

Agenda
Hightstown Borough Council
Business

October 17, 2016

Hightstown Fire House

7:00 PM Executive Session

7:30 PM Business Meeting

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

Meeting called to order by Mayor Lawrence Quattrone.

STATEMENT: Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was provided to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office.

Roll Call

Executive Session **2016-179** Authorizing a Meeting that Excludes the Public
Contract Negotiations – Municipal Court

Flag Salute

Approval of the Agenda

Minutes September 19, 2016 Regular Meeting

Engineering Items	2016-180	Authorizing Payment #1 – A.C. Shultes, Inc., (Rehabilitation of Well #1
	2016-181	Authorizing Change Order #1 – The G. Meyer Group (Rehabilitation of Detention Tanks)
	2016-182	Authorizing Payment #1 – The G. Meyer Group (Rehabilitation of Detention Tanks)
	2016-183	Supporting Project Under Transportation Alternatives Program

Public Comment I Any person wishing to address the Mayor and Council regarding matters on the agenda will be allowed a maximum of three minutes for his or her comments.

Ordinances **2016-22 Final Reading and Public Hearing** – An Ordinance Amending and Supplementing Chapter 2, Entitled “Administration”, Section 2-45, Entitled “Historic Preservation Commission”, Subsection 2-45.3, Entitled “Establishment of the Historic Preservation Commission”, Item (M) Entitled “Meetings, Quorum” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” Regarding a Quorum

2016-23 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 4, Entitled “Licensing”, Subsection 4.1-4, Entitled “Fee Schedule” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” in Order to Establish a Fee for Massage Parlor Licenses

2016-24 First Reading and Introduction – An Ordinance Amending and Supplementing Chapter 3, Entitled “Police Regulations”, Subsection 3-13.3, Entitled “Application” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey” Regarding the Application Submission Deadline and Policing Fees

Resolutions	2016-184	Authorizing Payment of Bills
Consent Agenda	2016-185	Requesting Approval for Insertion of Special Item of Revenue in the 2016 Budget (State Body Armor)
	2016-186	Requesting Approval for Insertion of Special Item of Revenue in the 2016 Budget (Drunk Driving)
	2016-187	Requesting Approval for Insertion of Special Item of Revenue in the 2016 Budget (Green Communities)
	2016-188	Memorializing the Administrative Policy that the Tax Assessor Notify the Governing Body of Filed Tax Appeals on or Before the First Day of June of Each Year
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.
Discussion		Housing Update Abandoned Property Ordinance Best Practices
Subcommittee Reports		
Mayor/Council/Administrative Reports		
Adjournment		

Resolution 2016-179

*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 October 17, 2016 at 7:00 p.m. at the Hightstown Engine Co. #1 Fire House Hall located at 140 North Main 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 – Municipal 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: January 17, 2017, 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 October 17, 2016.

Margaret M. Riggio
Deputy Borough Clerk

**Meeting Minutes
Hightstown Borough Council
Business Meeting
September 19, 2016
7:30 p.m.**

The meeting was called to order by Mayor Quattrone at 7:00 pm 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 L. Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; George Lang, CFO; Fred Raffetto, Borough Attorney; and Carmela Roberts, Borough Engineer.

APPROVAL OF AGENDA

Mayor Quattrone requested that resolution 2016-171 be added to the consent agenda adopting a Hightstown Borough Housing Rehabilitation Operating Manual for the Small Cities Community Development Block Grant Program; and that videotaping downtown be added to discussion.

Councilmember Montferrat moved the agenda as amended; Councilmember Hansen seconded.

Roll Call Vote: Councilmembers Bluth, Hansen, Kurs, Misiura, and Montferrat voted yes.

Agenda approved at amended 5-0.

ENGINEERING ITEMS

NJDOT Transportation Alternatives Grant

The Borough Engineer, Carmela Roberts, reviewed her streetscape recommendations for the grant and the fees associated with applying for the grant and other required documentation and procedures. She noted that there could be additional costs associated with water/sewer that would not be covered by the grant; and if it needed to move poles and etc. there would additional costs for that as well. There was discussion regarding ADA compliance, engineering costs, extent of work to be performed, and the Planning Board recommendation for the grant. Ms. Roberts noted that if work is performed on Stockton Street it should include replacing the water main at a cost of \$800,000-\$850,000. There was discussion regarding the priority of water/sewer work needed throughout the Borough and George Lang, CFO, noted that the Borough's debt service will drop considerably in 2018.

After further discussion, the Borough Engineer was instructed to apply for the grant and to include Mercer Street,

North Main Street, and Ward Street.

PUBLIC COMMENT

Mayor Quattrone opened public comment period I and the following individuals spoke:

Scott Caster, 12 Clover Lane – commented that there is an issue with tax exempt properties in the Borough; he supports the grant application; while the Borough jumps at maintaining infrastructure, downtown is not well maintained.

There being no further comments, Mayor Quattrone closed the public comment period.

ORDINANCES

Ordinance 2016-20 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 3, Entitled “Police Regulations,” of the “Revised General Ordinances of the Borough of Hightstown New Jersey,” In Order to Establish a New Section Thereof, to be Known as Section 3-19, “Prohibition of Smoking in Parks and Recreational Areas Owned, Leased and/or Operated by the Borough.”

Mayor Quattrone opened the public hearing for Ordinance 2016-20 and the following individuals spoke:

Scott Caster, 12 Clover Lane – asked Council to pass and enforce this ordinance.

Keith LePrevost, 213 Greeley St. – thanked Council for the ordinance and asked that adequate signage is installed.

There being no further public comments, the public hearing was closed.

Councilmember Misiura moved Ordinance 2016-20 for adoption; Councilmember Montferrat seconded.

Fred Raffetto, Borough Attorney advised that the ordinance has been revised pursuant to Council’s amendments at introduction and that the Parks and Recreation Commissioners have jurisdiction over the parks and they will have to amend their Rules and Regulations in accordance with the ordinance.

There was discussion regarding the enforcement of the Parks and Recreation Commissioners Rules and Regulations and whether Council should adopt this ordinance or send it to the Parks and Recreation Commissioners; Parks and Recreation Commissioners support of the ordinance; violations of civil rights and government micromangement; CDC statistical data on teen smoking; and second-hand smoke interference with non-smokers.

Mr. Raffetto advised that Council can table the ordinance if they wish to send it to the Parks and Recreation Commissioners for a written opinion.

Councilmember Kurs moved to table ordinance 2016-20, Councilmember Hansen seconded.

Roll Call Vote: Council members Hansen and Kurs voted yes; Council members Misiura and Montferrat voted no; Councilmember Bluth abstained. Mayor Quattrone broke the tie with a no vote.

Motion to table failed 2-3, with one abstention.

Mayor Quattrone called for a vote on adopting Ordinance 2016-20.

Roll Call Vote: Council members Misiura and Montferrat voted yes; Council members Hansen and Kurs voted no; Councilmember Bluth abstained. Mayor Quattrone broke the tie with a yes vote.

Ordinance Adopted 3-2 with one abstention.

Ordinance 2016-20

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, ENTITLED “POLICE REGULATIONS,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN NEW JERSEY,” IN ORDER TO ESTABLISH A NEW SECTION THEREOF, TO BE KNOWN AS SECTION 3-19, “PROHIBITION OF SMOKING IN PARKS AND RECREATIONAL AREAS OWNED, LEASED AND/OR OPERATED BY THE BOROUGH.”

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, N.J.S.A. 26:3D-63 expressly authorizes municipalities to enact strict ordinances regulating smoking; and

WHEREAS, N.J.S.A. 2C:33-13b also provides that the owner and/or operator of a public place, such as public parks and recreational areas, may prohibit smoking on such property; and

WHEREAS, the Borough Council recognizes the well-known health and safety risks posed by smoking and finds that it is within the public interest to prohibit smoking in public parks and recreation areas located within the Borough.

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

1. That Chapter 3, entitled “Police Regulations,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented in order to establish a new Section thereof to be known as Section 3-19, “Prohibition of Smoking in Parks and Recreational Areas Owned, Leased and/or Operated by the Borough,” as follows:

CHAPTER 3 – POLICE REGULATIONS

3-19 Prohibition of Smoking in Parks and Recreational Areas Owned, Leased and/or Operated by the Borough.

3-19.1 Definitions. As used in this chapter, the following words shall have the following meanings:

Parks and Recreational Facilities shall include all public parks, playgrounds, ball fields, swimming pools, gardens, plazas publicly owned or leased by the Borough of Hightstown and all property owned and/or leased by the Borough of Hightstown upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities.

Smoking shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be lighted and smoked.

3-19.2 Prohibition of smoking in public places.

- a. Parks and Recreational Facilities. Smoking shall be prohibited in public parks and recreation facilities owned and/or leased by the Borough of Hightstown and property owned or leased by the Borough of Hightstown upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities which has been designated with no-smoking signs. Areas designated as smoke free recreational parks shall include:
 1. Association Park;
 2. Dawes Park;
 3. Memorial Park;
 4. Rocky Brook Park; and
 5. Roger G. Cook Greenway, in those areas where specifically posted.
- b. Municipal Vehicles. Smoking shall be prohibited in any vehicle registered to the Borough of Hightstown.

3-19.3 Signage Required.

A sign shall be clearly, sufficiently and conspicuously posted at every property where smoking is prohibited by this Ordinance. The sign(s) shall state "Smoke Free Zone" or "This Public Property is 100% Smoke Free" or substantially similar language and may contain the international no smoking sign or symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section). All signs shall be clearly visible to the public and shall contain letters or a symbol which contrasts in color with the sign, indicating that smoking is prohibited in the designated area. The sign shall also indicate that violators are subject to a fine.

3-19.4 Enforcement

The Business Administrator, police officer, health officer or other public employee engaged in the execution or enforcement of this Section, or any other citizen, may enforce this Ordinance and sign a complaint against any individual for violation of the provisions of this Section.

3-19.5 Violations and penalties.

For violation of the provisions of this Section, the penalty upon conviction shall be a fine of twenty-five dollars (\$25.00) per violation.

2. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the

extent of such inconsistencies.

3. That 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 the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.
4. That this Ordinance shall take effect following final passage and publication in accordance with the law.

Ordinance 2016-21 First Reading and Introduction – An Ordinance Amending and Supplementing Chapter 2, Entitled “Administration,” Section 2-31, entitled “Board of Recreation Commissioners,” Subsection 2-31.2, entitled “Appointment; Terms of Office” of the “Revised General Ordinances of the Borough of Hightstown New Jersey,” Regarding Membership

Councilmember Bluth moved Ordinance 2016-21 for introduction, Councilmember Hansen seconded.

Mayor Quattrone explained that the Parks and Recreation Commissioners need a quorum to conduct business so the number of members is being changed to meet the need.

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

Ordinance Introduced 5-0.

Ordinance 2016-20

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, ENTITLED “POLICE REGULATIONS,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN NEW JERSEY,” IN ORDER TO ESTABLISH A NEW SECTION THEREOF, TO BE KNOWN AS SECTION 3-19, “PROHIBITION OF SMOKING IN PARKS AND RECREATIONAL AREAS OWNED, LEASED AND/OR OPERATED BY THE BOROUGH.”

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or of the United States, as it may deem necessary and proper for the good of government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, N.J.S.A. 26:3D-63 expressly authorizes municipalities to enact strict ordinances regulating smoking; and

WHEREAS, N.J.S.A. 2C:33-13b also provides that the owner and/or operator of a public place, such as public parks and recreational areas, may prohibit smoking on such property; and

WHEREAS, the Borough Council recognizes the well-known health and safety risks posed by smoking and finds that it is within the public interest to prohibit smoking in public parks and recreation areas located within

the Borough.

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

1. That Chapter 3, entitled “Police Regulations,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented in order to establish a new Section thereof to be known as Section 3-19, “Prohibition of Smoking in Parks and Recreational Areas Owned, Leased and/or Operated by the Borough,” as follows:

CHAPTER 3 – POLICE REGULATIONS

3-19 Prohibition of Smoking in Parks and Recreational Areas Owned, Leased and/or Operated by the Borough.

3-19.1 Definitions. As used in this chapter, the following words shall have the following meanings:

Parks and Recreational Facilities shall include all public parks, playgrounds, ball fields, swimming pools, gardens, plazas publicly owned or leased by the Borough of Hightstown and all property owned and/or leased by the Borough of Hightstown upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities.

Smoking shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be lighted and smoked.

3-19.2 Prohibition of smoking in public places.

- a. Parks and Recreational Facilities. Smoking shall be prohibited in public parks and recreation facilities owned and/or leased by the Borough of Hightstown and property owned or leased by the Borough of Hightstown upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities which has been designated with no-smoking signs. Areas designated as smoke free recreational parks shall include:
 1. Association Park;
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 3. Memorial Park;
 4. Rocky Brook Park; and
 5. Roger G. Cook Greenway, in those areas where specifically posted.
- b. Municipal Vehicles. Smoking shall be prohibited in any vehicle registered to the Borough of Hightstown.

3-19.3 Signage Required.

