428	N
			Vendor Total:	2,304.67									
M1127 MUMFORD-BJORKMAN ASSOC., INC.													
	15-00389	03/02/15	ENGINEERING FEES-2 TANKS										
	1	ENGINEERING FEES-2	TANK EVALS	5,400.00		5-09-55-501-001-508	B Engineer	R	03/02/15	04/15/15			N
			Vendor Total:	5,400.00									
N0275 NJ LEAGUE OF MUNICIPALITIES													
	15-00509	03/18/15	GRANT WRITER AD										
	1	AD FOR RFP FOR GRANT WRITER		110.00		5-01-20-120-001-021	B Advertisements	R	03/18/15	04/15/15			N
15-00534 03/25/15 OPERATOR/SUPERVISOR AD													
	1	HELP WANTED AD FOR AWWTP		110.00		5-09-55-501-001-510	B Advertisements	R	03/25/15	04/15/15			N
			Vendor Total:	220.00									
P0016 PRINCETON ONE THIRTY SUPPLY													
	15-00561	03/27/15	INV 23661 T PAPER & P TOWELS										
	1	INV 23661	T PAPER & P TOWELS	73.56		5-09-55-501-002-523	B Paper Products/Janitorial	R	03/27/15	04/15/15		23661	N

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P0016 PRINCETON ONE THIRTY SUPPLY Continued											
	15-00561	03/27/15	INV 23661 T PAPER & P TOWELS	Continued							
	2		INV 23661 T PAPER & P TOWELS	253.80	5-09-55-501-002-523	B Paper Products/Janitorial	R	03/27/15	04/15/15	23661	N
				327.36							
			Vendor Total:	327.36							
Q0176 QC, INC.											
	15-00521	03/24/15	INV #1684540								
	1		INV #1684540	107.00	5-09-55-501-001-532	B Outside Testing/Labs	R	03/24/15	04/15/15	1684540	N
	2		INV #1684825	144.50	5-09-55-501-001-532	B Outside Testing/Labs	R	03/24/15	04/15/15	1684825	N
				251.50							
			Vendor Total:	251.50							
R0077 ROBERTS ENGINEERING GRP LLC											
	15-00229	02/11/15	2015 WATER/SEWER BLANKET		B						
	15		13929 GENERAL WATER	2,682.50	5-09-55-501-001-508	B Engineer	R	03/12/15	04/15/15	13929	N
	16		13932 WELL NO. 2 REHABILITATIN	3,039.00	5-09-55-501-001-508	B Engineer	R	03/12/15	04/15/15	13932	N
	17		13933 SETTING TANK REPAIRS	2,436.00	5-09-55-501-001-508	B Engineer	R	03/30/15	04/15/15	13933	N
	18		13928 GENERAL SEWERS	310.00	5-09-55-501-002-508	B Engineer	R	03/30/15	04/15/15	13928	N
	19		13930 CHEMICALS/SLUDGE REMOVAL	960.00	5-09-55-501-002-508	B Engineer	R	03/30/15	04/15/15	13930	N
	20		13931 ULTRAVIOLET DISINFECTION	10,199.50	5-09-55-501-002-508	B Engineer	R	03/30/15	04/15/15	13931	N
				19,627.00							
	15-00230	02/11/15	2015 PLANNING BOARD CONTRACT		B						
	4		INV 13935, PB MEETING 3/9/15	420.00	5-01-21-180-001-106	B Planning Board Engineer-General	R	02/11/15	04/15/15	13935	N
	5		INV 13897, PB MEETING 2/9/15	300.00	5-01-21-180-001-106	B Planning Board Engineer-General	R	02/11/15	04/15/15	13897	N
				720.00							
			Vendor Total:	20,347.00							
R1145 RUTGERS UNIVERSITY											
	14-02093	11/13/14	Registration Fee								
	1		Intro. Planning & Zoning Admin	741.00	4-01-21-180-001-042	B Education & Training	R	11/13/14	04/15/15		N
			Vendor Total:	741.00							

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
S0061 SEA BOX												
	15-00498	03/16/15	INV #S101623									
	1		INV #S101623 BICON RENTAL	75.00	5-01-26-310-001-025	B Building Rental	R	03/16/15	04/15/15		S101623	N
	Vendor Total:			75.00								
W0156 SEARING, WILLIAM												
	15-00600	04/07/15	REIMBURSEMENT BULBS,TOOLS,BITS									
	1		LIGHT BULBS, TOOLS, UTIL KNIFE	57.88	5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		REIMBURSE DEPOT	N
	2		SPECIAL BITS NEEDED-HOME DEPOT	18.94	5-09-55-501-002-503	B Sewer Plant Maintenance	R	04/07/15	04/15/15		HOME DEPOT-REIM	N
				76.82								
	Vendor Total:			76.82								
S0051 SOKOL, BEHOT & FIORENZO												
	15-00620	04/13/15	#143714-Advice 03/1-31/15									
	1		#143714-Advice 03/1-31/15	1,594.00	5-01-21-180-001-107	B Planning Board - Attorney	R	04/13/15	04/15/15		#143714	N
	15-00621	04/13/15	#143715 - March Meetings									
	1		#143715 - March Meetings	166.66	5-01-21-180-001-107	B Planning Board - Attorney	R	04/13/15	04/15/15		#143715	N
	15-00622	04/13/15	#143718 Teckno Properties									
	1		#143718 Teckno Properties	30.00	TECKN03-14	P MINOR SUBDIVISION	R	04/13/15	04/15/15		#143718	N
	15-00623	04/13/15	#143719 - Hights Realty									
	1		#143719 - Hights Realty	94.25	2015-01	P HIGHTS REALTY LLC	R	04/13/15	04/15/15		#143719	N
	Vendor Total:			1,884.91								
S0029 STATE TOXICOLOGY LABORATORY												
	15-00487	03/16/15	RANDOM OFFICER DRUG SCREEN									
	1		RANDOM OFFICER DRUG SCREEN	45.00	5-01-25-240-001-093	B Medical Exams/Hepatitis B Shot	R	03/16/15	04/15/15			N
	Vendor Total:			45.00								

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
S0375 STEVENSON SUPPLY CO.												
	15-00522	03/24/15	INV #514606, #283878									
	1		INV #514606	17.18	5-01-26-290-001-127	B Street Repair & Maintenance	R	03/24/15	04/15/15		514606	N
	Vendor Total:			17.18								
R0537 STITCHES N INK												
	15-00434	03/06/15	INV #3365									
	1		INV #3365	99.60	5-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	03/06/15	04/15/15		168786	N
	Vendor Total:			99.60								
T0002 TAMARA L. LEE, PP, AICP, LLA,												
	15-00617	04/13/15	Inv. #1-415 Mercer-Variance									
	1		Inv. #1-415 Mercer-Variance	367.50	2015-01	P HIGHTS REALTY LLC	R	04/13/15	04/15/15		#1	N
	15-00618	04/13/15	Inv 1-COAH-2015 Planning Serv.									
	1		Inv 1-COAH-2015 Planning Serv.	1,155.00	5-01-21-180-001-108	B COAH Planning	R	04/13/15	04/15/15		#1 - 04/1/15	N
	15-00619	04/13/15	#21-Planning Ser/Design Stds									
	1		#21-Planning Ser/Design Stds	1,050.00	5-01-21-180-001-105	B General Planning-Consulting	R	04/13/15	04/15/15		#21	N
	Vendor Total:			2,572.50								
T0276 TRENTON SHEET METAL, INC												
	15-00264	02/13/15	Q#13984 2/10/15 CUT/BEND METAL									
	1		Q#13984 2/10/15 CUT/BEND METAL	1,825.00	T-12-56-286-000-806	B RESERVE-RECYCLING	R	02/13/15	04/15/15		13984	N
	Vendor Total:			1,825.00								
T0130 TRIANGLE COPY/												
	15-00572	03/31/15	BUSINESS CARDS CHAD REED									
	1		BUSINESS CARDS CHAD REED	75.00	5-01-25-256-002-036	B Office Supplies	R	03/31/15	04/15/15			N
	Vendor Total:			75.00								

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
	Item Description	Amount	Charge Account	Acct Type Description							
V0029 VERIZON - LONG DISTANCE											
	15-00616	04/13/15	HPD 000608491311 76Y 4/4/15								
	1	HPD 000608491311 76Y 4/4/15	69.08	5-01-31-440-001-089	B Telephone-VERIZON	R	04/14/15	04/15/15		00060849131176Y	N
	Vendor Total:		69.08								
W0096 WATER WORKS SUPPLY CO., INC.											
	15-00580	04/01/15	CURB BOXES/STATIONARY RODS								
	1	INV. IF81506 - CURB BOXES AND	327.96	5-09-55-501-001-535	B Hydrants and Line Repair	R	04/01/15	04/15/15		IF81506	N
	Vendor Total:		327.96								
<hr/>											
Total Purchase Orders:	68	Total P.O. Line Items:	118	Total List Amount:	86,341.25	Total Void Amount:	0.00				

Totals by Year-Fund								
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total
CURRENT FUND	4-01	3,037.05	0.00	3,037.05	0.00	0.00	0.00	3,037.05
	4-09	696.00	0.00	696.00	0.00	0.00	0.00	696.00
Year Total:		3,733.05	0.00	3,733.05	0.00	0.00	0.00	3,733.05
CURRENT FUND	5-01	14,110.54	0.00	14,110.54	0.00	0.00	0.00	14,110.54
	5-09	47,403.24	0.00	47,403.24	0.00	0.00	0.00	47,403.24
	5-21	0.00	0.00	0.00	0.00	0.00	491.75	491.75
Year Total:		61,513.78	0.00	61,513.78	0.00	0.00	491.75	62,005.53
WATER/SEWER CAPITAL	C-08	16,473.00	0.00	16,473.00	0.00	0.00	0.00	16,473.00
TRUST OTHER - FUND #12	T-12	4,129.67	0.00	4,129.67	0.00	0.00	0.00	4,129.67
Total of All Funds:		85,849.50	0.00	85,849.50	0.00	0.00	491.75	86,341.25

Project Description	Project No.	Rcvd Total	Held Total	Project Total
HIGHTS REALTY LLC	2015-01	461.75	0.00	461.75
MINOR SUBDIVISION	TECKN03-14	30.00	0.00	30.00
Total of All Projects:		<u>491.75</u>	<u>0.00</u>	<u>491.75</u>

Resolution 2015-109

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

AUTHORIZING AGREEMENT WITH 12 FARMS RESTAURANT FOR USE OF PUBLIC RIGHT-OF-WAY

WHEREAS, 12 Farms Restaurant, LLC (referenced herein as the “Applicant”), having an address of 120 N. Main Street, Hightstown, New Jersey, is a tenant in the property known and designated as Block 23, lot 5.01 on the Hightstown Borough Tax Map (referenced herein as the “property”), which is adjacent to N. Main Street; and