A sign shall be clearly, sufficiently and conspicuously posted at every property where smoking is prohibited by this Ordinance. The sign(s) shall state “Smoke Free Zone” or “This Public Property is 100% Smoke Free” or substantially similar language and may

contain the international no smoking sign or symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section). All signs shall be clearly visible to the public and shall contain letters or a symbol which contrasts in color with the sign, indicating that smoking is prohibited in the designated area. The sign shall also indicate that violators are subject to a fine.

3-19.4 Enforcement

The Business Administrator, police officer, health officer or other public employee engaged in the execution or enforcement of this Section, or any other citizen, may enforce this Ordinance and sign a complaint against any individual for violation of the provisions of this Section.

3-19.5 Violations and penalties.

For violation of the provisions of this Section, the penalty upon conviction shall be a fine of twenty-five dollars (\$25.00) per violation.

2. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
3. That 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 the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.
4. That this Ordinance shall take effect following final passage and publication in accordance with the law.

RESOLUTIONS

Resolution 2016-167 Authorizing Payment of Bills

Councilmember Bluth inquired if there were sufficient funds in the Shakespeare in the Park account to cover payment of purchase order 16-01345. George Lang, CFO, advised that he believes funds are available and requested that Council pass the bills list with the stipulation that funds are available for this purchase order.

Councilmember Kurs moved Resolution 2016-167 with the stipulation that funds are available for payment of purchase order 16-01345; Councilmember Hansen seconded.

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

Resolution adopted 5-0.

Resolution 2016-167

*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 \$308,126.49 from the following accounts:

Current		\$139,017.47
W/S Operating		34,249.46
General Capital		96,793.50
Water/Sewer Capital		619.50
Grant		0.00
Trust		37,414.16
Housing Trust		0.00
Animal Control		32.40
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>0.00</u>
Total		<u><u>\$308,126.49</u></u>

Resolution 2016-164 Authorizing Receipt of Bids for Curbside Recycling Services

Mr. Underhill explained that the specifications have been revised to add the options as requested by Council. Discussion ensued. Council agreed that they would like to include the option of once a week collection with a 30 gallon can be included in the bid specifications. Mr. Underhill noted that this option will be added to the specifications.

Councilmember Kurs moved to table Resolution 2016-164; Councilmember Misiura seconded.

Roll Call Vote Councilmembers Bluth, Hansen, Kurs, Misiura, and Montferrat voted yes.

Resolution adopted 5-0.

Resolution 2016-164
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING RECEIPT OF BIDS FOR CURBSIDE RECYCLING COLLECTION

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Purchasing Agent is hereby authorized to prepare specifications and advertise for bids Curbside Recycling Collection, and that the Borough is authorized to receive same after proper advertisement.

CONSENT AGENDA

Consent Agenda Resolutions 2016-168; 2016-169; 2016-170; and 2016-171

Councilmember Bluth requested that resolution 2016-170 be pulled from the consent agenda and voted on separately.

Councilmember Kurs moved Resolutions 2016-168; 2016-169; and 2016-171 as the consent agenda; Councilmember Misiura seconded.

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

Resolutions adopted 5-0.

Resolution 2016-168

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

RESOLUTION AMENDING THE AGREEMENT WHICH WAS APPROVED BY RESOLUTION 2016-152, RELATING TO THE PROPERTY LOCATED AT 278 ACADEMY STREET (BLOCK 38, LOT 1), OWNED BY NORMAN A. RANDOLPH, JR., CONCERNING THE EXPENDITURE OF AFFORDABLE HOUSING TRUST FUNDS IN ORDER TO FACILITATE THE PROVISION OF AN AFFORDABLE HOUSING PROJECT WITHIN THE BOROUGH.

WHEREAS, the Borough has determined to amend the Agreement (the "Agreement") that was approved by Resolution 2016-152, adopted on August 15, 2016, in certain respects; and

WHEREAS, the Agreement relates to the placement of a 30-year deed restriction on the property located at 278 Academy Street, more commonly known and designated as Block 38, Lot 1 on the Borough's Tax Map (the "Property"), which Property is under the record ownership of Norman A. Randolph, Jr. (the "Owner"), as a site for the provision of affordable housing, so long as certain conditions are fulfilled; and

WHEREAS, the Property currently comprises a rooming/boarding home commonly known as the "Randolph Rooming House," which contains nine (9) separate living units; and

WHEREAS, the Owner has proposed the imposition of deed restrictions on all nine (9) of the units at the Property, with the length of the restrictions to endure for a period of thirty (30) years, so that the units may only be occupied as affordable units by income-eligible inhabitants, premised upon the Borough providing a contribution to the Owner to underwrite the provision of these new affordable units; and

WHEREAS, the Agreement authorizes the Borough to provide said contribution, conditioned upon the following:

- (1) Certification from the Borough's Affordable Housing Administrative Agent that all of the nine (9) housing units satisfy the necessary requirements in order for the Borough to gain credit for the units as part of its Fair Share Plan; and

- (2) The execution and recording of a deed restriction relating to the nine (9) housing units ensuring that they shall remain restricted for the provision of affordable housing for a period of not less than thirty (30) years, which deed restriction must be approved as to form by the Borough Attorney and the Borough's Affordable Housing Administrative Agent; and

WHEREAS, subsequent to the initial approval of the Agreement, the parties have determined that certain revisions are necessary, which revisions are of a substantive nature, thereby requiring formal approval once again by the Borough Council; and

WHEREAS, this Agreement was initially approved, and is being revised herewith, in furtherance of the Borough's commitment to address its Third Round obligation for the provision of affordable housing to satisfy the regional need, in accordance with requirements still to be finally determined; and

WHEREAS, a copy of the proposed revised Agreement is attached hereto and made a part hereof.

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

1. That the attached amended Agreement is hereby approved by the Borough
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest the attached revised Agreement on behalf of the Borough.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Norman A. Randolph, Jr.
200 Mercer Street, Suite B
Hightstown, New Jersey 08520
 - b. Rehabco, Inc.
470 Mantoloking Rd.
Brick, New Jersey 08723;
 - c. Henry Underhill, Borough Administrator;
 - d. Tamara L. Lee, PP, AICP, Borough Planner;
 - e. Frederick C. Raffetto, Esq., Borough Attorney;
 - f. Jolanta Maziarz, Esq., Planning Board Attorney; and
 - g. Ken Pacera, Tax Assessor.

AGREEMENT

FOR THE CREATION OF AN AFFORDABLE HOUSING PROJECT AND DISBURSEMENT OF MUNICIPAL HOUSING TRUST FUNDS IN RELATION THERETO – 278 ACADEMY STREET (BLOCK 38, LOT 1).

This **AGREEMENT**, made this 19th day of September, 2016, by and between:

THE BOROUGH OF HIGHTSTOWN, a municipal corporation in the County of Mercer and State of New Jersey, having its principal office located at 156 Bank Street, Hightstown, New Jersey 08520, also referenced herein as the “Borough” or “Hightstown”; and

NORMAN A. RANDOLPH, JR., having a principal office located at 200 Mercer Street, Suite B, Hightstown, NJ 08520, also referenced herein as “Randolph” or “Owner”;

WHEREAS, the Governing Body of the Borough of Hightstown is committed to addressing its Third Round obligation for the provision of affordable housing to satisfy the regional need for the same, in accordance with requirements still to be finally determined; and

WHEREAS, to that end, the Borough is in the process of updating its Housing Element and Fair Share Plan (the “Fair Share Plan”); and

WHEREAS, the Borough’s updated Fair Share Plan shall promote an affordable housing program pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*); and

WHEREAS, the Borough intends to include within the Borough’s updated Fair Share Plan, the property located at 278 Academy Street, more commonly known and designated as Block 38, Lot 1 on the Borough’s Tax Map (the “Property”), which Property is under the record ownership of Norman A. Randolph, Jr., as a site for the provision of affordable housing, so long as certain conditions are fulfilled; and

WHEREAS, the Property currently comprises a rooming/boarding home commonly known as the “Randolph Rooming House,” which contains nine (9) separate living units; and

WHEREAS, the Owner has proposed the imposition of deed restrictions on all nine (9) units at the Property, with the length of the restrictions to endure for a period of thirty (30) years, so that the units may only be occupied as affordable units by income-eligible inhabitants; and

WHEREAS, the Owner’s proposal is premised upon the Borough providing a contribution to the Owner to

underwrite the provision of these new affordable units; and

WHEREAS, the Borough has previously adopted Ordinance(s) authorizing the imposition and collection of development fees in connection with certain new residential and non-residential construction in the Borough, which funds were to be deposited into an Affordable Housing Trust Fund (also referenced as the “Trust Fund”); and

WHEREAS, the monies collected and deposited into the Trust Fund are intended to be utilized in order to facilitate the provision of affordable housing units within the Borough; and

WHEREAS, subject to certain conditions, the Borough has agreed to contribute certain funding from the Trust Fund to the Owner, in order to facilitate the creation of these new affordable units, which will assist the Borough in satisfying its affordable housing requirements for the Third Round; and

WHEREAS, the terms and conditions associated with this undertaking are set forth below.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Borough and the Owner (hereafter collectively referenced as the “parties”) agree as follows:

1. **DEED RESTRICTION.** The Owner hereby agrees to the placement of a deed restriction (the “deed restriction” or “restriction”) which shall endure for a period of not less than thirty (30) years on the Property, which deed restriction shall impose affordability controls on nine (9) housing units located at the Property, in an effort to assist the Borough in satisfying its Third Round fair share affordable housing obligation. The deed restriction shall ensure that the nine (9) housing units at the Property may only be occupied by income-eligible households during the term of the restriction, and that the rents charged shall not exceed prevailing acceptable rent levels for affordable housing units. The deed restriction shall inure to the benefit of the Borough, and shall run with the land and be binding upon the Owner, as well as all successors in title to the Property, during the term of the deed restriction. It is anticipated at this time by the parties that, of the nine (9) units at the Property to be restricted with affordability controls, seven (7) units shall be occupied by low-income households and two (2) units shall be occupied by moderate-income households, eligibility for which shall be determined in accordance with established prevailing criteria. Said deed restriction shall be in a form which is generally consistent with the “model” form of deed restriction utilized for multi-family rental properties (a copy of which is attached hereto as “Exhibit “A”), as sanctioned by the State of New Jersey, and shall be satisfactory to the Borough.
2. **PAYMENT TO PROPERTY OWNER.** In consideration for the Owner’s placement of the thirty (30)-year deed restriction on the nine (9) housing units at the Property, as referenced in Paragraph 1 above, and subject to the conditions set forth in Paragraph 3 below, the Borough hereby agrees to make a payment to the Owner in the amount of One Hundred and Eleven Thousand and 00/100 Dollars (\$111,000.00) from the Borough’s Affordable Housing Trust Fund. This payment represents

approximately Twelve Thousand Three Hundred Thirty-Three and 33/100 Dollars (\$12,333.33) per unit restricted, and shall be made in accordance with the schedule set forth in Paragraph 3 below.

- 3. **CONDITIONS TO PAYMENT.** The parties agree that full payment of the amount referenced in Paragraph 2 above from the Borough to the Owner is hereby expressly contingent upon the following conditions:
 - a. The final execution of the within Agreement; and
 - b. The Borough’s receipt of a written certification by the Borough’s designated Affordable Housing Administrative Agent that all of the nine (9) housing units at the Property satisfy the applicable prevailing requirements for the Borough to be entitled to obtain affordable housing credits toward its Third Round affordable housing obligation; and
 - c. The execution and recording of a deed restriction which is generally consistent with the “model” form of deed restriction attached hereto as “Exhibit “A,” which imposes affordability controls on nine (9) housing units located at the Property for a period of not less than thirty (30) years, as referenced in Paragraph 1 above.

Payment shall be made to the Owner by the Borough following the completion of all of the above conditions.

- 4. **CONTINUED MONITORING OF AFFORDABLE UNITS; PROPERTY OWNER’S RESPONSIBILITIES.** During the term of the thirty (30)-year period of affordability controls on the Property, the Borough’s designated Affordable Housing Administrative Agent shall be responsible for, among other things, ensuring that all proposed occupants of the nine (9) restricted housing units at the Property are income qualified prior to the commencement of their respective tenancies, that the rents charged to occupants of the units do not exceed prevailing acceptable rent levels for affordable housing units, that the units meet all applicable criteria associated with their designation as affordable housing, and that the units continue to be operated in all respects in accordance with the requirements set forth in the recorded deed restriction, as well as those prescribed by applicable N.J. affordable housing rules and regulations. The Owner shall be required to directly fund, at its own cost and expense, any and all fees incurred by the Borough’s Affordable Housing Administrative Agent that are associated with the above responsibilities, or which are in any way related to oversight of the Property. The Owner hereby agrees to cooperate in good faith with the Borough and the Borough’s designated Affordable Housing Administrative Agent in order to ensure that all of the restricted housing units continue to be operated in a manner which is consistent with the requirements of the recorded deed restriction, as well as those prescribed by applicable N.J. affordable housing rules and regulations. This requirement shall run with the land and be binding upon the Owner, as well as all successors in title to the Property, during the term of the deed restriction.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year appearing below their names.