WHEREAS, the Applicant conducts a restaurant at the property known as the “12 Farms Restaurant”, and has requested permission to place tables and chairs outside of its business for the exclusive use of patrons of the 12 Farms Restaurant and to conduct normal business activities associated with the 12 Farms Restaurant within the said area; and

WHEREAS, the area adjacent to the property encompasses a certain right-of-way area owned by the State of New Jersey (referenced herein as the “State”); and

WHEREAS, the State, through the New Jersey Department of Transportation (referenced herein as the “D.O.T.”), has advised the Borough that there are no permits required from, nor is there any other formal process necessary through, the State in order for the Applicant to install the desired outdoor tables and chairs or to conduct normal business activities within the area in question, which encompasses part of the right-of-way area owned by the State; and

WHEREAS, rather, the State, through the D.O.T., has advised the Borough that such approval is a local matter to be handled by the Borough so long as the proposed outdoor tables, chairs and/or other equipment do not block and/or interfere with pedestrian traffic; and

WHEREAS, the Borough is willing to allow the Applicant to utilize the area in question upon the terms and conditions set forth in the Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, that the Borough hereby permits the Applicant to utilize the area in question for the uses referenced above in consideration of the mutual promises and covenants set forth in the Agreement, and the Mayor and Borough Clerk are hereby authorized to execute said Agreement on behalf of the Borough.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

AGREEMENT TO UTILIZE PUBLIC RIGHT-OF-WAY

THIS AGREEMENT made this _____ day of _____, 2015 between:

BOROUGH OF HIGHTSTOWN, a municipal corporation of the State of New Jersey, with offices located at 156 Bank Street, Hightstown, New Jersey 08520 (hereinafter referred to as the “Borough”),

AND

12 FARMS RESTAURANT, LLC having an address of 116 N. Main Street, Hightstown, New Jersey 08520 (hereinafter referred to as the “Applicant”).

WITNESSETH

WHEREAS, the State of New Jersey (the “State”) is the owner of a certain public right-of-way adjacent to N. Main Street in the Borough of Hightstown, County of Mercer and State of New Jersey, a portion of which is also located upon, across and/or adjacent to certain real property known and designated as Block 23, Lot 5.01 on the Hightstown Borough Tax Map (the “property”); and

WHEREAS, the Applicant is a tenant at the property and operates a restaurant known as the “12 Farms Restaurant, LLC” at the said property; and

WHEREAS, the Applicant has requested permission from the Borough to place tables and chairs outside of its business for the exclusive use of patrons of the 12 Farms Restaurant, LLC and to conduct normal business activities associated with the 12 Farms Restaurant, LLC within a certain area, as described below, which encompasses part of the right-of-way owned by the State; and

WHEREAS, the area of proposed outdoor use by the Applicant (hereinafter referenced as the “Access Area”) is more particularly described as an area from the northeast side of the property to six (6) feet from the inside of the curb (or 6 feet, 8 inches from the outside of the curb) on N. Main Street and extending for the length of the property; and

WHEREAS, the State, through the New Jersey Department of Transportation, has advised the Borough that there are no permits required from, nor is there any other formal process necessary through, the State in order for the Applicant to install outdoor dining tables and chairs within the Access Area and/or for the Applicant to exclusively use the Access Area in connection with its normal business activities; and

WHEREAS, the State, through the New Jersey Department of Transportation, has advised the Borough that such approval is a local matter to be handled by the Borough, so long as the proposed outdoor dining tables and chairs, and other outdoor uses by the Applicant, do not block and/or interfere with pedestrian traffic; and

WHEREAS, the Borough is willing to allow the Applicant to utilize the Access Area for the purposes referenced above, upon the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, it is hereby agreed by and between the parties as follows:

1. Subject to the terms and conditions set forth below, the Borough hereby allows the Applicant to utilize part of the public right-of-way as located within the Access Area in order to place outdoor dining tables and chairs for the exclusive use of patrons of the 12 Farms Restaurant, LLC and to conduct normal business activities associated with the 12 Farms Restaurant, LLC.

2. The Access Area shall not include an area from N. Main Street to six (6) feet from the inside of the curb (or 6 feet, 8 inches from the outside of the curb). Such area shall remain free and clear so as not to interfere with and/or impede the general flow of pedestrian traffic.

3. The Applicant shall maintain the Access Area free of litter, branches and other debris at all times.

4. The Applicant shall not construct any permanent fixtures or structures within the Access Area.

5. The Applicant shall obtain and maintain appropriate liability insurance, in amounts acceptable to the Borough, at all times during the term of this Agreement and shall name the Borough as an additional insured therein. The Applicant shall provide proof of the insurance coverage required by this Paragraph to the Borough, particularly to the attention of the Borough Clerk, on an annual basis. The Applicant agrees to provide the Borough with advance written notice, particularly to the attention of the Borough Clerk, of any proposed changes in its insurance coverage relating to the Access Area (of whatever nature) during the term of this Agreement.

6. The Applicant, absent negligence on the part of the Borough, its employees, officials, agents and/or other representatives, agrees to release, defend and hold harmless the Borough, its employees, officials, agents and other representatives, from and against any and all claims, demands, suits or actions, and liability, loss, damage, or judgment which may in any manner arise out of, or be occasioned by, or result from the use or occupancy of the Access Area by the Applicant and its invitees, as well as against any fees, costs, charges or expenses which the Borough may incur in the defense of any such claim, suit, action or similar demand made or

filed by any third-party against the Borough to the extent the same arises out of or relates to the use of the Access Area by the Applicant and its invitees.

7. The Applicant shall be responsible for the outdoor dining tables, chairs and/or other equipment (collectively, the “personal property”) that are utilized within the Access Area, including any damages which may be occasioned thereto from others or through Acts of God. Absent negligent or intentional destructive acts performed by the Borough, its employees, officials, agents and/or other representatives, the Borough shall not be held responsible for any damage(s) which may be occasioned to the Applicant’s personal property. Moreover, the Applicant shall be responsible for any damage(s) which may be occasioned to the person and/or property of third parties resulting from the personal property.

8. The term of this Agreement shall be for one (1) year from the date hereof, and may be renewed at the mutual agreement of the parties.

9. Notwithstanding the foregoing, the Borough shall have the right to terminate this Agreement, after providing the Applicant with reasonable written notice and a reasonable opportunity to cure, if the Applicant shall default on any covenant or obligation contained herein.

10. The Applicant shall, upon termination or expiration of this Agreement, unless otherwise directed by the Borough, cause the Access Area to be restored to a condition reasonably similar to that which existed prior to entry thereon.

11. This Agreement shall be governed by the laws of the State of New Jersey. The parties hereby acknowledge that this Agreement has been executed and delivered in the State of New Jersey, and the parties submit to the jurisdiction of the courts of the State of New Jersey.

12. This Agreement shall constitute the entire agreement between the parties relating to the right of access referenced herein. No changes, additions or modifications to this Agreement shall be effective unless signed in writing by all parties.

13. This Agreement shall be binding upon the Applicant, its executors, administrators, or legal representatives, successors and assigns.

14. This Agreement shall not be assignable by the Applicant.

IN WITNESS WHEREOF, the Borough and the Applicant have caused this Agreement to be executed.

WITNESS:

12 FARMS RESTAURANT

By: RENATO DILORENZO

DATE

ATTEST:

BOROUGH OF HIGHTSTOWN

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

DATE

STATE OF NEW JERSEY }
 } SS
 COUNTY OF MERCER }

BE IT REMEMBERED, that on this _____ day of _____, 2011, before me, the subscriber, personally appeared RENATO DILORENZO, who, being by me duly sworn on his oath, did depose and make proof to my satisfaction, that he is the maker of the within instrument, and that he was authorized to and did execute said instrument as _____ of 12 Farms Restaurant, LLC the entity named in the within instrument and executed said instrument as the act of the said entity, in the presence of deponent, who thereupon subscribed his/her name thereto as attesting witness.

Sworn and subscribed to before
 me on the date aforesaid.

ATTORNEY AT LAW OR
 NOTARY PUBLIC

STATE OF NEW JERSEY }
 } SS
 COUNTY OF MERCER }

BE IT REMEMBERED, that on this _____ day of _____, 2015, before me, the subscriber, personally appeared DEBRA L. SOPRONYI, who, being by me duly sworn on her oath, did depose and make proof to my satisfaction, that she is the Municipal Clerk of the Borough of Hightstown, the municipal corporation named in the within instrument; that LAWRENCE D. QUATTRONE is the Mayor of said Borough; that the execution, as well as the making, of this instrument has been duly authorized by a Resolution of the Borough; that deponent well knows the corporate seal of said Borough; and that the seal affixed to said instrument was signed and delivered by said Mayor as and for his voluntary act and deed on behalf of the Borough, in the presence of deponent, who thereupon subscribed her name thereto as attesting witness.

Sworn and subscribed to before
 me on the date aforesaid.

ATTORNEY AT LAW OR
 NOTARY PUBLIC

Resolution 2015-110

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

AWARDING A CONTRACT FOR ROAD IMPROVEMENT PROGRAM – LUCAS CONSTRUCTION GROUP. INC.

WHEREAS, eight (8) bids were received on March 10, 2015 for the Road Improvement Program in Hightstown Borough; and

WHEREAS, it is the Engineer's recommendation that a contract for the base bid for the Road Improvement Program be awarded to Lucas Construction Group, Inc., of Morganville, New Jersey in the amount of \$1,598,913.21; and

WHEREAS, the Borough Attorney has reviewed the bid and determined that the bid submitted by Lucas Construction Group, Inc. is in order with respect to legal compliance; and

WHEREAS, a portion of this project is funded through New Jersey Department of Transportation Municipal Aid Grants in the amount of \$252,836.00 and \$283,500.00; and

WHEREAS, \$321,570.00 of the project cost is attributed to water and sewer improvements; and

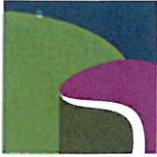
WHEREAS, availability of funds for the Road Improvement Program is subject to the adopted ordinance being effective.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the Road Improvement Program is hereby awarded to Lucas Construction Group, Inc., of Morganville, New Jersey in the amount of \$1,598,913.21.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk



Roberts
 ENGINEERING GROUP LLC
 Women Business Enterprise Certified

1670 Whitehorse-Hamilton Square Rd.
 Hamilton, New Jersey 08690
 609-586-1141 fax 609-586-1143
 www.RobertsEngineeringGroup.com

April 8, 2015

Mayor and Council
 Borough of Hightstown
 148 North Main Street
 Hightstown, NJ 08520

Re: Receipt of Bids
 Road Improvement Program
 Borough of Hightstown, Mercer County
 Our File No.: H1742

Dear Mayor and Council:

Bids were received for the Road Improvement Program on March 10, 2015. A total of fourteen (14) bidders obtained plans and specifications and eight (8) Contractors submitted bids. The bid results are as follows:

	<u>Base Bid</u>
1. Lucas Construction Group, Inc. Morganville, NJ	\$1,598,913.21
2. S. Brothers, Inc. South River, NJ	\$1,621,639.75
3. Lucas Brothers, Inc. Morganville, NJ	\$1,636,350.87
4. Black Rock Enterprises Old Bridge, NJ	\$1,667,734.75
5. Z Brothers Concrete Contractors, Inc. Sayerville, NJ	\$1,720,373.06
6. The Earle Companies Farmingdale, NJ	\$1,814,213.13
7. Cardinal Contracting Co., LLC. Southampton, NJ	\$1,847,417.27
8. Reivax Contracting Newark, NJ	\$1,969,043.00

We have reviewed the bid submitted by Lucas Construction Group, Inc. All conditions set forth in the bid proposal have been satisfied and the Contractor is not on the current list of debarred Contractors.

We have contacted the Contractor's references and received favorable responses. According to the references, Lucas Construction Group, Inc. is responsive, experienced, and efficient

The Engineer's Estimate prepared by this office was in the amount of \$1,651,376.75 of which \$369,965.00 was for water and sewer improvements. The low bid is 3% lower than the Engineer's Estimate. The low bid includes water and sewer improvements at a cost of \$321,570, approximately \$48,400.00 less than estimated.

Borough of Hightstown
Hightstown, Mercer County, NJ
Our File No.: H1742
Page 2 of 2

Although 4 alternates were included in the Bid Form these were all for deductions. As the price of the Base Bid is less than the Engineer's Estimate, I recommend that no alternates be awarded.

This project is funded by the New Jersey Department of Transportation under the Municipal Aid Grant program with two grants in the amount of \$252,836.00 and \$283,500.00.

The Borough Attorney has reviewed the low bidder's documents and found them to be legally sufficient. Therefore, it is our recommendation that a contract be awarded to Lucas Construction Group, Inc. for the Base Bid in the amount of \$1,598,913.21.

The Resolution of Award must be subject to the approval of the NJDOT.

By way of this letter, the original bids are being returned to the Clerk.

Very truly yours,



Carmela Roberts, P.E.
Borough Engineer

cc: Henry Underhill, Borough Administrator
Debra Sopronyi, Borough Clerk
Frederick Raffetto, Esq., Borough Attorney
George Lang, Borough CFO
Ken Lewis, Superintendent of Public Works
Larry Blake, Lead Water Plant Operator
Bill Searing, Superintendent AWWTP
Cameron Corini, EIT, Roberts Engineering Group

Resolution 2015-111

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2015 BUDGET

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2015 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 2015 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	588,127.00	413,500.00	1,001,627.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	236,000.00	500,000.00	736,000.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	824,127.00	913,500.00	1,737,627.00

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 2015 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 Treasurer.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Borough of Hightstown
 Emergency Temporary No. 4
 4/20/2015

Current Fund

Borough Clerk	Salaries and Wages	10,000.00
Borough Clerk	Other Expenses	1,000.00
Financial Administration	Salaries and Wages	5,000.00
Tax Collector	Salaries and Wages	5,000.00
Tax Collector	Other Expenses	1,000.00
Municipal Court	Salaries and Wages	5,000.00
Workers Compensation	Other Expenses	34,000.00
Liability Insurance	Other Expenses	21,000.00
Police	Salaries and Wages	30,000.00
Police and Fire Communications	Salaries and Wages	10,000.00
Sanitation	Salaries and Wages	5,000.00
Recycling	Salaries and Wages	6,000.00
Board of Health	Salaries and Wages	6,000.00
Maintenance of Parks	Salaries and Wages	5,000.00
Maintenance of Parks	Other Expenses	1,000.00
Celebration of Public Events	Other Expenses	600.00
Postage	Other Expenses	2,000.00
Electric	Other Expenses	5,000.00
Landfill Disposal	Other Expenses	10,000.00
Construction Code	Salaries and Wages	10,000.00
Construction Code	Other Expenses	500.00
Housing Code Enforcement	Other Expenses	500.00
Public Employees Retirements System	Other Expenses	141,000.00
Police and Firemen's Retirements System	Other Expenses	247,527.00
Social Security	Other Expenses	10,000.00
Capital Improvement Fund	Other Expenses	16,000.00

Subtotal Current Fund		<u>588,127.00</u>
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Water Sewer Utility Fund

Salaries and Wages		100,000.00
Other Expense		50,000.00
Public Employees Retirements System		76,000.00
Social Security		10,000.00

Subtotal Water Sewer Utility Fund		<u>236,000.00</u>
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Total		<u><u>824,127.00</u></u>
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Resolution 2015-112

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

AUTHORIZING ISSUANCE OF BINGO LICENSE #BL-2015-01 TO HIGHTSTOWN ENGINE CO. NO. 1

WHEREAS, the Hightstown Engine Company No. 1 wishes to hold Bingo Games at 140 North Main Street on the fourth Friday of every month, April through September 2015; and

WHEREAS, the group has submitted application number BA-2015-01 for this bingo along with the required fees; and

WHEREAS, Hightstown Engine Company No. 1 is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-33988; and

WHEREAS, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the games, and the games themselves, have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Bingo License No. 2015-01 to the Hightstown Engine Company No. 1 for their bingo to be held on the fourth Friday of every month, April through September 2015.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2015-113

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

AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-2015-01 TO HIGHTSTOWN ENGINE CO. NO. 1

WHEREAS, the Hightstown Engine Company No. 1 wishes to hold an on-premise 50/50 raffle at 140 North Main Street on the fourth Friday of every month, April through September 2015; and

WHEREAS, the group has submitted application number RA-2015-01 for this raffle along with the required fees; and

WHEREAS, Hightstown Engine Company No. 1 is currently registered with the Legalized Games of Chance Control Commission, holding registration identification number 209-9-33988; and

WHEREAS, the Borough Clerk and the Police Department have reviewed the application and have determined that the requirements of N.J.S.A. 5:8-53, regarding the applicant, the members in charge of the game, and the game itself, have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. 2015-01 to the Hightstown Engine Company No. 1 for their raffle to be held on the fourth Friday of every month, April through September 2015.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2015-114

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

AUTHORIZING THE ISSUANCE OF AN AUCTION LICENSE - EMPIRE ANTIQUES

WHEREAS, an application for a license to hold an auction on Saturday, April 25, 2015 at 278 Monmouth Street in the Borough of Hightstown has been submitted by Empire Antiques, together with the required fee; and

WHEREAS, the application has been reviewed and approved by the Police Department; and

WHEREAS, it is the desire of the Mayor and Council that a license be issued to Empire Antiques for this event.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is hereby authorized to issue a license to Empire Antiques for their auction to be held on Saturday, April 25, 2015, at 278 Monmouth Street.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2015-115

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

AUTHORIZING APPLICATION FOR A RECYCLING TONNAGE GRANT

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2014 tonnage grant will memorialize the commitment of this municipality to recycling, and will indicate the assent of the Mayor and Council of the Borough of Hightstown to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations;

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

1. The Borough of Hightstown hereby endorses the submission of a 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection.
2. Ken Lewis, Recycling Coordinator, 156 Bank Street, Hightstown, New Jersey 08520, is hereby designated and directed to ensure that the application is properly completed and timely filed;
3. Monies received from the recycling tonnage grant shall be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2015-116

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

ESTABLISHING SUMMER HOURS FOR BOROUGH HALL EMPLOYEES

WHEREAS, resolution 2015-21 adopted on January 2, 2015 established the schedule of Holiday and Borough business hours for the year 2015; and

WHEREAS, it is the desire of the employees of Borough Hall to revert to a summer schedule as has been done in past years; and

WHEREAS, the Mayor and Borough Council wishes to accommodate the residents of the Borough with longer office hours during the summer months.

BE IT RESOLVED by the Mayor and Council of Hightstown Borough that the official summer business hours for Borough offices will be as set forth below:

1. During the period running from May 29, 2014 thru September 3, 2015, offices at Borough Hall will be open according to the following schedule:

Monday, Tuesday and Wednesday	8:00 a.m. to 5:30 p.m.
Thursday	8:00 a.m. to 4:30 p.m.
Friday	Closed

2. The affected Borough office Employees shall be entitled to a half-hour lunch hour during the period that this summer schedule is in effect.
3. This arrangement shall not impact essential personnel including police officers, dispatchers, public works employees, water plant employees and sewer plant employees.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2015-117

*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 2014-47 on February 18, 2014, 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, 2014 through February 28, 2015 at a cost of Twenty-Seven Thousand One Hundred Ninety-Five Dollars and Ninety-Nine Cents (\$27,195.99) 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 29, 2016; 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, 2015 through February 29, 2016; and

WHEREAS, the Borough's net share of costs for these services, by the terms of this agreement, for the period March 1, 2015 through February 29, 2016 will be Twenty-Seven Thousand Six Hundred Six Dollars and Eighty-three Cents (\$27,606.83) for this 12-month period; and

WHEREAS it is the intention of the Mayor and Council to provide adequate funding for this expenditure in the 2015 and 2016 budgets;

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 period March 1, 2015 through February 29, 2016 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.
3. This agreement is approved subject to the provision of adequate funds in the Borough's 2015 and 2016 budgets.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

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

THIS AGREEMENT, made this 1st day of March 2015, 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, 2015 through February 29, 2016. 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.

SENIOR SHARED SERVICES AGREEMENT
Page 2

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 Twenty-seven thousand six hundred six dollars and eighty-three cents (\$27,606.83).

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 2015 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 \$27,606.83 payable as follows:

May 1, 2015	\$6,901.71
August 1, 2015	\$6,901.71
November 1, 2015	\$6,901.71
February 1, 2016	\$6,901.71

8. 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.