ATTEST:

THE BOROUGH OF HIGHTSTOWN

_____ By: _____

Debra Sopronyi, Borough Clerk

Hon. Lawrence Quattrone, Mayor

WITNESS:

PROPERTY OWNER

_____ By: _____

Norman A. Randolph, Jr.

Resolution 2016-169

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

AWARDING A CONTRACT FOR ENGINEERING SERVICES FOR THE ULTRA VIOLET DISINFECTION PROJECT AT THE HIGHTSTOWN BOROUGH ADVANCED WASTE WATER TREATMENT PLANT (AWWTP)

WHEREAS, Hightstown Borough is in need of Engineering Services regarding the Ultra Violet Disinfection Project at the Hightstown Borough Advanced Water Treatment Plant; and

WHEREAS, the Borough Engineer, Roberts Engineering Group, LLC has submitted a proposal in the amount of \$75,000.00 to provide Engineering Services for this project; and,

WHEREAS, Engineering Services to be provided for this project are detailed in the proposal and the associated agreement; and

WHEREAS, this project is funded by the New Jersey Environmental Infrastructure Trust, and the award of this contract is conditional upon approval by the New Jersey Department of Environmental Protection; and,

WHEREAS, the Chief Finance Officer has certified that funds are available for these services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Engineering Services for the Ultra Violet Disinfection Project at the Hightstown Borough Advanced Water Treatment Plant is awarded to Roberts Engineering Group, LLC, 1670 Whitehorse Hamilton Square Rd. Hamilton, NJ 08690 in an amount not to exceed \$75,000.00.

Resolution 2016-171

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

ADOPTING A HIGHTSTOWN BOROUGH HOUSING REHABILITATION OPERATING MANUAL FOR THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, a Small Cities Housing Rehabilitation Program Community Development Grant in the amount of \$150,000.00 was awarded to Hightstown Borough; and

WHEREAS, the purpose of the local housing rehabilitation program is to provide funds for low and moderate-income persons and families for renovation and improvement of health and safety and building-code violations throughout their homes; and

WHEREAS, a Housing Rehabilitation Operating Manual for the Small Cities Housing Rehabilitation Program Community Development Grant has been developed to explain the steps in the rehabilitation process and assist in the administration and serve as a guide to the program staff and applicants; and

WHEREAS, it is required that the Hightstown Borough Mayor and Council adopt the Housing Rehabilitation Operating Manual for the Small Cities Housing Rehabilitation Program Community Development Grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Housing Rehabilitation Operating Manual for the Small Cities Housing Rehabilitation Program Community Development Grant is hereby adopted by the Borough of Hightstown.

Resolution 2016-170 Refund of Water/Sewer Overpayment

Councilmember Kurs moved Resolution 2016-170; Councilmember Misiura seconded.

Roll Call Vote: Council members Hansen, Kurs, Misiura, and Montferrat voted yes; Councilmember Bluth abstained.

Resolution adopted 4-0, with one abstention.

Resolution 2016-170

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

AUTHORIZING REFUND OF WATER/SEWER OVERPAYMENT

WHEREAS, a water/sewer overpayment was made for Block 2.01, Lot 1, 56 Mill Run East, in the amount of \$167.48 due to double payment; and

WHEREAS, the owner, Joyce Teer, 1 Overlook Drive, Apt. 3332, Monroe, New Jersey, 08831 has requested that a refund be issued for the overpayment in the amount of \$167.48; and

WHEREAS, the Collector has requested that said overpayment be refunded in the amount of \$167.48.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Collector and CFO are hereby authorized to issue a refund in the amount of \$167.48 to Joyce Teer, 1 Overlook Drive, Apt. 3332, Monroe, New Jersey, 08831, representing the water/sewer overpayment as set forth herein.

PUBLIC COMMENT PERIOD II

Mayor Quattrone opened the public comment period II and the following individuals spoke:

Barbara McDade, 181 East Ward Street – advised that she is not getting any satisfaction from the Water/Sewer Department regarding a very high bill from July of 2015, that doubled to over \$400.00 for the quarter, and

interest and penalties are still accumulating; her bills since this time have gone back to the normal amount.

Mr. Underhill noted that the meter was checked by the Water Plant employees and found to be working properly. Mayor Quattrone asked that the meter be tested to confirm it is working, and that a new meter be installed at her property. Mr. Underhill confirmed that he will see that the request is carried out.

Scott Caster, 12 Clover Lane – acknowledged Councilmember Kurs objection to Ordinance 2016-20 regarding the violation of civil rights.

There being no further comments, Mayor Quattrone closed the public comment period.

DISCUSSION

Historical Society Banner for Historical House Tour

Ms. Sopronyi advised that the Historical Society would like to hang their banner downtown, as in the past, to promote the Historical House Tour. It was noted that they will have it installed and removed after their event.

Council approved the installation of the banner and requested that Ms. Sopronyi advise the Historical Society of same.

Videotaping Downtown

Mr. Underhill advised that Mr. Byas is seeking permission to videotape downtown and called him today to advise that he would like to tape next Monday. He will be taping at the Hightstown Diner (which is private property), but would also like to tape in the alley between Main Street and the Stockton Street parking lot and have Hightstown police cars in the video.

Mayor Quattrone noted that the Police Chief will not permit the police vehicles to appear in the video. Mr. Raffetto advised that the Borough should put a policy in place for anyone wishing to tape on Borough property and close roadways; they should also provide insurance certificates and a hold harmless.

There was discussion regarding Council's request that Mr. Byas submit a detailed request in writing; the phone call and short notice; that Tacorito has an agreement for seating customers in the alley and that the length of time they would be taping in the alley is unknown. Mr. Raffetto noted that the Borough does not have the authority to stop him from filming; the authority is only applicable if he is closing roads and etc.

After discussion, Mr. Underhill was directed to advise Mr. Byas that he cannot block the alley, nor can he infringe on the customers of Tacorito.

SUBCOMMITTEE REPORTS

Councilmember Misiura advised that he, Mayor Quattrone, and Mr. Underhill met with the developer brought forward by Councilmember Montferrat regarding the Lakefront project. The developer looked at the vision plan and seemed positive, and thinks it is a viable project; he was given contact information for Downtown Hightstown to continue his research into the project.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Kurs

Police – Stated that Chief Gendron is investigating the acquisition of body cameras and the new cars have arrived.

EMS – there is a meeting this week.

9/11 Ride – The 9/11 Ride group would like a letter of support from Council. There was discussion and it was decided that Council would adopt a resolution of support.

Resolution 2016-172 A Resolution of Support for Americas 9/11 Ride

Councilmember Kurs moved Resolution 2016-172; Councilmember Misiura seconded.

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

Resolution adopted 5-0.

Resolution 2016-172

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

A RESOLUTION OF SUPPORT FOR THE AMERICA'S 9/11 RIDE

WHEREAS, Hightstown Borough, has been privileged to be a participant and pass-through town of the America's 9/11 Ride for several years; and

WHEREAS, the America's 9/11 Ride began in November of the year 2001 to honor those who died in the September 11, 2001 attacks on America's citizens, and those who protect us in our daily lives; and

WHEREAS, America's 9/11 Ride is sponsored by the Americas911Foundation which was founded in 2004; and

WHEREAS, the America's 9/11 Ride is anxiously awaited and well attended by the citizens of Hightstown Borough and its neighboring communities; and

WHEREAS, the America's 9/11 Ride consists of active Police, Fire and EMTs; and

WHEREAS, the Borough of Hightstown is in full support of the continuation of the America's 9/11 Ride throughout the country.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Hightstown Borough and its residents support the America's 9/11 Ride and request that this event receive the support necessary for the continuation of the America's 9/11 Ride throughout America.

Councilmember Bluth

Triathlon – The Triathlon on September 11th was a great success. They had over 200 participants.

Cultural Arts Commission – they will be sponsoring a Black Cat Disco for adults at the Firehouse and tickets are on sale now; the Summer Theater was a success and they are doing a Fall Theater and working with the Fire Department regarding use of their hall for rehearsals; Cultural Arts has met with Peddie School to put together a joint event.

Councilmember Montferrat

Board of Health – due to his schedule he missed the meeting.

Historic Preservation Commission – the meeting was cancelled.

Harvest Fair – the meeting is scheduled for tomorrow.

Misc. - expressed concern and prayers for those affected by the bombs; the ovarian cancer ribbons throughout town have been noticed; he volunteered for the Historical House Tour; he is glad the Small Cities grant came through; displayed the free signs for the non-smoking in the parks ordinance and noted that both Parks and Recreation and the Board of Health support the ordinance.

Councilmember Misiura

Historic Preservation Commission – noted that he will be taking over as Liaison to the HPC due to Councilmember Montferrat’s school schedule.

Planning Board – Dimitri Musing has become the Vice-Chair of the Planning Board due to a resignation and a replacement member is needed; they discussed the Transportation Grant, Route 33 Corridor; COAH (and reached out to the Housing Authority), and the Minute Maid property regarding agreement compliance.

Mayor Quattrone

Stated that the meeting with the developer went well, was very positive, and he is familiar with Hightstown; the Planning Board meeting was good; Chief Gendron asked that the word get out “If you see something, say something”; Mr. Underhill is going on vacation; welcomed the Municipal Clerk back from her leave.

Borough Clerk Sopronyi

Thanked everyone for their thoughts when she was out on leave; noted that the Deputy Clerk, Peggy Riggio, did a wonderful job of keeping the office in order and providing the Mayor and Council with efficiency during her absence and expressed her appreciation to her Deputy Clerk for a job well done.

ADJOURNMENT

Councilmember Misiura moved to adjourn at 9:15 p.m.; Council President Hansen seconded. All ayes.

Respectfully Submitted,

Debra L. Sopronyi, RMC
Borough Clerk

Resolution 2016-180

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

AUTHORIZING PAYMENT #1 – A.C. SHULTES, INC. REHABILITATION OF WELL NO. 1

WHEREAS, on June 6, 2016, the Borough Council awarded a contract for the Rehabilitation of Well No. 1 to A.C.Shultes, Inc. of Woodbury Heights, New Jersey in the amount of \$95,240.00; and

WHEREAS, the contractor has submitted payment request #1 for work related to mobilization, pump evaluation and well redevelopment for the project in the total amount of \$20,384.00; and

WHEREAS, the Borough Engineer has recommended approval of payment # to A.C. Shultes, Inc. in the amount of \$20,384.00 following receipt of the certified payrolls; and

WHEREAS, the CFO has certified that funds are available for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request No. 1 to A.C.Shultes, Inc. of Woodbury Heights, New Jersey in the amount of \$20,384.00, following receipt of the certified payrolls is hereby approved as detailed herein, and the CFO is authorized to issue same.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016.

Margaret M. Riggio
Deputy Borough Clerk



MEMORANDUM

TO: Mayor and Council
Borough of Hightstown

FROM: Carmela Roberts, P.E. *CR*
Borough Engineer

DATE: October 11, 2016

RE: Rehabilitation of Detention Tanks
Payment No. 1
Our File No.: H1671

Attached please find Payment No. 1 for work related to mobilization, tank inspection and cleaning.

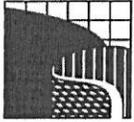
The release of this payment is subject to the submittal of certified payroll forms.

I recommend payment be made to the G. Meyer Group in the amount of \$26,487.39.

Should you have any questions, please do not hesitate to call.