9. RENEWAL

Prior to March 1, 2016, 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

Gretchen McCarthy, Municipal Clerk

JANICE S. MIRONOV, Mayor

Date: _____

ATTEST:

BOROUGH OF HIGHTSTOWN

Debra Sopronyi, Borough Clerk

Lawrence A. Quattrone, Mayor

Date: _____

TOWNSHIP OF EAST WINDSOR
DETAIL OF 2015 ESTIMATED EXPENSES

Salaries

Senior Center Coordinator	\$ 51,258.00	100%	\$ 51,258.00
Recreation Director	\$ 14,375.00	25%	\$ 57,500.00
Recreation Secretary	\$ -	25%	
P/T Substitutes	\$ 3,100.00	100%	\$ 3,100.00
Custodian	\$ 16,513.00	100%	\$ 16,513.00

Fringe**2015****Insurance**

Senior Center Coordinator	\$ 10,000.00	100%	\$ 10,000.00
Recreation Director	\$ 6,727.35	25%	\$ 26,909.40
Recreation Secretary	\$ -	25%	
Brady	\$ 2,730.62	20%	\$ 34,132.80
Assistant to the Twp. Mgr.	\$ 2,077.94	20%	\$ 10,389.72
Assistant Manager	\$ 5,381.88	20%	\$ 26,909.40
Askenstedt	\$ 5,318.68	20%	\$ 26,593.40
Finance Director	\$ 1,000.00	20%	\$ 5,000.00

Workmen's Comp	\$ 997.09	\$ 33,236.48	
Fica		PERS	
Leacock	\$ 3,921.24	Total Wages	\$ 104,533.21
Recreation Director	\$ 1,099.69		
Recreation Secretary	\$ -		
Jim Brady, Manager	\$ 351.58		4%
Assistant to the Twp. Mgr.	\$ 249.39		
Eric Schubiger, Assistant Ma	\$ 296.82	2015 PERS	\$ 433,633.00
Bill Askenstedt, Director, DP ¹	\$ 301.96	PERS	\$ 17,345.32
Finance Director	\$ 260.10		
Custodian/P/T	\$ 1,500.39		
Total Fringe	\$ 54,106.30		

Community Bus Grant

Local Share	\$ 37,420.00
Hightstown-Interlocal	\$ 2,180.00
Community Bus Costs not covered by Gr.	\$ 35,240.00

Administration**Estimate 15**

Jim Brady, Manager	\$ 4,800.00	\$ 120,000.00
Assistant to the Twp. Mgr.	\$ 3,260.00	\$ 81,500.00
Eric Schubiger, Assistant Ma	\$ 3,880.00	\$ 97,000.00
Bill Askenstedt, Director, DP ¹	\$ 3,947.21	\$ 98,680.32
Finance Director	\$ 3,400.00	\$ 85,000.00

Total **\$ 19,287.21** **\$ 482,180.32**

Insurance

Gen Liability 2015	\$ 164,439.00	\$ 14,799.51
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Property 2015	\$ 32,898.00	\$ 2,960.82	Bldg Budgets	%	2014
			Police	50%	\$ 254,733.00
			Ward St	10%	\$ 50,250.00
			Municipal	26%	\$ 133,305.00
			Senior Center	13%	\$ 66,355.00
			Total	100%	\$ 504,643.00

Total **\$ 197,337.00** **\$ 17,760.33**

	2015 Total	Senior Center & Interlocal	Buildings & Grounds	Utilities
<u>Direct Costs</u>				
Office Supplies	\$ 1,600.00	\$ 1,600.00	\$ -	\$ -
Printed Supplies	\$ -	\$ -	\$ -	\$ -
Uniforms & Clothing	\$ 955.00	\$ -	\$ 955.00	\$ -
Minor Tools & General Hardware	\$ 200.00	\$ -	\$ 200.00	\$ -
Emergency & Safety Equipment	\$ 725.00	\$ 75.00	\$ 650.00	\$ -
Flags, Trophies & Awards	\$ 800.00	\$ 300.00	\$ 500.00	\$ -
Stationary Equipment	\$ 1,950.00	\$ -	\$ 1,950.00	\$ -
Books and Publications	\$ 50.00	\$ 50.00	\$ -	\$ -
Photographic Supplies & Equipment	\$ -	\$ -	\$ -	\$ -
Food	\$ 1,800.00	\$ 1,800.00	\$ -	\$ -
Recreation Supplies	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -
Other Consumable Supplies	\$ 1,000.00	\$ 1,000.00	\$ -	\$ -
Grounds	\$ 3,300.00	\$ -	\$ 3,300.00	\$ -
Trees, Plants & shrubbery	\$ 500.00	\$ -	\$ 500.00	\$ -
Janitorial Supplies	\$ 3,300.00	\$ 100.00	\$ 3,200.00	\$ -
Lighting Supplies	\$ 850.00	\$ -	\$ 850.00	\$ -
Electrical Service	\$ 28,000.00	\$ -	\$ -	\$ 22,000.00
Telephone Service	\$ 6,500.00	\$ -	\$ -	\$ 6,500.00
Natural Gas Service	\$ 13,000.00	\$ -	\$ -	\$ 11,000.00
Alarm System	\$ 1,700.00	\$ -	\$ 1,700.00	\$ -
Other Building Services	\$ 4,050.00	\$ -	\$ 4,050.00	\$ -
Other Contractual Services	\$ 51,393.00	\$ 42,393.00	\$ 9,000.00	\$ -
Other Equipment	\$ 960.00	\$ 960.00	\$ -	\$ -
Memberships	\$ -	\$ -	\$ -	\$ -
Meetings & Conferences	\$ 150.00	\$ 150.00	\$ -	\$ -
Training & Tuition	\$ -	\$ -	\$ -	\$ -
Sub-total	\$ 126,783.00	\$ 52,428.00	\$ 26,855.00	\$ 39,500.00
<u>Salaries & Wages</u>				
Senior Center Coordinator	\$ 51,258.00	\$ 51,258.00	\$ -	\$ -
P/T Substitutes	\$ 3,100.00	\$ 3,100.00	\$ -	\$ -
Custodian	\$ 16,513.00	\$ -	\$ 16,513.00	\$ -
Recreation Department Director	\$ 14,375.00	\$ 14,375.00	\$ -	\$ -
Clerical Support	\$ 1,850.58	\$ 1,850.58	\$ -	\$ -
Fringe Benefits for Employees	\$ 54,106.30	\$ 54,106.30	\$ -	\$ -
Sub-total	\$ 141,202.88	\$ 124,689.88	\$ 16,513.00	\$ -
Total Budget	\$ 267,985.88	\$ 177,117.88	\$ 43,368.00	\$ 39,500.00

Indirect Costs

	2015 Total	2014 Total
Community Bus not covered by Grant	\$ 37,420.00	\$ 37,420.00
Insurance	\$ 17,760.33	\$ 15,854.24
Depreciation	\$ 3,605.00	
Administration	\$ 19,287.21	\$ 18,947.21
Total Indirect Costs	\$ 78,072.54	\$ 72,221.45

Revenues

Bus Fares Collected	\$ 973.00
Total Revenues	\$ 973.00

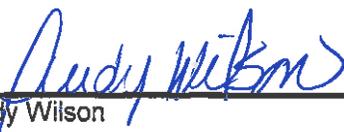
TOTAL COSTS LESS REVENUE \$ 345,085.42

	2015 Total	Senior Center	Buildings & Grounds	Utilities
Budgeted	\$ 267,985.88	\$ 177,117.88	\$ 43,368.00	\$ 39,500.00
Indirect Costs	\$ 78,072.54	\$ 78,072.54	\$ -	\$ -
Total Expenses	\$ 346,058.42	\$ 255,190.42	\$ 43,368.00	\$ 39,500.00
Total Revenues	\$ (973.00)	\$ (973.00)		
Total Costs Less Revenues	\$ 345,085.42	\$ 254,217.42	\$ 43,368.00	\$ 39,500.00

PERCENTAGE OF USE	2014* Participation	2015 Amount	2014 Participation	2014 Amount
East Windsor	92%	\$ 317,478.59	92%	\$317,049.13
Hightstown	8%	\$ 27,606.83	8%	\$27,195.99
Total	100%	\$ 345,085.42	100%	\$ 344,245.12

Interlocal Service Agreement Payments

May 1, 2015	\$ 6,901.71
August 1, 2015	\$ 6,901.71
November 1, 2015	\$ 6,901.71
February 1, 2016	\$ 6,901.71
Total Due	\$ 27,606.83



Judy Wilson
Finance Director

*2015 figures will be based on 2014 participation as of 12/31/14.

	Agreement Year		
	2015	2014	2013
<u>Direct Costs</u>			
Office Supplies	\$ 1,600.00	\$ 1,200.00	\$ 1,200.00
Printed Supplies	\$ -	\$ 2,400.00	\$ 2,400.00
Uniforms & Clothing	\$ 955.00	\$ 955.00	\$ 955.00
Minor Tools & General Hardware	\$ 200.00	\$ 200.00	\$ 200.00
Emergency & Safety Equipment	\$ 725.00	\$ 725.00	\$ 725.00
Flags, Trophies & Awards	\$ 800.00	\$ 800.00	\$ 800.00
Stationary Equipment	\$ 1,950.00	\$ 1,950.00	\$ 1,950.00
Books and Publications	\$ 50.00	\$ 50.00	\$ 50.00
Photographic Supplies & Equipment	\$ -	\$ -	\$ -
Food	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
Recreation Supplies	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
Other Consumable Supplies	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Grounds	\$ 3,300.00	\$ 3,300.00	\$ 1,200.00
Trees, Plants & shrubbery	\$ 500.00	\$ 500.00	\$ 500.00
Janitorial Supplies	\$ 3,300.00	\$ 3,300.00	\$ 3,300.00
Lighting Supplies	\$ 850.00	\$ 850.00	\$ 850.00
Electrical Service	\$ 28,000.00	\$ 28,000.00	\$ 25,000.00
Telephone Service	\$ 6,500.00	\$ 6,500.00	\$ 5,000.00
Natural Gas Service	\$ 13,000.00	\$ 13,000.00	\$ 11,000.00
Alarm System	\$ 1,700.00	\$ 1,700.00	\$ 1,700.00
Other Building Services	\$ 4,050.00	\$ 4,050.00	\$ 2,250.00
Other Contractual Services	\$ 51,393.00	\$ 47,253.00	\$ 47,253.00
Other Equipment	\$ 960.00	\$ 960.00	\$ 960.00
Memberships	\$ -	\$ -	\$ -
Meetings & Conferences	\$ 150.00	\$ 150.00	\$ 150.00
Training & Tuition	\$ -	\$ -	\$ -
Sub-total	\$ 126,783.00	\$ 124,643.00	\$ 114,243.00
<u>Salaries & Wages</u>			
Senior Center Coordinator	\$ 51,258.00	\$ 51,258.00	\$ 51,257.00
P/T Substitutes	\$ 3,100.00	\$ 3,100.00	\$ 7,000.00
Custodian	\$ 16,513.00	\$ 16,513.00	
Recreation Department Director	\$ 14,375.00	\$ 14,375.00	
Clerical Support	\$ 1,850.58	\$ 1,850.58	\$ 3,541.19
Fringe Benefits for Employees	\$ 54,106.30	\$ 54,358.00	\$ 45,869.49
Sub-total	\$ 141,202.88	\$ 141,454.58	\$ 107,667.68
Total Budget	\$ 267,985.88	\$ 266,097.58	\$ 221,910.68

Indirect Costs

	2015	2014	2013
Community Bus not covered by Grant	\$ 37,420.00	\$ 37,420.00	\$ 25,820.00
Insurance	\$ 17,760.33	\$ 17,760.33	\$ 15,854.24
Depreciation	\$ 3,605.00	\$ 3,605.00	\$ 3,605.00
Administration	\$ 19,287.21	\$ 19,607.21	\$ 18,827.21
Lost Property Taxes	\$ 712.00	\$ 712.00	\$ 712.00
Total Indirect Costs	\$ 78,072.54	\$ 79,104.54	\$ 64,818.45
Revenues			
Bus Fares Collected	\$ 973.00	\$ 957.00	\$ 1,000.00
Total Revenues	\$ 973.00	\$ 957.00	\$ 1,000.00
TOTAL COSTS LESS REVENUE	\$ 345,085.42	\$ 344,245.12	\$ 285,729.13

	2015 Total	2014 Total	2013 Total
Budgeted	\$ 267,985.88	\$ 266,097.58	\$ 221,910.68
Indirect Costs	\$ 78,072.54	\$ 79,104.54	\$ 64,818.45
Total Expenses	\$ 346,058.42	\$ 345,202.12	\$ 286,729.13
Total Revenues	\$ (973.00)	\$ (957.00)	\$ (1,000.00)
Total Costs Less Revenues	\$ 345,085.42	\$ 344,245.12	\$ 285,729.13



Judy Wilson
Finance Director

Resolution 2015-118

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

MAKING AND CONFIRMING APPOINTMENTS TO THE HIGHTSTOWN BOROUGH ENVIRONMENTAL COMMISSION

BE IT RESOLVED that the following appointments to the Hightstown Borough Environmental Commission are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

Joshua Jackson	Ux. 3 yrs.	December 31, 2015
Joanna Jackson	Alt. #1 - Ux. 2 yrs.	December 31, 2016

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2015-119

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

AUTHORIZING AND SUPPORTING AN APPLICATION FOR A LOCAL ARTS PROGRAM GRANT

WHEREAS, the New Jersey State Council on the Arts, Mercer County Executive Brian M. Hughes and the Mercer County Board of Chosen Freeholders have made funds available for support of the Arts through a State/County Block Grant Partnership for Arts Organization and County Art Agencies; and

WHEREAS, the Borough of Hightstown has established a Cultural Arts Commission for the development of artistic and cultural appreciation and expression as an important consideration in the progress and growth of our society; and

WHEREAS, the Cultural Arts Commission's pursuit through the presentation of cultural/artistic events and programs, and establishment of art installation sites and venues is declared to be a significant goal benefiting all Mercer County residents, as well as those who reside outside of Mercer County; and

WHEREAS, a resolution authorizing this municipality to apply for the Local Arts Program Grant will memorialize the commitment of this municipality to the Arts, and will indicate the assent of the Mayor and Council of the Borough of Hightstown to the efforts undertaken by the Hightstown Borough Cultural Arts Commission;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough of Hightstown hereby endorses the submission of a Local Arts Program Grant application in support of the Hightstown Borough Cultural Arts Commission.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk



Mercer County Cultural and Heritage Commission
FY 2016 Local Arts Program Grant Guidelines

Deadline for submission April 24, 2015

**Mercer County Cultural and Heritage Commission McDade Administration Building
 640 South Broad Street PO Box 8068 Trenton, NJ 08650**

609-278-2712 Voice 609-278-6672 Fax 609-989-6865 TTY

www.mercercounty.org

The New Jersey State Council on the Arts, Mercer County Executive Brian M. Hughes and the Mercer County Board of Chosen Freeholders have made funds available for support of the Arts through a State/County Block Grant Partnership for Arts Organizations and County Arts Agencies. The three-year block grant is an essential part of the State arts community and a most effective vehicle through which to promote the programs of local arts groups. Applications are carefully evaluated to insure programs of high quality, ethnic diversity and community participation with maximum availability and accessibility to all county residents. This Local Arts Program Grant is administered by the Mercer County Cultural and Heritage Commission. The MCC&HC LAP Grant Program is intended to promote the growth and expand the public impact of community arts organizations and community arts projects.

County of Mercer

The Honorable Brian M. Hughes, *County Executive*
 Board of Chosen Freeholders

Office of Economic Development and Sustainability

Elizabeth Maher Muoio, *Director*

Division of Culture and Heritage

Idamis-Perez Margicin, *Chief*
imargicin@mercercounty.org

Tricia Fagan, *Historic Outreach Specialist*
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Lisa Tramo, *Secretary*
ltramo@mercercounty.org

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Eligible Applicants

Any Mercer County-based organization incorporated in the State of New Jersey as a non-profit corporation or any unit of government. The organization must have been in existence and actively providing public arts projects, programs or services within Mercer County continuously for at least the past two years. K-12 schools and school districts are not eligible, but may be a partner or collaborator on a project with an eligible applicant.

At the time of application the organization must be either incorporated and tax-exempt by determination of the Internal Revenue Service in accordance with Sections 501(c)3 or (c)4 or IRS or filings are in process and status must be achieved by January 1, 2014.

Funding Categories

General Operating Support

Applicants to this category would be limited to non-profit organizations whose missions are exclusively devoted to the public presentation of the arts. GOS funds provide support for the overall operations of these organizations for the calendar year. Although there are specific uses for GOS funds that are considered ineligible, GOS funds may be used for most activities that support the organization's arts mission.

Special Project Support

This category would be open to any organization that meets the eligibility requirements (see Eligible Applicants).

A special project is a public arts activity or event that occurs once during the year with a specific date or specific start and completion dates. The project may contain multiple events or activities, but these must be clearly related by discipline or theme. The special project MUST be separate from the regular programs of the applicant organization and should have its own mission and goals. It may be considered permanent within the sponsoring institution or it may be a one-time occurrence. The project should be wholly

dedicated to the arts and the sponsoring organization should clearly demonstrate a commitment to support of the arts project through the allocation of resources and funds raised in the community.

Examples of a special project include a concert, an exhibition, a reading, the run of a single theatrical production, a festival, or workshops, lectures and demonstrations in one of the arts disciplines.

Funded events must take place within Mercer County and have a public audience.

Technical Assistance Support

Applicants to this category would be limited to non-profit organizations whose missions are exclusively devoted to the public presentation of the arts.

Technical Assistance would be defined as practical advice offered to a nonprofit arts organization by an expert source that addresses specific areas for improvement, such as operational or management assistance, development and fundraising assistance, budgeting and financial planning, strategic and program planning, legal advice, marketing, and staff development and training.

Technical Assistance would be administered through advice, recommendations, demonstrations, and materials provided by professional staff with background in providing technical guidance. TA may be provided in person, by electronic media such as telephone, video, or e-mail, and by other means.

Ineligible Uses of Grant Funds

- capital improvements and acquisitions (including artwork)
- hospitality costs
- foreign travel
- deficits or replacement of funds normally budgeted for the activity
- fundraising events
- student-produced publications, scholarships or awards
- support for "The Nutcracker" OR any organization whose sole activity/season is based on "The Nutcracker"

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Arts Disciplines

Arts programs and projects should fall under any of the following disciplines:

- dance
- instrumental or vocal music
- theatre or musical theatre
- visual and media arts
- folk arts and crafts if they reflect authentic traditions practiced by master artists
- literary arts
- composition
- multi-disciplinary
- multi-media projects

Funding Request Cap

For General Operating Support the maximum amount of grant funds an organization may request is 25% of the average of last year and the current year total operating income, not to exceed \$6,000.

For Special Project and Technical Assistance support, the maximum allowable request would be 50% of the total estimated expense budget for that specific activity, which would be separate from the estimated expense budget for the applicant organization. Total amount requested may not exceed \$6,000

Applicants are encouraged to request the maximum amount of grant funds that they can demonstrate they can match. Grant awards are based on the number of applications received by MCC&HC and funds available for the LAP grant program.

Grant Period

The Grant Period for all FY16 grants under this program runs January 1, 2016 to December 31, 2016.

Match Requirements

The match requirements are 50% of requested grant amount with at least 25% in cash; the remainder may be in-kind goods and services. New Jersey Cultural Trust and other MCC&HC grant funds may not be used to meet the match requirements. The match for GOS may be derived from the total income budget for the organization; the match for SP and TA may derive

from all contributed, earned or organization funds specifically allocated for the project or program.

Budget Documentation

Organizations applying for the first time to the county for grant funds must provide documentation of the organization's expenses in the form of

- an audit from an accountant
- copy of previous year's tax return to the IRS
- letter from an accountant certifying the expenses for the previous year.

Organizations which received a grant in the previous year that are applying again do not need to supply these documents unless there are any major changes.

Americans with Disabilities Act (ADA)

Applications for GOS, SP and TA funds must complete a Project Checklist for Accessibility ADA. Organizations applying for GOS and TA funds may submit an ADA Plan in lieu of the ADA checklist. The ADA plan should be based on the comprehensive self-assessment survey tool developed by the New Jersey Arts Access Task Force. This survey is available on the NJSCA website at www.njartscouncil.org. Organizations will be required to submit an updated board-approved ADA plan with each grant application submitted.

Evaluation Process

Grant applications are evaluated by two separate groups of independent arts and cultural activists. The first evaluation is done by a Grant Review Panel comprised of members of the arts community representing a variety of disciplines. The nine-member Mercer County Cultural and Heritage Commission does the second evaluation.

Evaluation Criteria

Review panels evaluate applications for:

- Administrative abilities and financial stability of the organization
- Reasonable budget, use of funds and ability to raise funds for a special project

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- Planning and development, including long range planning strategies
- Cultural diversity of organization and audience
- Need, promise and potential of the organization or special project, and the capability of the organization to follow through
- Support materials that demonstrate ability to achieve artistic excellence, fulfill stated mission and/or meet the unique needs of the community
- Demonstration of ADA compliance or clear and concise plan to address non-compliance issues
- Describe the Project or Programs to be funded. Explain how the project is to be carried out, specify the art forms involved, and include a schedule or calendar of activities. Include a brief explanation of how the project will improve the organization's artistic excellence and outreach. Explain how the successes and/or failures of the project will be evaluated.
- Explain the Americans with Disabilities Act (ADA) policy of the applicant organization. Describe progress the organization has made in making programming more accessible and inclusive. Discuss any barriers that still exist and outline goals and specific steps to address and remove barriers in a detailed timeline, with assignment of responsibility and consideration of costs necessary to implement each goal. Include attention to facilities, programmatic access, marketing, employment, and sensitivity awareness, and identification of the access committee, ADA coordinator, and a grievance procedure.