Enclosures

cc: Henry Underhill, Borough Administrator
Debra Sopronyi, RMC, CMR, QPA, Borough Clerk
Janice Mohr-Kminek, Finance (Treasurer)
George Lang, CFO
John Supp, G. Meyer Group
Charles H. Witte, Roberts Engineering Group, LLC



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

PAYMENT NO. 1
**REHABILITATION OF DETENTION TANKS
WATER TREATMENT PLANT
BOROUGH OF HIGHTSTOWN, MERCER COUNTY**

Our File No.: H1671
October 11, 2016

Item No.	Description	Unit	Quantity	Total As-Built Quantity	As-Built This Period	Unit Price	Total Cost
1	Mobilization	LS	1.00	1.00	1.00	\$3,500.00	\$3,500.00
2	Project Video	LS	1.00	1.00	1.00	\$1,500.00	\$1,500.00
3	Protection	LS	1.00	1.00	1.00	\$1,500.00	\$1,500.00
4	Tank Structural Inspection and Report	LS	1.00	1.00	0.50	\$2,500.00	\$1,250.00
5	Cleaning Tank Exterior Wall and Roof	SF	4,550.00	4,550.00	4,550.00	\$2.86	\$13,013.00
6	Cleaning Tank Interior Wall and Roof	SF	4,550.00	185.00	185.00	\$3.69	\$682.65
7	Cleaning Tank Floor	SF	1,550.00	70.00	70.00	\$2.26	\$158.20
8	Allowance for Structural Repairs to Tank Wall, Roof and Floor	LS	1.00	1.00	0.04	\$20,000.00	\$800.00
9	Painting Exterior of Wall and Roof	SF	4,550.00	720.00	720.00	\$4.18	\$3,009.60
10	Painting Interior of Wall and Roof	SF	4,550.00	185.00	185.00	\$4.62	\$854.70
11	Painting Interior Floor	SF	1,550.00	70.00	70.00	\$2.58	\$180.60
12	Restoration	LS	1.00	1.00	0.04	\$1,500.00	\$60.00
A-1	Remove and Replace Roof Vents	EA	2.00	0.00	0.04	\$5,200.00	\$208.00
A-2	Rain Lip at Roof Manholes	EA	2.00	2,500.00	0.04	\$3,500.00	\$140.00
A-3	Extend Tank Overflow to Grade	EA	2.00	1.00	0.04	\$4,280.00	\$171.20
TOTAL WORK COMPLETED							\$27,027.95
LESS: 2% RETAINAGE							\$540.56
SUBTOTAL							\$26,487.39
LESS: PREVIOUS PAYMENTS							\$0.00
TOTAL AMOUNT DUE							\$26,487.39
AMOUNT OF ORIGINAL CONTRACT							\$133,804.50

Resolution 2016-181

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

AUTHORIZING CHANGE ORDER #1 – THE G. MEYER GROUP (REHABILITATION OF DETENTION TANKS)

WHEREAS, on June 6, 2016, the Borough Council awarded a contract for the Rehabilitation of the Detention Tanks for the Water Treatment Plant in Hightstown Borough to The G. Meyer Group, Inc. of Bradley Beach, New Jersey at the price of \$133,804.50; and

WHEREAS, the contractor has submitted change order #1 for repairs and painting of the aerator tower in the amount of \$19,243.00, which increases the original contract by 14.4% to \$153,047.50; and

WHEREAS, the Borough Engineer has recommended approval of Change order #1; and

WHEREAS, the CFO has certified that funds are available for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Change order #1 in the amount of \$19,243.00 to The G. Meyer Group, Inc. of Bradley Beach, New Jersey is hereby approved as detailed herein.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016.

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

October 11, 2016

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

Re: Rehabilitation of Detention Tanks
 Water Treatment Plant
 Borough of Hightstown, Mercer County
 Our File No.: H1671

Dear Mayor and Council:

Attached herewith are the NJDEP Contract Modification Proposal and Acceptance forms related to Change Order No. 1 (CO-1) in the amount of \$19,243.00 for the Rehabilitation of Detention Tanks. Also attached is the contractor's (The G. Meyer Group) proposal outlining the work involved.

This change order is being provided to you at the request of Lead Water Operator, Larry Blake. This change order is for repairs and painting of the aerator tower. This aerator was not a part of the original project scope and contract, but shortly after the start of construction, we were requested to obtain pricing from the contractor because of the deteriorated condition of the aerator.

The contractor has provided a price of \$19,243.00 for this work. My office has reviewed this price with the contractor and after negotiations, the price of \$19,243.00 has been agreed to by the contractor and my office.

The original contract amount is \$133,804.50 and this change order will increase the overall contract by 14.4% to a total of \$153,047.50.

Therefore, it is my recommendation, based on the above and attached, that Council approve this Change Order No. 1.

Should you have any questions or require additional information, please call my office at any time.

Very truly yours,

Carmela Roberts, P.E., CME
 Borough Engineer

Enclosures

Cc: Henry Underhill, Borough Administrator
 Debra Sopronyi, RMC, QPA, CMR, Borough Clerk
 Janice Mohr-Kminek, Finance
 George Lang, Borough CFO
 Larry Blake, Lead Water Operator

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Borough of Hightstown	2. PROJECT NO. 1104001-008	3. CONTRACT NO. Rehabilitation of Detention Tanks	4. MODIFICATION NO. 1
5. TO (CONTRACTOR) G. Meyer Group 613 Newark Avenue Bradley Beach, New Jersey 07720		6. PROJECT LOCATION AND DESCRIPTION Rehabilitation of Detention Tanks located at the Water Treatment Plant on Bank Street in the Borough of Hightstown.	

7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).

_____ Date Carmela Roberts, P.E., Borough Engineer _____ Signature
Type Name and Title

8. DESCRIPTION OF CHANGE: Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work:

Add new item for additional scope of work: Rehabilitation of Aerator Stand and Support System.

The existing support stand for the aerator needs to be cleaned, power washed, spot primed, repaired and painted in accordance with the tank painting specification.

As a result of the above, the contract price is revised as follows:

ITEM NO.	ITEM DESCRIPTION	UNIT PRICE	ESTIMATED QUANTITY	TOTAL COST
S-1	Rehabilitation of Aerator Stand and Support System	\$19,243.00	1	\$19,243.00

TOTAL COST OF THIS MODIFICATION \$19,243.00

The contract time is hereby: increase decrease or remains the same by _____ calendar days as a result of this modification.

The foregoing modification is hereby accepted:

CONTRACTOR	OWNER	(NJPE SEAL)	ENGINEER
BY: _____	BY: _____	BY: _____	BY: _____
DATE: _____	DATE: _____	DATE: _____	DATE: _____

APPROVAL:

_____ STATE OF NEW JERSEY _____ DATE

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Borough of Hightstown	10. PROJECT NO. 1104001-008	11. CONTRACT NO. Water Plant Improvements	12. MODIFICATION NO. 1	
13. CONTRACTOR'S PROPOSAL – An Extension of Time (Detailed breakdown, attach additional sheets as necessary)				
(Proposed) Not Applicable.				
NET INCREASE \$19,243.00		NET DECREASE \$		CALENDER DAYS INCREASE ___DAYS
DATE:	TYPE NAME AND TITLE: G. Meyer Group		SIGNATURE:	

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

<p>14. ISSUING OFFICE & PROJECT NO. Borough of Hightstown/1104001-008</p>	<p>15. CONTRACT NO. Rehabilitation of Detention Tanks</p>	<p>16. MODIFICATION NO. 1</p>
<p>17. ORIGINAL CONTRACT BID PRICE \$ 133,804.50 TOTAL OF PREVIOUS CHANGE ORDERS \$ 0.00 TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ 153, 047.50</p>		
<p>18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS:</p> <p>Rehabilitation of the aerator stand and supports (located adjacent to and interconnected to existing tanks being rehabbed as requested by the owner.</p> <p>The existing support stand for the aerator needs to be cleaned, power washed, spot primed, repaired and painted in accordance with the tank painting specifications.</p>		
<p>19. OTHER IMPACTS RESULTANT OF THIS CHANGE:</p> <p>Not applicable.</p>		
<p>20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) :</p> <p>Negotiations between the G. Meyer Group and Roberts Engineering Group, LLC were conducted on September 27, 2016. Prices were agreed upon and found to be fair and reasonable. Formal quote received from G. Meyer Group on September 30, 2016.</p>		
<p>DATE:</p>	<p>TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Carmela Roberts, P.E. Borough Engineer</p>	<p>SIGNATURE:</p>

G Meyer Group

613 Newark Avenue
Bradley Beach, NJ 07720

732-988-8889 phone

9/30/2016

gmeyergroup@gmail.com ; supjohn65@gmail.com

Roberts Engineering Group

1670 Whitehorse Hamilton Square Road, Hamilton NJ 08690

609-586-1141 p; 1143 f

Attn. Charles Witte

Project Location: **Hightstown Water Detention Tanks**
152 Bank Street Hightstown NJ

SCOPE OF WORK: Aerator Tank stand and misc supports Not In Contract

- * Primer and finish coat to be applied using same spec as tanks (top coat color TBD)
- * Power wash, hand tool and power grind all surfaces as required to allow proper adhesion with new coating
- * Spot Prime areas of bare metal
- * Use Rhomar black Maxx protective seal on cat walk grate and supports
- * One Coat Prime
- * One Coat Top Color
- * GMG will be paying wages in accordance with NJ Prevailing Wages
- * Ladders, Lift, Baker Scaffold as required to perform work as required

Proposal Total: **\$ 19,243.00**

Exclusions: All items not previously painted white on this support structure, aerator tank (SS), electrical conduit and misc copper lines, and all work not specifically referenced in line items above

Respectfully submitted for approval

Estimating Department
The G Meyer Group

Approved Roberts Engineering LLC Representative _____ dated _____

Notes: Dumpsters for debris to be provided by others.

Resolution 2016-182

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

AUTHORIZING PAYMENT #1 – THE G. MEYER GROUP (REHABILITATION OF DETENTION TANKS)

WHEREAS, on June 6, 2016, the Borough Council awarded a contract for the Rehabilitation of the Detention Tanks for the Water Treatment Plant in Hightstown Borough to The G. Meyer Group, Inc. of Bradley Beach, New Jersey at the price of \$133,804.50; and

WHEREAS, the contractor has submitted payment request #1 for work related to mobilization, tank inspection and cleaning for the project in the total amount of \$26,487.39; and

WHEREAS, the Borough Engineer has recommended approval of payment # to The G. Meyer Group in the amount of \$26,487.39 following receipt of the certified payrolls; and

WHEREAS, the CFO has certified that funds are available for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request No. 1 to The G. Meyer Group, Inc. of Bradley Beach, New Jersey in the amount of \$26,487.39, following receipt of the certified payrolls is hereby approved as detailed herein, and the CFO is authorized to issue same.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016.

Margaret M. Riggio
Deputy Borough Clerk



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

MEMORANDUM

TO: Mayor and Council
Borough of Hightstown

FROM: Carmela Roberts, P.E. *CR*
Borough Engineer

DATE: October 11, 2016

RE: Well No. 1 Rehabilitation
Payment No. 1
Our File No.: H1670

Attached please find Payment No. 1 for work related to mobilization, pump evaluation and well redevelopment.

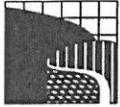
The release of this payment is subject to the submittal of certified payroll forms.

I recommend payment be made to the A.C. Schultes, Inc. in the amount of \$20,384.00.

Should you have any questions, please do not hesitate to call.

Enclosures

cc: Henry Underhill, Borough Administrator
Debra Sopronyi, RMC, CMR, QPA, Borough Clerk
Janice Mohr-Kminek, Finance
George Lang, CFO
August C. Schultes, IV, A.C. Schultes, Inc.
Alex Rodack, A.C. Schultes, Inc.
Charles H. Witte, P.E., Roberts Engineering Group, LLC



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

**PAYMENT NO. 1
REHABILITATION OF WELL NO. 1
WATER TREATMENT PLANT
BOROUGH OF HIGHTSTOWN, MERCER COUNTY**

Our File No.: H1670

October 11, 2016

Item No.	Description	Unit	Quantity	Total As-Built Quantity	As-Built This Period	Unit Price	Total Cost
1	Mobilization	LS	1.00	1.00	1.00	\$1,000.00	\$1,000.00
2	Project Video	LS	1.00	1.00	0.00	\$20.00	\$0.00
3	Well Rehabilitation	LS	1.00	1.00	1.00	\$19,800.00	\$19,800.00
4	Well Pump Rehabilitation including Installation and Testing	LS	1.00	1.00	0.00	\$13,300.00	\$0.00
5	Flowmeter and Instruments	LS	1.00	4,550.00	0.00	\$7,500.00	\$0.00
6	Electrical	LS	1.00	185.00	0.00	\$9,500.00	\$0.00
7	Restoration	LS	1.00	70.00	0.00	\$300.00	\$0.00
A-1	Replacement of Pump and Motor	LS	1.00	0.00	0.00	\$43,820.00	\$0.00
TOTAL WORK COMPLETED							\$20,800.00
LESS: 2% RETAINAGE							\$416.00
SUBTOTAL							\$20,384.00
LESS: PREVIOUS PAYMENTS							\$0.00
TOTAL AMOUNT DUE							\$20,384.00
AMOUNT OF ORIGINAL CONTRACT							\$95,240.00

A.C. Schultes, Inc.
664 South Evergreen Avenue
Woodbury Heights, NJ 08097

Phone: (856) 845-5656
Fax: (856) 845-1335
E-mail: Lisa@acschultes.com

INVOICE

Sold To:

Hightstown, Borough of
 156 Bank St.
 Hightstown, NJ 08520

Invoice Number:
 36835

Invoice Date:
 9/30/16

Page:
 1

Customer ID: 4645

Customer PO	Job Number	Sales Rep ID	Due Date
Project #1104001-007	P28665	GREG S. BID	10/30/16

Description	Amount
Furnished material, labor & equipment for rehabilitation of Hightstown Well #1 per attached spreadsheet Total work complete Less 2% retainage Attn: Charles Witte cwitte@robertsengineeringgroup.com	20,800.00 -416.00
<p>We appreciate your continued business. Our 24 hour services include Pump & Motor Repairs and Well Drilling. There is a 3% surcharge for credit card orders.</p>	

	Subtotal	20,384.00
	Sales Tax	
	Total Amount	20,384.00
Check No:	Payment Received	0.00
	TOTAL	20,384.00