Priorities for Funding

In addition to the evaluation criteria, importance is placed on:

- Innovation in programming or projects
- Collaborations or partnerships, especially between culturally diverse organizations and artists
- Demonstration of benefits to culturally diverse or underserved populations
- Inclusion of and service to artists who are disabled
- Presentation of authentic arts of ethnic cultures by artists that represent those cultures

Narrative

The narrative is an opportunity to give more details about the applicant organization, background, programs, services, goals, plans, benefits to the community. This is the vehicle to explain and describe any unusual or unique circumstances not addressed in the application form. The narrative and support materials should contain all relevant information necessary for a person unfamiliar with your organization, program or project to fully understand who it serves, its artistic vision or standards set for it, how artistic decisions are made, the qualifications of persons responsible for making those decisions, examples of recent work and accomplishments, and how the organization is managed and operates.

The narrative should:

- Begin with the mission statement and a brief history of the organization; the arts component of a non-arts-based organization; or the activities and goals relevant to the special project.

- List and explain partnerships or collaborations with other cultural, ethnic or historical groups.
- Discuss detailed publicity plan for grant-funded activity or project and your efforts to target audiences. Identify your audience (the persons who will be served) and its potential size. Be as concise as possible and include methods employed such as cable or network community shows, newspapers, mailings etc.

Support Materials

GOS and SP support materials should demonstrate the quality and illustrate the kinds of arts programming of the applicant organization or the project to be funded. Support materials for TA funding should include a detailed description of the services and the agency providing those services. It is only necessary to send one set of support materials, which will be made available to the review panel members at their request. Types of support materials might include a resume of artist, brochure, flyer, poster, program booklet, CD, videotape or DVD, photographs, published book, catalog or article.

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Long Range Planning

Long range organizational or program planning is essential to the continued success of any organization. All GOS and SP applicants must submit a long-range plan for the operation or the program. The plan should include statement of goals and strategic steps to realize those goals, assign responsibility for implementation of tasks, consider the resources needed to realize goals, and be placed on a realistic implementation timeline. The plan should cover all essential areas of the organization such as artistic vision, governance, human resources, audiences and all forms of public participation including artists and volunteers, fundraising, marketing and outreach, advocacy, educational activities, etc.

In the absence of a formal long-range plan, or if organization is in between plans, the narrative should include information detailing the process for developing the long range plan, include a timeline for that process and its current status. The strength of an applicant's long range planning will be considered in the evaluation process.

County and State Funding

Organizations may not apply to or receive grants from both the Mercer County Cultural and Heritage Commission and the New Jersey State Council on the Arts within the same funding cycle. The NJSCA and MCC&HC funding cycles overlap by six months (NJSCA grant cycle runs from July 1 to June 30; MCC&HC grant cycle covers January 1 through December 31). In advance of submitting a Notice of Intent to Apply with the NJSCA applicants should discuss their situation with NJSCA staff to determine eligibility.

MCC&HC will not accept applications or award grant funds to organizations applying to or receiving grants from other county arts councils or county cultural and heritage commissions.

Required Documentation

Applications must include one copy of the organization's Articles of Incorporation bearing the Date of Filing and IRS Notification of Tax Exempt Status; or proof that these two filings are in the

process at the time of submission of the grant application. Units of government must include a copy of an authorized resolution from the governing body. Chapters of national organizations must include documents from the national headquarters showing the location and current officers of the local chapter, and a copy of the national organization's IRS letter of determination.

On-site Evaluation

Organization in receipt of grant funds must furnish two tickets for at least one production and send publicity announcements for all events occurring within the grant period to the MCC&HC. As part of the administration of the LAP grant program MCC&HC is responsible for ensuring that grant-funded programs and projects are being produced and demonstrate high artistic quality and are in compliance with ADA legislation.

MCC&HC Newsletter and Online Calendar of Events

MCC&HC quarterly newsletter is distributed throughout the region, primarily to Mercer County residents and organizations. Every effort is made to collect information from the community to include in the Calendar of Events. It is a useful tool to publicize events and activities with no cost to the organization. This quarterly Calendar of Events is also available online at the MCC&HC webpage.

Feature articles in the newsletter highlight county-based organizations and programming for each season. Any organization producing a major event or activity or providing a service to the community that would be culturally, historically, ethnically or heritage-based may submit information to the newsletter editor for publication. The deadlines for submission are the first Friday two months preceding the quarter covered:

Spring	March / April / May
Summer	June / July / August
Fall	September / October / November
Winter	December / January / February

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Application Deadlines

The deadline to apply for an MCC&HC LAP Grant in GOS, SP or TA category is **April 24, 2015**. This deadline may be met by delivery of materials (1 original application signed in blue ink and 10 copies) to the MCC&HC office by the close of business (5:00 p.m.) April 25, 2014; or by mail with a postmark by midnight (12:00 a.m.) of material to the following address:

Mercer County Cultural and Heritage Commission
 McDade Administrative Building
 640 South Broad Street, Fourth Floor
 PO Box 8068
 Trenton, NJ 08650

Extended deadlines will be permitted only in extreme circumstances. **Organizations that are unable to comply with the deadline requirements should contact MCC&HC by phone at 609-278-2712 at least two weeks prior to the deadline to request an extension.** Please be prepared to discuss the reason that the extension is necessary and provide a firm date that you expect to have a completed application. Late applications that do not have an approved extended deadline may be disqualified.

Applicants who experience significant changes in staffing after the application deadline, Applicants who experience significant changes in programming or finances should also notify MCC&HC in writing as well as discuss these changes with the MCC&HC chief.

LAP Grant Application Assistance

The following assistance is available to applicants:

- Grant Writing workshops
- Americans with Disabilities Act (ADA) Workshops
- Individual appointments with staff (following workshops or schedule an appointment)
- Applicants may make an appointment to discuss any questions or concerns that might arise during the course of completing the application; as well as at any other time during the grant cycle.

- Staff members are available to answer questions by phone (609) 278-2712, fax (609) 278-6672 and e-mail (see Staff Directory, page 1)

Mercer County Legislative & Congressional Districts

Town	NJ Legislative District
East Windsor Township	14
Ewing Township.....	15
Hamilton Township	14
Hightstown Borough	14
Hopewell Borough	15
Hopewell Township.....	15
Lawrence Township.....	15
Pennington Borough	15
Princeton	16
Robbinsville Township	14
Trenton City	15
West Windsor Township	15

Town	U.S. Congressional District
East Windsor Township	4
Ewing Township.....	12
Hamilton Township	4
Hightstown Borough	4,12
Hopewell Borough	12
Hopewell Township.....	12
Lawrence Township.....	12
Pennington Borough	12
Princeton	12
Trenton City	4,12
Washington Township	4
West Windsor Township	12

School District/Region	U.S. Congressional District
East Windsor Regional	4
Ewing Township.....	12
Hamilton Township	4
Hightstown	4
Hopewell Borough	12
Hopewell Valley Regional	12
Lawrence Township.....	12
Pennington.....	12
Princeton Regional	12
Trenton City	4,12
Washington Township	4
West Windsor-Plainsboro Regional.....	12

Resolution 2015-96

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

SUPPORTING ASSEMBLY BILL A-1109 WHICH SEEKS TO IMPLEMENT STRICTER RULES AND REGULATIONS FOR ORGANIZATIONS THAT HOUSE AND CARE FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES

WHEREAS, the implementation of Assembly Bill A-1109 (also called “Stephen Komminos’ Law”) would improve protections for individuals with developmental disabilities by providing increased transparency of investigations conducted in connection with an allegation of abuse, neglect or exploitation of individuals with developmental disabilities; and

WHEREAS, Assembly Bill A-1109 was created to honor the memory of Stephen Komminos, an individual with developmental disabilities who died at the age of 22 while under the care of a private licensed facility for persons with developmental disabilities in Haddonfield, New Jersey; and

WHEREAS, the adoption of Assembly Bill A-1109 provides for at least three unannounced site visits to be conducted at any facility that houses individuals with developmental disabilities each year, including but not limited to any public or private agency, organization, or institution providing care to the developmentally disabled; and

WHEREAS, upon adoption of Assembly Bill A-1109, the Commission of Human Services or the commissioner’s designee is required to designate staff members from the Special Response Unit in the Department of Human Services to participate in the unannounced visits. A member of a law enforcement agency would also participate in the visits, which would be conducted to determine if the patients/residents of said organization are at risk of or being subject to abuse, neglect or exploitation by a caregiver; and

WHEREAS, this Bill also requires the Commissioner or his/her designee to designate staff who shall provide written notification to the guardian or an authorized family member of an individual with a developmental disability receiving services from a program, facility, community care residence, or living arrangement licensed or funded by the department, of any physical injury to the individual with a development disability, as soon as possible, but no later than twenty-four hours after the occurrence of the injury; and

WHEREAS, Assembly Bill A-1109 also amends Public Law 2010, c.5 (C.30:6D-73, et seq.) which established the Central Registry of Offenders Against Individuals with Developmental Disabilities (Central Registry) in DHS to prevent those caregivers who are identified as offenders against individuals with developmental disabilities from working with such individuals in the future; and

WHEREAS, this Bill further amends the current law to change from a disorderly persons offense to a fourth degree crime the failure of a case manager or supervisor to report an incident and makes it a third degree, rather than a fourth degree crime, if the unreported incident results in death; and

WHEREAS, the confidentiality provisions of the Central Registry law would further be amended to permit records and reports of any investigation to be provided to a guardian or other person responsible for the welfare of the individual with a developmental disability; and

WHEREAS, the adoption of Assembly Bill A-1109 is in the best interests of the State of New Jersey, its residents and their families.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that the Borough supports the adoption of A-1109, which would implement stricter rules and regulations for organizations that house and care for individuals with developmental disabilities; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-1109; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, our District Representatives and the New Jersey State League of Municipalities.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1109

STATE OF NEW JERSEY
216th LEGISLATURE

ADOPTED SEPTEMBER 11, 2014

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman GARY S. SCHAER

District 36 (Bergen and Passaic)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblyman CARMELO G. GARCIA

District 33 (Hudson)

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblyman JAMEL C. HOLLEY

District 20 (Union)

Co-Sponsored by:

Assemblyman Diegnan, Assemblywomen Lampitt, Schepisi, Assemblyman Auth, Assemblywomen Simon, N.Munoz, Assemblymen S.Kean, Rumana, Mukherji, Benson, Assemblywoman Watson Coleman, Assemblymen Gusciora, Lagana, Fiocchi, Singleton, Wolfe, Coughlin and Danielsen

SYNOPSIS

Provides protections for individuals with developmental disabilities through accountability and transparency; designated as "Stephen Komninos' Law."

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Human Services Committee.

(Sponsorship Updated As Of: 2/24/2015)

ACS for **A1109** VAINIERI HUTTLE, SCHAER

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1 **AN ACT** concerning individuals with developmental disabilities,
 2 designated as Stephen Komninos' Law, supplementing Title 30
 3 of the Revised Statutes, and amending P.L.2010, c.5.

4
 5 **BE IT ENACTED** by the Senate and General Assembly of the State
 6 of New Jersey:

7
 8 1. (New section) The Commissioner of Human Services, or the
 9 commissioner's designee, shall designate employees of the
 10 Department of Human Services, who are not employees of a State
 11 developmental center but may be case managers employed by the
 12 department or an agency under contract with the department, as
 13 applicable, to conduct at least three unannounced site visits
 14 annually to randomly check whether the individuals with
 15 developmental disabilities who are receiving services from a
 16 program, facility, or living arrangement licensed or funded by the
 17 department, other than a community care residence which is subject
 18 to visits pursuant to section 7 of P.L.2012, c.69 (C.30:6D-5.13), are
 19 at risk of, or are being subjected to, abuse, neglect, or exploitation
 20 by a caregiver, and report the same pursuant to section 3 of
 21 P.L.2010, c.5 (C.30:6D-75).

22
 23 2. (New section) a. The Commissioner of Human Services, or
 24 the commissioner's designee, shall designate staff to notify the
 25 guardian or authorized family member of an individual with a
 26 developmental disability receiving services from a program,
 27 facility, community care residence, or living arrangement licensed
 28 or funded by the department of any physical injury to the individual
 29 with a developmental disability, as soon as possible, but no later
 30 than 24 hours after the occurrence of the injury.

31 b. A provider or licensee, as applicable, of a program, facility,
 32 community care residence, or living arrangement licensed or funded
 33 by the department shall notify the guardian or authorized family
 34 member of an individual with a developmental disability receiving
 35 services from the provider or licensee of any physical injury to the
 36 individual with a developmental disability as soon as possible, but
 37 not more than two hours after the occurrence of the injury, unless
 38 there is an extraordinary circumstance which prevents such
 39 notification in which case the provider or licensee shall notify the
 40 guardian or authorized family member as soon as possible, but not
 41 more than eight hours after the occurrence of the injury.

42 c. Notifications pursuant to this section shall be in person, or
 43 by telephone, and other electronic means shall be used to follow up
 44 the telephoned notification.

45 d. As used in this section "authorized family member" means a

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

ACS for A1109 VAINIERI HUTTLE, SCHAER

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1 relative of the individual with a developmental disability authorized
2 by the individual's guardian, or by the individual if the individual is
3 his own guardian, to receive information pursuant to this section.

4
5 3. (New section) Within 48 hours of receipt of a report of an
6 incident involving physical injury, or abuse or neglect as those
7 terms are defined in section 2 of P.L.2010, c.5 (C.30:6D-74), in a
8 program, facility, community care residence, or living arrangement
9 licensed or funded by the Department of Human Service for an
10 individual with a developmental disability, the Commissioner of
11 Human Services shall send an employee of the department, who is
12 not an employee of a State developmental center but may be a case
13 manager employed by the department or an agency under contract
14 with the department, as applicable, to the location of the reported
15 incident to verify the level of severity of the incident.

16
17 4. Section 2 of P.L.2010, c.5 (C.30:6D-74) is amended to read
18 as follows:

19 2. As used in this act:

20 "Abuse" means wrongfully inflicting or allowing to be inflicted
21 physical abuse, sexual abuse, or verbal or psychological abuse or
22 mistreatment by a caregiver upon an individual with a
23 developmental disability.

24 "Authorized family member" means a relative of the individual
25 with a developmental disability authorized by the individual's
26 guardian, or by the individual if the individual is his own guardian,
27 to receive information pursuant to P.L.2010, c.5 (C.30:6D-73 et
28 seq.).

29 "Caregiver" means a person who receives State funding, directly
30 or indirectly, in whole or in part, to provide services or supports, or
31 both, to an individual with a developmental disability; except that
32 "caregiver" shall not include an immediate family member of a
33 person with a developmental disability.

34 "Central registry" means the Central Registry of Offenders
35 Against Individuals with Developmental Disabilities established
36 pursuant to **[this act]** P.L.2010, c.5 (C.30:6D-73 et seq.).

37 "Commissioner" means the Commissioner of Human Services.

38 "Department" means the Department of Human Services.

39 "Developmental disability" means developmental disability as
40 defined in section 3 of P.L.1977, c.82 (C.30:6D-3).

41 "Exploitation" means the act or process of a caregiver using an
42 individual with a developmental disability or his resources for
43 another person's profit or advantage.

44 "Intimate parts" means the following body parts of a person:
45 sexual organs, genital area, anal area, inner thigh, groin, buttock, or
46 breast.

ACS for A1109 VAINIERI HUTTLE, SCHAER

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1 "Lewdness" means the exposing of the genitals for the purpose
2 of arousing or gratifying the sexual desire of a caregiver or an
3 individual with a developmental disability, or any flagrantly lewd
4 and offensive act which the caregiver knows or reasonably expects
5 is likely to be observed by an individual with a developmental
6 disability.

7 "Neglect" shall consist of any of the following acts by a
8 caregiver on an individual with a developmental disability: willfully
9 failing to provide proper and sufficient food, clothing, maintenance,
10 medical care, or a clean and proper home; or failure to do or permit
11 to be done any act necessary for the well-being of an individual
12 with a developmental disability.

13 "Physical abuse" means a physical act directed at an individual
14 with a developmental disability by a caregiver of a type that causes
15 one or more of the following: pain, injury, anguish, or suffering.
16 Such acts include, but are not limited to, the individual with a
17 developmental disability being kicked, pinched, bitten, punched,
18 slapped, hit, pushed, dragged, or struck with a thrown or held
19 object.

20 "Sexual abuse" means an act or attempted act of lewdness, sexual
21 contact, or sexual penetration between a caregiver and an individual
22 with a developmental disability. Any form of sexual contact or
23 activity between a caregiver and an individual with a developmental
24 disability, absent marriage, domestic partnership, or civil union, is
25 sexual abuse, regardless of whether the individual with a
26 developmental disability gives consent or the caregiver is on or off
27 duty.

28 "Sexual contact" means an intentional touching by a caregiver or
29 individual with a developmental disability, either directly or
30 through clothing, of the intimate parts of the individual with a
31 developmental disability or the caregiver for the purpose of
32 sexually arousing or sexually gratifying the caregiver. Sexual
33 contact of the caregiver with himself must be in view of the
34 individual with a developmental disability whom the caregiver
35 knows to be present.

36 "Sexual penetration" means vaginal intercourse, cunnilingus,
37 fellatio, or anal intercourse between a caregiver and an individual
38 with a developmental disability or insertion of the hand, finger, or
39 object into the anus or vagina, either by the caregiver or upon the
40 caregiver's instruction.

41 "Verbal or psychological abuse or mistreatment" means any
42 verbal or non-verbal act or omission by a caregiver that inflicts one
43 or more of the following: emotional harm; mental distress; or
44 invocation of fear, humiliation, intimidation, or degradation to an
45 individual with a developmental disability. Examples include, but
46 are not limited to: bullying; ignoring need; verbal assault; use of

ACS for A1109 VAINIERI HUTTLE, SCHAER

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1 racial or ethnic slurs; or intimidating gestures, such as shaking a fist
2 at an individual with a developmental disability.

3 (cf: P.L.2010, c.5, s.2)

4

5 5. Section 3 of P.L.2010, c.5 (C.30:6D-75) is amended to read
6 as follows:

7 3. a. (1) A case manager or case manager's supervisor in the
8 department, a person employed or volunteering in a program,
9 facility, community care residence, or living arrangement licensed
10 or funded by the department, a person conducting an unannounced
11 site visit pursuant to section 1 of P.L. , c. (C.) (pending
12 before the Legislature as this bill), or a person providing
13 community-based services with indirect State funding to a person
14 with a developmental disability, as applicable, having reasonable
15 cause to believe that an individual with a developmental disability
16 has been subjected to abuse, neglect, or exploitation by a caregiver
17 shall report the same immediately to the department by telephone or
18 otherwise, and if appropriate the department shall notify, as soon as
19 possible but no later than 24 hours after the occurrence of the abuse,
20 neglect, or exploitation, the guardian or authorized family member
21 of the individual with a developmental disability who was the
22 subject of the abuse, neglect, or exploitation.

23 (2) Such report, where possible, shall contain the name and
24 address of the individual with a developmental disability and the
25 caregiver responsible for the care, custody, or control of the
26 individual with a developmental disability, and the guardian, or
27 other person having custody and control of the individual and, if
28 known, the condition of the individual with a developmental
29 disability, the nature and possible extent of the individual's injuries,
30 maltreatment, abuse, neglect or exploitation, including any evidence
31 of previous injuries, maltreatment, abuse, neglect, or exploitation,
32 and any other information that the person believes may be helpful
33 with respect to the injuries, maltreatment, abuse, neglect, or
34 exploitation of the individual with a developmental disability and
35 the identity of the alleged offender.

36 b. Within the department, the commissioner shall:

37 (1) maintain a unit to receive and prioritize such reports **[,];**

38 (2) provide for verification of the unit's prioritization of the
39 reports by sending an employee or case manager to the appropriate
40 location within 48 hours to verify the level of severity of the report,
41 pursuant to section 3 of P.L. , c. (C.)(pending before the
42 Legislature as this bill);

43 (3) initiate appropriate responses through timely and appropriate
44 investigative activities **[,];**

45 (4) alert appropriate staff **[,];** and

ACS for A1109 VAINIERI HUTTLE, SCHAER

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1 (5) ensure that findings are reported in a uniform and timely
2 manner.

3 c. (1) A person employed or volunteering in a program,
4 facility, community care residence, or living arrangement licensed
5 or funded by the department, or a person providing community-
6 based services with indirect State funding to a person with a
7 developmental disability, as applicable, who fails to report an act of
8 abuse, neglect, or exploitation against an individual with a
9 developmental disability while having reasonable cause to believe
10 that such an act has been committed, is a disorderly person.

11 (2) A case manager or case manager's supervisor in the
12 department who fails to report an act of abuse, neglect, or
13 exploitation of an individual with a developmental disability while
14 having reasonable cause to believe that such an act has been
15 committed, shall be guilty of a **【disorderly person's offense】** crime
16 of the fourth degree, unless the abuse, neglect, or exploitation
17 results in the death of an individual with a developmental disability,
18 in which case the case manager or case manager's supervisor shall
19 be guilty of a crime of the **【fourth】** third degree.