SCHEDULE OF BILLING
 Hightstown Well #1
 ACS Job #P28665

Billing Period Sep-16

ITEM	ITEM DESCRIPTION	CONTRACT PRICE	UNIT	PERCENT COMPLETED THIS PERIOD	TOTAL PERCENT COMPLETED	AMOUNT DUE THIS PERIOD	TOTAL AMOUNT DUE
1	Mobilization	\$1,000.00	LS	100.00%	100.00%	\$1,000.00	\$1,000.00
2	Project Video	\$20.00	LS	0.00%	0.00%	\$0.00	\$0.00
3	Well Rehabilitation	\$19,800.00	LS	100.00%	100.00%	\$19,800.00	\$19,800.00
4	Well Pump Rehabilitation including installation & testing	\$13,300.00	LS	0.00%	0.00%	\$0.00	\$0.00
5	Flowmeter and Instruments	\$7,500.00	LS	0.00%	0.00%	\$0.00	\$0.00
6	Electrical	\$9,500.00	LS	0.00%	0.00%	\$0.00	\$0.00
7	Restoration	\$300.00	LS	0.00%	0.00%	\$0.00	\$0.00
A1	Replacement of Pump and Motor	\$43,820.00	LS	0.00%	0.00%	\$0.00	\$0.00

=====
 TOTAL CONTRACT PRICE \$95,240.00

TOTAL WORK COMPLETED
 LESS 2% RETAINAGE
 LESS PREVIOUS BILLINGS

\$20,800.00
 \$416.00

TOTAL PAYMENT REQUEST #1

=====
 \$20,384.00

\$20,800.00
 \$416.00

=====
 \$20,384.00

Resolution 2016-183

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

SUPPORTING PROJECT UNDER TRANSPORTATION ALTERNATIVES PROGRAM

WHEREAS, the Borough of Hightstown is currently preparing a grant application to the federally funded Transportation Alternatives Program, sponsored by the New Jersey Department of Transportation, to provide funding for construction of Streetscape Improvements at North Main Street, Mercer Street, and West Ward Street;

WHEREAS, the grant if received would fund sidewalk and curb improvements on North Main Street from Bank Street to the Borough Limits, Mercer Street from Summit Street to West Ward Street, and West Ward Street from Mercer Street to South Main Street;

WHEREAS, the Transportation Alternatives Program provides funding for "non-traditional" projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system;

WHEREAS, the grant application requires that the Borough governing body show support for the project in the form of a resolution, including certification of continual ownership and maintenance for the useful life of the project, a minimum 20 years after completion;

WHEREAS, Borough Council believes in the importance of this project for maintaining the beauty and vitality of our Downtown and its pedestrian-friendly environment;

WHEREAS, Borough Council certifies that the proposed improvements will be continually owned by the Borough and the Borough will continually provide for the maintenance of the improvements for the useful life of the improvements, or a minimum of 20 years after completion;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, as follows;

1. Borough Council expresses its full support for the construction of curb, sidewalk and other improvements proposed in the Borough's aforesaid grant application under the Transportation Alternatives Program;
2. Borough Council hereby certifies that the Borough will continually own and continually provide for the maintenance of the proposed improvements for the useful life of the improvements, or a minimum of 20 years after completion;
3. Borough Council hereby authorizes and directs the Borough Administrator to ensure that a copy of this Resolution is included in the aforesaid application to the Transportation Alternatives Program and to take such other steps as may be necessary to support this application.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016.

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

October 13, 2016

Henry Underhill, Borough Administrator
Borough of Hightstown
156 Bank Street
Hightstown, NJ 08520

Re: Transportation Alternatives Program
Borough of Hightstown
Our File No.: H1610

Dear Henry:

This office is currently preparing a grant application to the federally funded Transportation Alternatives Program sponsored by the New Jersey Department of Transportation to provide funding for "non-traditional" projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system. The application is due no later than November 10, 2016.

As you know, we are preparing an application for funding for the construction of streetscape improvements on North Main Street, Mercer Street, and West Ward Street. The project will include sidewalk and curb improvements on North Main Street from Bank Street to the Borough limits, Mercer Street from Summit Street to West Ward Street, and West Ward Street from Mercer Street to South Main Street. The grant application requires that the Borough must show support for the project in the form of a resolution including a certification of continual ownership and maintenance for the useful life of the project (minimum twenty (20) years after completion). We are requesting that a resolution be prepared for the next available Council meeting so that it may be included in the November 10, 2016 submission to NJDOT. A sample resolution is attached.

Thank you very much for your cooperation with this important project. If you have any additional questions, please contact me.

Very truly yours,

Carmela Roberts, P.E., C.M.E.
Borough Engineer

cc: Mayor and Council
Debra Sopronyi, RMC, QPA, CMR, Borough Clerk
Cameron Corini, EIT, Roberts Engineering Group, LLC

Ordinance 2016-22

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ENTITLED “ADMINISTRATION”, SECTION 2-45, ENTITLED “HISTORIC PRESERVATION COMMISSION”, SUBSECTION 2-45.3, ENTITLED “ESTABLISHMENT OF THE HISTORIC PRESERVATION COMMISSION”, ITEM (M) ENTITLED “MEETINGS, QUORUM” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY” REGARDING A QUORUM

WHEREAS, the Historic Preservation Commission (HPC) has had difficulty in acquiring a quorum for HPC meetings, and the Hightstown Borough Council finds that a change in the membership of the HPC will enable the HPC to perform their function more efficiently and serve the Borough effectively; and

WHEREAS, the Borough Council adopted ordinance 2016-16 which amended the number of members on the Historic Preservation Commission; and

WHEREAS, it is necessary to amend the number of members which constitutes a quorum at the Historic Preservation Commission meetings.

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 2-45, entitled “Historic Preservation Commission”, Subsection 2-45.3, entitled “Establishment of the Historic Preservation Commission”, Item (M) entitled “Meetings, Quorum” is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Subsection 2-45.3: Establishment of the Historic Preservation Commission.

(M) Meetings, Quorum:

1. The Historic Preservation Commission shall establish and post in the Municipal Building a regular schedule of meetings, which shall include a minimum of one meeting per month. Regular meetings shall be held as scheduled unless canceled for lack of quorum, lack of applications to process or for other good reason(s), which shall be noted in the minutes.
2. The Historic Preservation Commission shall hold public meetings to review all applications for HPC Opinions, referrals of development applications and other business which comes before the Commission.
3. The presence of ~~four (4)~~three (3) members, which may include alternate members filling the vacancies of regular members, shall constitute a quorum. Liaison and Advisor person(s) are not entitled to vote and shall not be counted towards achieving a quorum. A majority vote of those present and voting shall prevail, and shall be sufficient to render an HPC Opinion or other business matter. Not less than a majority of the appointed membership shall be required to designate or change an Historic Landmark or Historic District designation or to render an HPC Opinion for demolition or use changes of an historic landmark or a resource within an Historic District.

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.

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Ordinance 2016-23

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4, ENTITLED “LICENSING”,
SUBSECTION 4.1-4 ENTITLED “FEE SCHEDULE” OF THE “REVISED GENERAL ORDINANCES OF
THE BOROUGH OF HIGHTSTOWN NEW JERSEY,” IN ORDER TO ESTABLISH A FEE FOR
MASSAGE PARLOR LICENSES**

WHEREAS, The Hightstown Borough Council has adopted ordinance 2016-13 establishing the requirements for the licensing of Massage Parlors; and

WHEREAS, it is necessary to amend chapter 4, subsection 4.1-4 of the “Revised General Ordinances of the Borough of Hightstown New Jersey” to include the associated licensing fee.

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 4, entitled “Licensing”, Subsection 4.1-4, entitled “Fee Schedule” is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

4-1.4 Fee Schedule.

- a. Fees shall be as follows:

<u>License</u>	<u>Fee</u>
Peddlers, hawkers and vendors	\$75.00 per year
Solicitors and canvassers	\$75.00 per month
Charitable solicitations	No fee
Movie theatres	\$50.00 per year
Pool and billiard parlors	\$50.00 per year
Coin-operated vending machines (in coin-operated laundries):	
Automatic washers	\$10.00 per machine per year
Dryers	\$10.00 per machine per year
Coin changers	\$10.00 per machine per year
Soap-dispensing machines	\$10.00 per machine per year
Automatic vending machines:	
Vending merchandise or service of any description (Non-food)	\$40.00 per machine per year
Amusement, skill and video machines	\$100.00 per machine per year

Weighing scales	\$30.00 per machine per year
Coin-operated phonographs	\$75.00 per machine per year
Coin-operated reproducing machines	\$60.00 per machine per year
Going-out-of-business sales	\$150.00 per sale
Circuses and traveling shows	\$100.00 per day
Auctions	\$100.00 per day
<u>Massage Parlors</u>	<u>\$500.00 per year</u>
Boardinghouses, rooming houses and rooming units*	
1 to 3 boarders or roomers	\$5.00 per boarder or roomer per year
4 or more boarders or roomers	\$3.00 per boarder or roomer per year

b. Fees shall be paid on an annual basis. However, in the event of a partial year of operation, the payment due shall be prorated to provide that one-fourth of the fee shall be paid for each quarter or partial quarter of operation.

c. Fees listed in Section 4-1.4 shall be waived for any organization qualified as nonprofit under Section 501(c)(3) of the Internal Revenue Code. (1991 Code § 133-4; Ord. No. 860 § 2; New; Ord. No. 1999-01 § 2; Ord. 2000-15, Amended, 07/21/2000; Ord. 2008-09)

2. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.
3. That 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 the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.
4. That this Ordinance shall take effect following final passage and publication in accordance with the law.

Introduced:

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

Ordinance 2016-24

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, ENTITLED “POLICE REGULATIONS,” SUBSECTION 3-13.3 ENTITLED “APPLICATION” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN NEW JERSEY,” REGARDING THE APPLICATION SUBMISSION DEADLINE AND POLICING FEES

WHEREAS, The Hightstown Borough Police Chief has requested that the deadline for the filing of an application for a Parade Permit be changed to permit the proper scheduling of police services when required; and

WHEREAS, pursuant to Chapter 2, Subsection 2-19-19 of the “Revised General Ordinances of Hightstown Borough” there are fees associated with providing Police services for a parade and the Police Chief has requested that said additional fees be referenced in Subsection 3-13.3 of the “Revised General Ordinances of Hightstown Borough”; and

WHEREAS, the Borough Council recognizes that public safety is of utmost importance and that the request from the Police Chief is warranted.

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

Section 1. That Chapter 3, entitled “Police Regulations,” Subsection 3-13.3 entitled “Application” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented as follows:

3-13.3 Application.

A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by him.

a. Filing Period. The application shall be filed with the Chief of Police not less than ~~seven~~ (7)thirty (30) days nor more than ~~thirty (30)~~ sixty (60) days before the date on which it is proposed to conduct the parade.

b. Contents. The application shall contain the following information:

1. The name, address and telephone number of the person seeking to conduct the parade.

2. If the parade is to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible head of the organization.

3. The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct.

4. The date when the parade is to be conducted.
5. The route to be traveled, the starting point and the termination point.
6. The approximate number of persons who and animals and vehicles which will constitute the parade, the type of animals and description of the vehicles.
7. The hours when the parade will start and terminate.
8. A statement as to whether the parade will occupy all or only a portion of the width of the streets to be traveled.
9. The location by streets of any assembly areas for the parade.
10. The time when units of the parade will begin to assemble at any assembly area.
11. The interval of space to be maintained between units of the parade.
12. If the parade is to be held by or for any person other than the applicant, a written statement from the person proposing to hold the parade authorizing the applicant to apply for the permit on his behalf.

c. Late Applications. When good cause is shown, the Chief of Police shall have the authority to consider any application which is filed less than seven (7) days before the proposed date of the parade.

d. Fee. A fee of fifty (\$50.00) dollars shall be paid at the filing of the application. This fee shall be waived for any organization qualified as nonprofit under Section 501(c)(3) of the Internal Revenue Code. (1991 Code § 153-3; New; Ord. No. 1999-01 § 1)

e. Police Service Fee. A fee for Police Services shall be charged pursuant to Subsection 2-19.19 "Engagement of Services of Off-Duty Police Officers." of the "Revised General Ordinances of Hightstown Borough". The fee for Police services shall not be waived for any organization qualified as nonprofit under Section 501(c)(3) of the Internal Revenue Code.

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:

Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

Resolution 2016-184

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 \$71,452.49 from the following accounts:

Current		\$1,329,237.25
W/S Operating		529,041.54
General Capital		797.50
Water/Sewer Capital		4,975.00
Grant		0.00
Trust		2,892.50
Housing Trust		0.00
Animal Control		245.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>1,186.50</u>
Total		<u>\$1,868,375.29</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 October 17, 2017

Margaret M. Riggio
 Deputy Borough Clerk

Date: October 17, 2016

To: Mayor and Council

From: Finance Office

Re: Manual Bill List

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
East Windsor Regional School	9/30/2016	16-01484	1337	828,152.60
State of N.J. -Dept of Treasury	9/30/2016	16-1453	1338	50,844.00
J.P. Morgan Chase Bank	9/30/2016	16-01563	1339	381,000.00
				<hr/>
			TOTAL	<u><u>\$1,259,996.60</u></u>
<u>WATER AND SEWER OPERATING ACCOUNT</u>				
State of N.J. - Dept of Treasury	9/30/2016	16-01453	1273	13,150.82
J.P. Morgan Chase Bank	9/30/2016	16-01563	1274	473,706.25
				<hr/>
			TOTAL	<u><u>\$486,857.07</u></u>
<u>TRUST ACCOUNT</u>				
				<hr/>
			TOTAL	<u><u>\$0.00</u></u>
<u>GENERAL CAPITAL</u>				
				<hr/>
			TOTAL	<u><u>\$0.00</u></u>
<u>WATER AND SEWER CAPITAL</u>				
				<hr/>
			TOTAL	<u><u>\$0.00</u></u>
			MANUAL TOTAL	<u><u>\$1,746,853.67</u></u>

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
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A0554 ALL INDUSTRIAL SAFETY PRODUCTS												
16-01597 09/29/16 QUOTE 213466 DATED 9/20/16												
	1	QUOTE 213466 DATED 9/20/16	151.80	T-12-56-286-000-836	B BOROUGH HARVEST FAIR - DONATIONS	R	09/29/16	10/12/16			213466-1	N
Vendor Total:			151.80									

A0107 ANSELL GRIMM & ARRON, PC												
16-01667 10/11/16 AUGUST BILLING												
	1	287271 GENERAL FILE	1,264.53	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287271	N
	2	287272 ORDINANCES 2016	432.00	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287272	N
	3	287273 RESOLUTIONS	175.50	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287273	N
	4	287274 ENGINEERING MATTERS	189.00	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287274	N
	5	287275 LABOR MATTERS	175.50	6-01-20-155-001-031	B Labor,Personnel & Union Council	R	10/11/16	10/12/16			287275	N
	6	287276 MEETINGS	472.50	6-01-20-155-001-029	B Attendance at Council Meetings	R	10/11/16	10/12/16			287276	N
	7	287277 LITIGATION	40.50	6-01-20-155-001-033	B Litigation	R	10/11/16	10/12/16			287277	N
	8	287278 LITIGATION	229.50	6-01-20-155-001-033	B Litigation	R	10/11/16	10/12/16			287278	N
	9	287279 OPRA ISSUES	270.00	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287279	N
	10	287280 LITIGATION	13.50	6-01-20-155-001-033	B Litigation	R	10/11/16	10/12/16			287280	N
	11	287281 REDEVELOPMENT	35.00	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287281	N
	12	287282 AFFORDABLE HOUSING	2,146.50	6-01-20-155-001-027	B General Matters	R	10/11/16	10/12/16			287282	N
			<u>5,444.03</u>									
Vendor Total:			5,444.03									

A0056 AQUA TECH HOTSYS, INC.												
16-01605 10/03/16 INV #02465												
	1	PART #826303 QDISC SWVL 1/4	17.46	6-09-55-501-002-503	B Sewer Plant Maintenance	R	10/03/16	10/12/16			02465	N
	2	SHIPPING & HANDLING CHARGE	8.68	6-09-55-501-002-503	B Sewer Plant Maintenance	R	10/03/16	10/12/16			02465	N
			<u>26.14</u>									
Vendor Total:			26.14									

Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
A0135 AWARD CO. OF AMERICA													
	16-01624	10/03/16	COUNCIL PLAQUES										
	1		LETTER SIZE PLAQUES	87.50	6-01-20-110-001-199		B Miscellaneous	R	10/03/16	10/12/16			N
	2		LEGAL SIZE PLAQUES	119.25	6-01-20-110-001-199		B Miscellaneous	R	10/03/16	10/12/16			N
	3		GOVERNMENT DISCOUNT	20.67	6-01-20-110-001-199		B Miscellaneous	R	10/03/16	10/12/16			N
	4		SHIPPING	32.49	6-01-20-110-001-199		B Miscellaneous	R	10/03/16	10/12/16		HIGHTSTOWN	N
				<u>218.57</u>									
			Vendor Total:	218.57									
B0076 BERGEY'S TRUCK CENTER													
	16-01520	09/26/16	PM SERVICE 2017 MACK										
	1		PM SERVICE 2017 MACK	539.18	6-01-26-305-001-034		B Motor Vehicle Parts & Access.	R	09/26/16	10/12/16		RM15442C	N
			Vendor Total:	539.18									
BLOCK005 BLOCK LINE SYSTEMS, LLC (LSI)													
	16-01681	10/13/16	INV 77943161015 10/15/16										
	1		INV 77943161015 10/15/16	1,322.09	6-01-31-440-001-085		B Telephone-Block Line Systems, LLC LSI	R	10/13/16	10/13/16		77943161015	N
			Vendor Total:	1,322.09									
B0921 BRITTON INDUSTRIES, INC													
	16-01544	09/26/16	AUGUST 2016 YARD WASTE DISP.										
	1		INV. 0062472 - YD WSTE DISP	75.00	6-01-26-311-001-168		B Yardwaste	R	09/26/16	10/12/16		0062472	N
	2		INV. 0070099 - YD WSTE DISP	46.25	6-01-26-311-001-168		B Yardwaste	R	09/26/16	10/12/16		0070099	N
				<u>121.25</u>									
			Vendor Total:	121.25									
C0396 CAVANAUGH'S, INC.													
	16-01534	09/26/16	MONTHLY SERVICE/MICE INSPECT										
	1		INV. 627090 - MONTHLY SERVICE	20.00	6-01-26-310-001-029		B Maintenance Contracts	R	09/26/16	10/12/16		627090	N
	2		INV. 627091 - MONTHLY SERVICE	20.00	6-01-26-310-001-029		B Maintenance Contracts	R	09/26/16	10/12/16		627091	N

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
C0396 CAVANAUGH'S, INC. Continued											
	16-01534	09/26/16	MONTHLY SERVICE/MICE INSPECT	Continued							
	3 INV.	668529	- INSPECT/TREAT	125.00	6-01-26-310-001-029	B Maintenance Contracts	R	09/26/16	10/12/16	668529	N
				165.00							
			Vendor Total:	165.00							
C0067 CENTRAL JERSEY POWER											
	16-01542	09/26/16	MUFFLER FOR WEEDWACKER								
	1 INV.	122080	- MUFFLER FOR	16.04	6-01-28-369-001-139	B Mower Repairs	R	09/26/16	10/12/16	122080	N
			Vendor Total:	16.04							
CHEST005 CHESTERFIELD ELECTRIC											
	16-01230	08/02/16	REPAIR TO DPW AIR CONDITIONER								
	1 REPAIR TO DPW AIR CONDITIONER			373.51	6-01-26-310-001-024	B Building Maintenance	R	08/02/16	10/12/16	7/26/16	N
	2 DEDUCT SALES TAX			24.44	6-01-26-310-001-024	B Building Maintenance	R	09/16/16	10/12/16	60726131826	N
				349.07							
			Vendor Total:	349.07							
CLAIR005 CLAIRE ERNST											
	16-01572	09/27/16	FARMER MARKET PERFORMANCE 8/11								
	1 FARMER MARKET PERFORMANCE 8/11			225.00	T-12-56-286-000-876	B PARKS & RECREATION/ TRIATHLON	R	09/27/16	10/12/16	8/11/16	N
			Vendor Total:	225.00							
C0023 COMCAST											
	16-01633	10/03/16	8499052430036659 9/24/16								
	1 8499052430036659 9/24/16			109.85	6-01-20-140-001-060	B Internet Services and Web Services	R	10/03/16	10/12/16	849905243003665	N
	16-01655	10/07/16	8499052430034100 413 MERCER								
	1 8499052430034100 413 MERCER			144.85	6-01-20-140-001-060	B Internet Services and Web Services	R	10/07/16	10/12/16	849905243003410	N
			Vendor Total:	254.70							

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
COUNT015 COUNTY OF MONMOUTH-											
	16-01536	09/26/16	TRUCK WASH USE/NEW ENTRY CARD								
	1 INV.	HTB 08-16-09	- TRUCK WASH	45.00	6-01-26-305-001-199	B Miscellaneous	R	09/26/16	10/12/16	HTB 08-16-09	N
	Vendor Total:			45.00							
C0931 Creston Hydraulics, Inc.											
	16-01533	09/26/16	HOSE REPAIR/VALVE UNLOADER								
	1 INV.	343161-001	- HOSE REPAIR	122.66	6-01-26-290-001-039	B General Machinery Parts	R	09/26/16	10/12/16	343161-001	N
	2 INV.	342849-001	- VALVE UNLOAD	210.49	6-01-26-290-001-039	B General Machinery Parts	R	09/26/16	10/12/16	342849-001	N
				333.15							
	Vendor Total:			333.15							
EZ001 E Z PASS N.J.											
	16-01611	10/03/16	TOLL REPLENISHMENT								
	1 TOLL	REPLENISHMENT		200.00	6-01-26-305-001-199	B Miscellaneous	R	10/03/16	10/12/16	2000115115123	N
	Vendor Total:			200.00							
E0022 EAGLE POINT GUN SHOP											
	16-01096	07/06/16	AMMUNITION								
	1	AMMUNITION		2,462.50	6-01-25-240-001-117	B Ammunition & Target Practice	R	07/06/16	10/12/16		N
	2	AMMUNITION		685.10	6-01-25-240-001-117	B Ammunition & Target Practice	R	07/06/16	10/12/16		N
	3	AMMUNITION		1,600.60	6-01-25-240-001-117	B Ammunition & Target Practice	R	07/06/16	10/12/16		N
	4	AMMUNITION		383.69	6-01-25-240-001-117	B Ammunition & Target Practice	R	07/06/16	10/12/16		N
				5,131.89							
	Vendor Total:			5,131.89							
E0576 EAST WINDSOR REGIONAL SCHOOL											
	16-01660	10/11/16	AUG. 2016 FUEL USE								
	1	AUG. 2016 FUEL USE	- FIRE	380.04	6-01-31-460-001-166	B Motor Fuel - Fire Dept.	R	10/11/16	10/13/16	FIRE	N
	2	AUG. 2016 FUEL USE	- POLICE	1,433.32	6-01-31-460-001-145	B Motor Fuel - Police	R	10/11/16	10/13/16	POLICE	N
	3	AUG. 2016 FUEL USE	- GARBAGE	801.00	6-01-31-460-001-147	B Motor Fuel - Public Works	R	10/11/16	10/13/16	GARBAGE	N
	4	AUG. 2016 FUEL USE	- STREETS	920.91	6-01-31-460-001-147	B Motor Fuel - Public Works	R	10/11/16	10/13/16	STREETS	N
	5	AUG. 2016 FUEL USE	- PARKS	64.88	6-01-31-460-001-147	B Motor Fuel - Public Works	R	10/11/16	10/13/16	PARKS	N
	6	AUG. 2016 FUEL USE	- WATER	144.47	6-09-55-501-001-512	B Motor Fuel	R	10/11/16	10/13/16	WATER	N

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
E0576 EAST WINDSOR REGIONAL SCHOOL Continued											
	16-01660	10/11/16	AUG. 2016 FUEL USE	Continued							
	7	AUG. 2016	FUEL USE - SEWER	147.43	6-09-55-501-002-512	R	10/11/16	10/13/16		SEWER	N
	8	AUG. 2016	FUEL USE - CONSTRUC	23.82	6-01-31-460-001-151	R	10/11/16	10/13/16		CONSTRUCTION	N
	9	AUG. 2016	FUEL FACILITY ADMIN	120.00	6-01-31-460-001-144	R	10/11/16	10/13/16		FACILITY ADMIN	N
				4,035.87							
			Vendor Total:	4,035.87							
EDGOL005 ED GOLDBERG											
	16-01323	08/11/16	PERFORMANCES 6/30 & 6/23/16								
	1	PERFORMANCES	6/30 & 6/23/16	450.00	T-12-56-286-000-876	R	08/11/16	10/12/16		6/23 & 6/30/16	N
	16-01351	08/23/16	PERFORMANCE 8/25/16 FARMERS MK								
	1	PERFORMANCE	8/25/16 FARMERS MK	225.00	T-12-56-286-000-876	R	08/23/16	10/12/16		8/25/16 FRMR MK	N
			Vendor Total:	675.00							
G0181 FRANKLIN-GRIFFITH, LLC											
	16-01493	09/14/16	FLUORESCENT LAMPS FOR FH								
	1	INV. S1843484.001	- FLUO LAMPS	87.60	6-01-26-310-001-024	R	09/14/16	10/12/16		S1843484.001	N
			Vendor Total:	87.60							
G0014 GAME TIME											
	16-01498	09/14/16	SEAT LATCH AND REPL. CHAIN								
	1	QUOTE 126465	- REPLACEMENT	213.49	6-01-28-369-001-141	R	09/14/16	10/12/16		QUOTE 126465	N
			Vendor Total:	213.49							
GARYM005 GARY M. GLASS, M.D, LLC											
	16-01592	09/29/16	INVOICE 7/27/16 MARCHI								
	1	INVOICE 7/27/16	MARCHI	6,500.00	6-01-20-155-001-033	R	09/29/16	10/12/16		MARCHI	N
			Vendor Total:	6,500.00							