20 d. In addition to any penalty imposed pursuant to this section, a
21 person convicted under this section shall be subject to a penalty in
22 the amount of \$350 for each day that the abuse, neglect, or
23 exploitation was not reported, payable to the Treasurer of the State
24 of New Jersey, which shall be used by the department to fund the
25 provision of food and care to individuals with developmental
26 disabilities residing in community care residences.

27 e. A case manager or case manager's supervisor who is charged
28 with failure to report an act of abuse, neglect, or exploitation of an
29 individual with a developmental disability while having reasonable
30 cause to believe that such an act has been committed, shall be
31 temporarily reassigned to duties that do not involve contact with
32 individuals with developmental disabilities or other vulnerable
33 populations and shall be terminated from employment if convicted.

34 In the case of a case manager or case manager's supervisor who
35 is employed by the department, the case manager or supervisor shall
36 retain any available right of review by the Civil Service
37 Commission.

38 (cf: P.L.2012, c.69, s.9)

39

40 6. Section 4 of P.L.2010, c.5 (C.30:6D-76) is amended to read
41 as follows:

42 4. a. Upon receipt of a report pursuant to section 3 of **【this**
43 **act】** P.L.2010, c.5 (C.30:6D-75), the department shall designate an
44 entity, as established by the commissioner, that shall immediately
45 take such action as shall be necessary to ensure the safety of the
46 individual with a developmental disability and to that end may

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1 request appropriate assistance from local and State law enforcement
2 officials or contact Adult Protective Services to provide assistance
3 in accordance with the provisions of P.L.1993, c.249 (C.52:27D-
4 406 et seq.). The guardian of the individual with a developmental
5 disability also shall be authorized to request appropriate assistance
6 from local and State law enforcement officials.

7 b. The commissioner shall adopt rules and regulations
8 necessary to provide for an investigation of a reported incident and
9 subsequent substantiation or non-substantiation of an allegation of
10 abuse, neglect, or exploitation of an individual with a
11 developmental disability by a caregiver, **[by]** which shall include:
12 (1) maintaining a Special Response Unit to investigate serious
13 unusual incidents, as defined by applicable rules and regulations, in
14 facilities or community programs licensed, contracted, or regulated
15 by the department and a unit to investigate incidents that occur in
16 State developmental centers; and (2) providing an opportunity for a
17 guardian or authorized family member to submit information to
18 facilitate an investigation and to represent the individual and be
19 informed of the progress of the investigation. During its
20 investigation of an allegation of abuse, neglect, or exploitation of an
21 individual with a developmental disability by a caregiver, the
22 Special Response Unit or the unit designated to investigate
23 incidents that occur in a State developmental center, as applicable,
24 shall make a good faith effort to notify the caregiver of the
25 possibility of the caregiver's inclusion on the registry, and give the
26 caregiver an opportunity to respond to the department concerning
27 the allegation. A guardian of an individual with a developmental
28 disability, upon request, may be permitted to attend or observe the
29 investigation, unless the attendance or observation would impede
30 the investigation.

31 c. The Special Response Unit, the department, or other
32 investigating entity shall forward to the commissioner, or the
33 commissioner's designee, a substantiated incident of abuse, neglect,
34 or exploitation of an individual with a developmental disability for
35 inclusion of an offending caregiver on the central registry. The
36 Special Response Unit, the department, or other investigating entity
37 shall also forward to the commissioner, or the commissioner's
38 designee, all unsubstantiated incidents of abuse, neglect, or
39 exploitation of an individual with a developmental disability. As
40 soon as possible, and no later than 14 days after receipt of the
41 incident of abuse, neglect, or exploitation, the commissioner or the
42 commissioner's designee shall review the incident. The offending
43 caregiver of a substantiated incident shall be included on the central
44 registry as expeditiously as possible. The Special Response Unit
45 shall retain a record of all unsubstantiated incidents.

46 d. Upon the initiation of an investigation, the department shall:
47 (1) ensure that any communication concerning the alleged abuse,

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1 neglect, or exploitation of an individual with a developmental
 2 disability between a caregiver, case manager of the caregiver, the
 3 case manager's supervisor, or a person at the appropriate Regional
 4 Office of the Division of Developmental Disabilities is identified,
 5 safeguarded from loss or destruction, and maintained in a secure
 6 location; and (2) contact the Office of the Attorney General, which
 7 shall determine whether to participate in the investigation.

8 e. The Special Response Unit shall issue a written report of the
 9 investigation that includes the conclusions of the unit, the rationale
 10 for the conclusion, and a detailed summary of any communication
 11 secured pursuant to subsection d. of this section. The report shall
 12 also include an assessment of the role of any case manager of a
 13 caregiver or the case manager's supervisor, if applicable, in the
 14 allegation of abuse, neglect, or exploitation, and a recommendation
 15 about whether any civil or criminal action should be brought against
 16 the case manager or supervisor. The report shall be made part of
 17 the record for review in any civil or criminal proceeding that may
 18 ensue.

19 A written summary of the conclusions of the investigation shall
 20 be provided to the guardian or authorized family member of the
 21 individual with a developmental disability who is the subject of the
 22 alleged abuse, neglect, or exploitation.

23 f. A licensed provider in another state shall be permitted access
 24 to the central registry.

25 (cf: P.L.2012, c.69, s.10)

26

27 7. Section 5 of P.L.2010, c.5 (C.30:6D-77) is amended to read
 28 as follows:

29 5. a. There is established a Central Registry of Offenders
 30 Against Individuals with Developmental Disabilities in the
 31 department.

32 b. The commissioner shall adopt rules and regulations that
 33 define the procedures and standards for inclusion of an offending
 34 caregiver on the central registry, and for notification of such
 35 inclusion to the caregiver and to the guardian or authorized family
 36 member of the individual with a developmental disability who was
 37 the subject of the abuse, neglect, or exploitation that led to the
 38 caregiver's inclusion on the central registry. The commissioner or
 39 the commissioner's designee shall designate staff to notify the
 40 guardian or authorized family member of the individual of any
 41 action taken by the department to remediate a condition that may
 42 have contributed to the occurrence of the abuse, neglect, or
 43 exploitation of the individual.

44 (1) For inclusion on the central registry in the case of a
 45 substantiated incident of abuse, the caregiver shall have acted with
 46 intent, recklessness, or careless disregard to cause or potentially
 47 cause injury to an individual with a developmental disability.

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1 (2) For inclusion on the central registry in the case of a
 2 substantiated incident of neglect, the caregiver shall have acted with
 3 gross negligence, recklessness, or in a pattern of behavior that
 4 causes or potentially causes harm to an individual with a
 5 developmental disability.

6 (3) In the case of a substantiated incident of exploitation, the
 7 commissioner shall establish a dollar amount for inclusion on the
 8 central registry.

9 c. The commissioner also shall adopt rules and regulations:

10 (1) necessary to provide for an appeals process, through the
 11 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
 12 seq.), of the commissioner's determination to include an alleged
 13 offending caregiver's name on the central registry. The
 14 commissioner's determination shall be a final agency decision
 15 subject to review by the Appellate Division of the Superior Court;

16 (2) concerning the dissemination of information in the central
 17 registry;

18 (3) that will prohibit persons included on the central registry
 19 from employment in facilities or programs of the Division of
 20 Developmental Disabilities in the department and those facilities or
 21 programs licensed, contracted, or regulated by the department, or
 22 from providing community-based services with indirect State
 23 funding to persons with developmental disabilities; and

24 (4) necessary to provide for the removal of a person's name
 25 from the central registry. A person may apply for removal of his
 26 name to the commissioner after a period of five years of being
 27 placed on the central registry. The person shall affirmatively
 28 demonstrate to the commissioner clear and convincing evidence of
 29 rehabilitation, using the provisions of P.L.1968, c.282 (C.2A:168A-
 30 1 et seq.) as a guide.

31 d. The commissioner may adopt rules and regulations that will
 32 allow bona fide employers serving vulnerable populations to inquire
 33 of the department if potential or current employees are included on
 34 the central registry, consistent with federal and State privacy and
 35 confidentiality laws.

36 e. No information received in the central registry shall be
 37 considered as a public or government record within the meaning of
 38 P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et
 39 al.).

40 (cf: P.L.2010, c.5, s.5)

41

42 8. Section 6 of P.L.2010, c.5 (C.30:6D-78) is amended to read
 43 as follows:

44 6. All records of a report made pursuant to **【this act】** section 3
 45 of P.L.2010, c.5 (C.30:6D-75), all information obtained by the
 46 department in investigating such reports, and all reports of findings

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1 forwarded to the central registry pursuant to **【this act】** P.L.2010,
2 c.5 (C.30:6D-73 et seq.) shall be kept confidential and may be
3 disclosed only insofar as information is shared with a guardian in
4 connection with a guardian's attendance or observation of an
5 investigative interview pursuant to subsection b. of section 4 of
6 P.L.2010, c.5 (C.30:6D-76) or under circumstances expressly
7 authorized by rules and regulations promulgated by the
8 commissioner.

9 The department shall only disclose information that is relevant to
10 the purpose for which the information is required or is shared in
11 connection with a guardian's attendance or observation of an
12 investigative interview pursuant to subsection b. of section 4 of
13 P.L.2010, c.5 (C.30:6D-76); except that the department shall not
14 disclose information which would likely endanger the life, safety,
15 or physical or emotional well-being of an individual with a
16 developmental disability or the life or safety of any other person, or
17 which may compromise the integrity of a department investigation,
18 civil or criminal investigation, or judicial proceeding. If the
19 department denies access to specific information on this basis, the
20 requesting entity may seek disclosure through the Superior Court.
21 Nothing in **【this act】** P.L.2010, c.5 (C.30:6D-73 et seq.) shall be
22 construed to permit the disclosure of any information deemed
23 confidential by federal or State law.

24 (cf: P.L.2010, c.5, s.6)

25

26 9. The Commissioner of Human Services, pursuant to the
27 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
28 seq.), shall adopt rules and regulations necessary to effectuate the
29 purposes of this act.

30

31 10. This act shall take effect on the first day of the seventh
32 month next following the date of enactment, but the Commissioner
33 of Human Services may take such anticipatory administrative action
34 in advance thereof as shall be necessary for the implementation of
35 this act.

Resolution 2015-120

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

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on April 20, 2015 directly following the general meeting in the First Aid Building located at 168 Bank Street, Hightstown that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

The general nature of the subject or subjects to be discussed:

Contract Negotiations – Shared Services (Various – Police/Dispatch/Court)

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: July 20, 2015 or when the need for confidentiality no longer exists.

The public is excluded from said meeting, and further notice is dispensed with, all in accordance with sections 8 and 4a of the Open Public Meetings Act.

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 20, 2015.

Margaret M. Riggio
Deputy Borough Clerk