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
M0714 GENSERVE, INC.												
	16-01495	09/14/16	A SERVICE - WTP GENERATOR									
	1 INV.	0113954-IN	- A SERVICE	585.00	6-09-55-501-001-511	B Generator/Engine Maintenance (B)	R	09/14/16	10/12/16		0113954	N
	Vendor Total:			585.00								
G0171 GEORGE E. CONLEY ELECTRIC												
	16-01548	09/26/16	ELECTRICAL WORK									
	1 INV.	23283	- ELECTRICAL WORK	344.50	6-01-28-369-001-141	B Parks & Playgrd Maintenance	R	09/26/16	10/12/16		23283	N
	Vendor Total:			344.50								
G0185 GRAINGER, INC.												
	16-01458	09/12/16	GUAGE FOR AIR COMPRESSOR, ECT									
	1 ITEM #D7964		GAUGE FOR AIR	53.82	6-09-55-501-002-503	B Sewer Plant Maintenance	R	09/12/16	10/12/16		9223460644	N
	2 RUBBER OVER BOOTS ITEM #D0326			32.28	6-09-55-501-002-503	B Sewer Plant Maintenance	R	09/12/16	10/12/16		9223460644	N
				86.10								
	16-01461	09/12/16	SAFETY TRACK									
	1 SAFETY TRACK ITEM #12E852			129.16	6-09-55-501-002-503	B Sewer Plant Maintenance	R	09/12/16	10/12/16		9223460651	N
	Vendor Total:			215.26								
H0278 HASTY AWARDS												
	16-01107	07/07/16	TRIATH AWARDS-ORDER#03160568									
	1 TRIATH AWARDS-ORDER#03160568			1,631.14	T-12-56-286-000-876	B PARKS & RECREATION/ TRIATHLON	R	07/07/16	10/12/16			N
	2 TRIATH AWARDS-ORDER#03160568			209.56	T-12-56-286-000-876	B PARKS & RECREATION/ TRIATHLON	R	07/07/16	10/12/16			N
				1,840.70								
	Vendor Total:			1,840.70								
U1160 HD SUPPLY WATERWORKS, LTD.												
	16-01539	09/26/16	REPAIR SENSUS COMMAND LINK									
	1 INV.	G0160453	- REPAIR SENSUS	300.00	6-09-55-501-001-535	B Hydrants and Line Repair	R	09/26/16	10/13/16		G060453	N
	Vendor Total:			300.00								

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							
H0161	HUNTER TECH.SOLUTIONS INC										
	16-00789	05/11/16	TECH SUPPORT/EXCHANGE APR/MAY								
	1 INV 61891	71.25	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16			61891	N
	2 INV 61891	760.00	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16			61891	N
	3 INV 61891	118.75	6-01-20-140-001-094	B Computer Service & Support	R	05/11/16	10/12/16			61891	N
	4 INV 61807	257.15	6-01-20-140-001-060	B Internet Services and Web Services	R	05/11/16	10/12/16			61807	N
	5 INV 61891	61.71	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16				N
	6 INV 61891	570.00	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16			61891	N
	7 INV 61789	570.00	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16			61789	N
	8 INV 61996	139.23	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16			61996	N
	9 INV 61996	875.00	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/11/16	10/12/16			61996	N
		<u>2,283.09</u>									
	16-01065	07/05/16	INV 62013 AND 62457								
	1 INV 62013	155.00	6-01-25-250-001-094	B Computer/Service & Support	R	07/05/16	10/12/16			62013	N
	2 INV 62457	374.64	6-01-25-250-001-094	B Computer/Service & Support	R	07/05/16	10/12/16			62457	N
		<u>529.64</u>									
	16-01086	07/06/16	TECH SUPPORT 6/8/16								
	1 INV 624533	71.25	6-01-20-140-001-094	B Computer Service & Support	R	07/06/16	10/12/16			624533	N
	2 INV 624533	23.75	6-01-20-140-001-094	B Computer Service & Support	R	07/06/16	10/12/16			624533	N
	3 INV 62456	175.00	6-01-20-140-001-094	B Computer Service & Support	R	07/06/16	10/12/16			62456	N
		<u>270.00</u>									
	16-01087	07/06/16	MONTHLY EXCHANGE JULY 2016								
	1 INV 62539	257.15	6-01-20-140-001-060	B Internet Services and Web Services	R	07/06/16	10/12/16			62539	N
	16-01507	09/14/16	EXCHANGE HOSTING AUG/SEPT 2016								
	1 EXCHANGE HOSTING AUGUST 2016	257.15	6-01-20-140-001-060	B Internet Services and Web Services	R	09/14/16	10/12/16			62761	N
	2 EXCHANGE HOSTING SEPT 2016	257.15	6-01-20-140-001-060	B Internet Services and Web Services	R	09/14/16	10/12/16			62761	N
		<u>514.30</u>									
	16-01508	09/14/16	TECH SUPPORT 8/2 - 8/28/16								
	1 INV 62935	47.50	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	09/14/16	10/12/16			62935	N
	2 INV 62935	95.00	6-01-20-140-001-094	B Computer Service & Support	R	09/14/16	10/12/16			62935	N
	3 INV 63085	118.75	6-01-20-140-001-094	B Computer Service & Support	R	09/14/16	10/12/16			63085	N
	4 INV 63067	242.95	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	09/14/16	10/12/16			63067	N

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							
H0161 HUNTER TECH.SOLUTIONS INC Continued											
16-01508	09/14/16	TECH SUPPORT 8/2 - 8/28/16	Continued								
	5 INV 63446	23.75	6-09-55-501-002-530	B Computer Software/Maint/Equip	R	09/14/16	10/12/16				N
		<u>527.95</u>									
16-01617	10/03/16	MONTHLY EXCHANGE HOSTING 10/16									
	1 MONTHLY EXCHANGE HOSTING 10/16	257.15	6-01-20-140-001-060	B Internet Services and Web Services	R	10/03/16	10/12/16		63691		N
16-01634	10/04/16	INV 61415									
	1 INV 61415	1,050.00	5-01-20-140-001-054	B Computer/Printers-Hardware & Software	R	10/04/16	10/12/16		61415		N
	Vendor Total:	5,689.28									
J0257 JCP&L											
16-01632	10/03/16	ELECTRIC AUGUST, 2016 EMS									
	1 ELECTRIC AUGUST, 2016 EMS	819.33	6-01-25-260-001-074	B Electric	R	10/03/16	10/12/16		100012445936		N
16-01649	10/07/16	MASTER 200000055315 10/29/16									
	1 100008482778 MAXWELL AVE	18.55	6-09-55-501-002-504	B Electricity	R	10/07/16	10/12/16		100008482778		N
	2 100009296102 SPRINGCREST	16.64	6-09-55-501-002-504	B Electricity	R	10/07/16	10/12/16		100009296102		N
	3 100012529309 OAK LANE	7,147.83	6-09-55-501-002-504	B Electricity	R	10/07/16	10/12/16		100012529309		N
		<u>7,183.02</u>									
16-01650	10/07/16	MASTER 200000055315 9/29/16									
	1 100009294701 WESTERLEA AVE	17.64	6-09-55-501-001-504	B Electricity	R	10/07/16	10/12/16		100009294701		N
	2 100010292454 155 1ST AVE	0.00	6-09-55-501-001-504	B Electricity	R	10/07/16	10/12/16		100010292454		N
	3 100012445746 BANK STREET	4,392.82	6-09-55-501-001-504	B Electricity	R	10/07/16	10/12/16		100012445746		N
		<u>4,410.46</u>									
16-01651	10/07/16	MASTER 200000055364 9/26/16									
	1 100008438010 125 S MAIN ST	11.90	6-01-31-430-001-071	B Electric-Borough Hall	R	10/07/16	10/12/16		100008438010		N
	2 100008438283 MAIN/STOCKTON STS	16.22	6-01-31-430-001-071	B Electric-Borough Hall	R	10/07/16	10/12/16		100008438283		N
	3 100008482018 RT 33/MAXWELL	24.67	6-01-31-430-001-071	B Electric-Borough Hall	R	10/07/16	10/12/16		100008482018		N
	4 100010898904 FRANKLIN/N MAINTL	29.49	6-01-31-430-001-071	B Electric-Borough Hall	R	10/07/16	10/12/16		100010898904		N
	5 100012487714 148 N MAIN ST	487.81	6-01-31-430-001-071	B Electric-Borough Hall	R	10/07/16	10/12/16		100012487714		N
	6 100012487862 FIREHOUSE	1,549.67	6-01-31-430-001-071	B Electric-Borough Hall	R	10/07/16	10/12/16		100012487862		N

Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	1099 Excl
J0257 JCP&L Continued											
	16-01651	10/07/16	MASTER 200000055364	9/26/16	Continued						
	7	100012529457	BORO HALL EQUIP	79.31	6-09-55-501-002-504	B Electricity	R	10/07/16	10/12/16	100012529457	N
				<u>2,199.07</u>							
16-01669 10/11/16 VARIOUS ELECTRIC BILLS SEPT.16											
	1	100068401122	114 ROGERS AVE R	32.90	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100068401122	N
	2	100077953188	BANK ST PARK	4.24	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100077953188	N
	3	100100104247	MAIN ST	35.32	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100100104247	N
	4	100051508677	MAIN ST	191.11	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100051508677	N
	5	100029000310	156 BANK ST	647.14	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100029000310	N
	6	100079096689	GRANT ST PARK	3.12	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100079096689	N
	7	100051508750	STOCKTON ST	241.98	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100051508750	N
	8	100072968868	ROGERS/MERCER	88.50	6-01-31-430-001-071	B Electric-Borough Hall	R	10/12/16	10/12/16	100072968868	N
	9	100059701167	WYCKOFF MILLS WT	60.45	6-09-55-501-001-504	B Electricity	R	10/12/16	10/12/16	100059701167	N
				<u>1,304.76</u>							
16-01679 10/12/16 MASTER ACCT 200000055315											
	1	100008482778	MAXWELL AVE	20.45	6-09-55-501-002-504	B Electricity	R	10/12/16	10/12/16	100008482778	N
	2	100009296102	SPRINGCREST	18.38	6-09-55-501-002-504	B Electricity	R	10/12/16	10/12/16	100009296102	N
	3	100012529309		8,156.20	6-09-55-501-002-504	B Electricity	R	10/12/16	10/12/16	100012529309	N
				<u>8,195.03</u>							
16-01680 10/12/16 MASTER ACCT 200000055315											
	1	100009294701	WESTERLEA AVE	20.01	6-09-55-501-001-504	B Electricity	R	10/12/16	10/12/16	100009294701	N
	2	100010292454	155 1ST AVE	174.69	6-09-55-501-001-504	B Electricity	R	10/12/16	10/12/16	100010292454	N
	3	100012445746	BANK STREET	4,927.61	6-09-55-501-001-504	B Electricity	R	10/12/16	10/12/16	100012445746	N
				<u>5,122.31</u>							
Vendor Total: 29,233.98											
J0258 JCP&L (STREET LIGHTING)											
	16-01678	10/12/16	100081608240 & 100086395041								
	1	100081608240		48.49	6-09-55-501-001-504	B Electricity	R	10/12/16	10/12/16	100081608240	N

Vendor # Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
J0258 JCP&L (STREET LIGHTING) Continued											
	16-01678	10/12/16	100081608240 & 100086395041	Continued							
	2		100086395041	35.18	6-01-31-435-001-075	R	10/12/16	10/12/16		100086395041	N
				83.67							
			Vendor Total:	83.67							
J0069 JERSEY ELEVATOR SERVICE											
	16-01551	09/26/16	MONTHLY ELEVATOR SERVICE								
	1		INV. 175577 - MONTHLY ELEVATOR	167.33	6-01-26-310-001-029	R	09/26/16	10/12/16		175577	N
			Vendor Total:	167.33							
K0054 K & A EXCAVATING CO., INC.											
	16-01550	09/26/16	CONCRETE RECYCLING								
	1		INV. 52590 - CONCRETE RECYCLIN	75.00	6-01-26-311-001-199	R	09/26/16	10/13/16		52590	N
			Vendor Total:	75.00							
LISAL005 LISA LANGLOIS											
	16-01629	10/03/16	COURT 9/28/16 5:30-9:30								
	1		COURT 9/28/16 5:30-9:30	80.00	6-01-20-176-000-114	R	10/03/16	10/12/16			N
			Vendor Total:	80.00							
L1085 LORCO PETROLEUM SERVICES											
	16-01540	09/26/16	USED OIL REMOVAL								
	1		INV. 1181540 USED OIL REMOVAL	87.50	6-01-26-311-001-167	R	09/26/16	10/12/16		1181540	N
			Vendor Total:	87.50							
MARIO005 MARIO'S CARPET CLEANING, LLC											
	16-01531	09/26/16	STEAM CARPET CLEANING - PD								
	1		INV. 301 - CARPET CLEANING PD	197.95	6-01-26-310-001-024	R	09/26/16	10/12/16		301	N

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						
MARIO005 MARIO'S CARPET CLEANING, LLC Continued											
	16-01531	09/26/16	STEAM CARPET CLEANING - PD	Continued							
	2 INV. 301 - TAX EXEMPT		12.95	6-01-26-310-001-024	B Building Maintenance	R	09/26/16	10/12/16		301	N
			<u>185.00</u>								
	Vendor Total:		185.00								
M0256 MERCER CO IMPROVEMT AUTHORITY											
	16-01535	09/26/16	AUGUST 2016 TIPPING/RECYC TAX								
	1 AUGUST 2016 TIPPING		16,623.35	6-01-32-465-001-165	B Landfill Solid Waste Disposal-MCIA	R	09/26/16	10/12/16		AUG 2016	N
	2 AUGUST 2016 RECYCLING TAX		433.65	6-01-43-496-001-174	B Recycling Tax	R	09/26/16	10/12/16		AUG 2016	N
			<u>17,057.00</u>								
	Vendor Total:		17,057.00								
M0262 MERCER COUNTY VO-TECH											
	16-01360	08/23/16	INTRO TO WATER/WASTEWATER								
	1 JASON DEMAIO		1,360.00	6-09-55-501-002-513	B Education & Training	R	08/23/16	10/12/16			N
	2 ERIK NIEVES		1,360.00	6-09-55-501-002-513	B Education & Training	R	08/23/16	10/12/16			N
			<u>2,720.00</u>								
	Vendor Total:		2,720.00								
M0027 MERSHON CONCRETE											
	16-01545	09/26/16	CONCRETE FOR FH WALKWAY								
	1 INV. 420158 - CONCRETE FOR FH		771.75	6-01-26-310-001-024	B Building Maintenance	R	09/26/16	10/12/16		420158	N
	Vendor Total:		771.75								
M0536 MGL PRINTING SOLUTIONS											
	16-01598	09/29/16	140439,140400,140448, 478, 479								
	1 140439 DEL TAX & W/S NOTICES		506.00	6-01-20-145-001-023	B Tax Bill/Notice Printing	R	09/29/16	10/12/16		140439	N
	2 140400 W/S BILLS		748.00	6-01-20-145-001-023	B Tax Bill/Notice Printing	R	09/29/16	10/12/16		140400	N
	3 140448 PAYROLL CHECKS		372.00	6-01-20-125-001-036	B Office Supplies	R	09/29/16	10/12/16		140448	N
	4 140478 BAIL ACCT CHECKS,		153.00	6-01-20-176-000-023	B Printing and Binding	R	09/29/16	10/12/16		140478	N

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								
M0536 MGL PRINTING SOLUTIONS Continued											
16-01598 09/29/16 140439,140400,140448, 478, 479	Continued										
5 140479 3 PAGE P/R CHECKS	106.50	6-01-20-125-001-036	B Office Supplies	R	09/29/16	10/12/16		140479		N	
	1,885.50										
Vendor Total:	1,885.50										
M0086 MICHAEL'S KWIK PRINT D/B/A/											
16-01620 10/03/16 WINDOW ENVELOPES											
1 WINDOW ENVELOPES	365.00	6-01-20-125-001-023	B Printing & Stationary	R	10/03/16	10/12/16		EST. 10230		N	
Vendor Total:	365.00										
M0127 MONMOUTH COUNTY											
16-01463 09/12/16 AUGUST 2016 ROOSEVELT TIPPING											
1 AUGUST 2016 ROOSEVELT TIPPING	2,563.48	6-01-43-513-001-171	B Borough of Roosevelt-Tipping Fees	R	09/12/16	10/12/16		AUG 2016		N	
Vendor Total:	2,563.48										
M0143 MSM SERVICE CO.											
16-01492 09/14/16 INV #D1849											
1 PRODUCT #828 RUBBER ELAS BNDG	0.00	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
2 PRODUCT #829 RUBBER ELAS BNDG	2.60	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
3 PRODUCT #830 RUBBER ELAS BNDG	3.19	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
4 PRODUCT #831 RUBBER ELAS BNDG	4.34	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
5 PRODUCT #133D COTTON-TIP 3"	2.79	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
6 PRODUCT #351 TWEEZERS SLANT	1.85	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
7 PRODUCT #351 TWEEZERS, SLANT	1.85	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
8 PRODUCT #SCISSORS, BANDAGE 4"	1.36	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
9 PRODUCT #SCISSORS, BANDAGE 4"	1.36	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
10 PRODUCT #1410 STOKOLAN SKIN	5.95	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
11 PRODUCT #1737 BURN AID SACHETS	4.43	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
12 PRODUCT #033 BANDAGE SPRY 3OZ	7.35	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
13 PRODUCT #632 ANTISEP SPRY WATE	4.57	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
14 PRODUCT#001 PLATIC STRIPS 3/4"	5.40	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
15 PRODUCT #0393 HVY WOVEN STRIP	4.17	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
16 PRODUCT #104 ELASTIC WOVEN	3.89	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	
17 PRODUCT #685 ELASTIC WOVEN	7.98	6-09-55-501-002-531	B Office Supplies - AWWTP	R	09/14/16	10/12/16		D1849		N	

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R0525 REGISTRARS ASSOC OF NJ												
	16-01619	10/03/16	2016 FALL MEETING									
	1		2016 FALL MEETING	65.00	6-01-27-330-001-041	B Conferences & Meetings	R	10/03/16	10/12/16		M. RIGGIO	N
	Vendor Total:			65.00								
ROBER005 ROBERT M. DAVIES												
	16-01630	10/03/16	INSPECTIONS 9/27 AND 9/29/16									
	1		INSPECTIONS 9/27 AND 9/29/16	240.00	6-01-33-195-002-041	B Conferences and Meetings	R	10/03/16	10/12/16		9/27 & 29/16	N
	Vendor Total:			240.00								
R0077 ROBERTS ENGINEERING GRP LLC												
	16-01517	09/16/16	#15070/rev plans/Perf Guar.									
	1		#15070/rev plans/Perf Guar.	892.50	TECKN03-14	P MINOR SUBDIVISION	R	09/16/16	10/12/16			N
	16-01653	10/07/16	15174, 15175, 15176, 15177									
	1		15174 COUNCIL MEETINGS	420.00	6-01-20-165-001-104	B Attendance at Meetings (B)	R	10/07/16	10/12/16		15174	N
	2		15175 MISCELLANEOUS REQUESTS	167.50	6-01-20-165-001-199	B MISCELLANEOUS	R	10/07/16	10/12/16		15175	N
	3		15176 PERMITTING/CONTRACT DOCS	797.50	C-04-55-868-001-444	B IMP PEDDIE LAKE DAM WALKING BRIDGE 13-07	R	10/07/16	10/12/16		15176	N
	4		15177 MISCELLANEOUS ROADS	142.50	6-01-20-165-001-106	B Misc. Road & Drainage Issues(B	R	10/07/16	10/12/16		15177	N
				1,527.50								
	16-01654	10/07/16	15178, 15179, 15180,									
	1		15178 GENERAL WATER	420.00	6-09-55-501-001-508	B Engineer	R	10/07/16	10/12/16		15178	N
	2		15179 WELL NO.2 REHAB	2,388.00	C-08-55-950-001-544	B 2016-14 UV, WELL#2, DET TANK SEC 20 COST	R	10/07/16	10/12/16		15179	N
	3		15180 REHAB OF DENTENTION TANK	2,587.00	C-08-55-950-001-544	B 2016-14 UV, WELL#2, DET TANK SEC 20 COST	R	10/07/16	10/12/16		15180	N
				5,395.00								
	Vendor Total:			7,815.00								
RODGE005 RODGER LIPPMAN												
	16-01584	09/29/16	DEPOSIT FOR SVCS 10/29/16									
	1		DEPOSIT FOR SVCS 10/29/16	325.00	6-01-28-373-002-199	B MISCELLANEOUS-CULTURAL ARTS	R	09/29/16	10/12/16		DEPOSIT 10/29	N
	Vendor Total:			325.00								

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S0039 SOUTH BRUNSWICK RECYCLING												
	16-01549	09/26/16	PURCHASE OF RECYCLED CONCRETE									
	1 INV.	8643	- PURCHASE OF	120.00	6-09-55-501-001-535	B Hydrants and Line Repair	R	09/26/16	10/13/16		8643	N
	Vendor Total:			120.00								
S1096 STAPLES BUSINESS ADVANTAGE												
	16-01601	09/30/16	OUTSTANDING INVOICES									
	1	3292873227	DATED 2/12/16	129.99	6-01-20-125-001-036	B Office Supplies	R	09/30/16	10/12/16		3292873227	N
	2	3297480820	DATED 3/30/16	187.36	6-01-20-125-001-036	B Office Supplies	R	09/30/16	10/12/16		3297480820	N
	3	3292737922	DATED 2/10/16	17.10	6-01-20-125-001-036	B Office Supplies	R	09/30/16	10/12/16		3292737922	N
	4	3292873224	DATED 2/12/16	610.00	6-01-20-125-001-036	B Office Supplies	R	09/30/16	10/12/16		3292873224	N
	5	3292737921	DATED 2/10/16	5.99	6-01-20-125-001-036	B Office Supplies	R	09/30/16	10/12/16		3292737921	N
				950.44								
	Vendor Total:			950.44								
S0250 STATE OF NJ PWT												
	16-01641	10/06/16	3RD QUARTER WATER TAX									
	1	3RD QUARTER	WATER TAX	583.09	6-09-55-501-001-525	B Public Water Tax	R	10/06/16	10/12/16		3RD QTR WAT TAX	N
	Vendor Total:			583.09								
S0267 STAVOLA ASPHALT COMPANY												
	16-01553	09/26/16	1-5 ASPHALT									
	1 INV.	58209	- I-5 ASPHALT	168.96	6-09-55-501-001-535	B Hydrants and Line Repair	R	09/26/16	10/13/16		58209	N
	Vendor Total:			168.96								
R0537 STITCHES N INK												
	16-00954	06/15/16	INV #5286									
	1	ITEM#PC55	NAVY COLOR, PORT &	299.25	6-09-55-501-002-507	B Uniforms & Safety Equipment	R	06/15/16	10/12/16		5286	N
	2	SCREEN/RE-BURN,	RE-BURN SCREEN	15.00	6-09-55-501-002-507	B Uniforms & Safety Equipment	R	06/15/16	10/12/16		5286	N
				314.25								
	16-01172	07/21/16	SIGN FOR RECYCLE CENTER									
	1	VINYL STICKERS	FOR VEHICLES	34.00	6-09-55-501-002-502	B Vehicle Maintenance	R	07/21/16	10/12/16			N

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Item Description	Amount	Charge Account	Acct Type Description								
R0537 STITCHES N INK Continued											
16-01172 07/21/16 SIGN FOR RECYCLE CENTER			Continued								
2 SIGN- RECYCLE CENTER	80.00	6-09-55-501-002-502	B Vehicle Maintenance	R	07/21/16	10/12/16					N
	114.00										
Vendor Total:	428.25										
T0972 TIMBERWOLF TREE SERVICE											
16-01532 09/26/16 INV. 000613 - TREE WORK											
1 INV. 000613 - TREE WORK	2,200.00	6-01-26-290-001-129	B Maint.& Replace-Street Trees	R	09/26/16	10/13/16			000613		N
Vendor Total:	2,200.00										
T0061 TOWNSHIP OF ROBBINSVILLE DPW											
16-01557 09/26/16 VEHICLE MAINTENANCE - HPD											
1 CAR 5 - CK BATTERY	48.96	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
2 VEHICLE MAINTENANCE - HPD	129.75	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
3 CAR 2 - GAS CAP DAMAGED	0.00	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
4 GAS CAP	25.70	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
5 MOBIL OIL	2.42	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
6 BULB	38.45	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
7 CAR 10 - CK ENGINE LIGHT ON	61.20	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
8 CAR 12 - CK ENGINE LIGHT ON	0.00	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
9 CAR 12 - LOF SAFETY CHECK	61.20	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
10 OIL FILTER	4.05	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
11 MOBIL OIL	14.52	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
12 WIPER BLADES (PASSENGER SIDE)	12.50	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
13 WIPER BLADES (DRIVER SIDE)	12.50	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
14 CK FRONT BRAKES	171.36	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
15 BRAKE PADS - FRONT	56.17	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
16 LICENSE PLATE BULB INOP	18.36	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
17 BULB	1.63	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
18 CAR 2 - LOF	61.20	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N
19 OIL FILTER	3.33	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
20 MOBIL OIL	16.94	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
21 WIPER BLADE	11.56	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
22 AIR FILTER	13.00	6-01-26-315-001-131	B Vehicle Maint. - Police	R	09/26/16	10/13/16					N
23 CAR 9 - LOF	61.20	6-01-43-515-001-170	B Mechanic Services	R	09/26/16	10/13/16					N

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T0061 TOWNSHIP OF ROBBINSVILLE DPW Continued											
	16-01557	09/26/16	VEHICLE MAINTENANCE - HPD	Continued							
	24		OIL FILTER	3.58	6-01-26-315-001-131	R	09/26/16	10/13/16			N
	25		MOBIL OIL	12.10	6-01-26-315-001-131	R	09/26/16	10/13/16			N
	26		CAR 11 - LOF	61.20	6-01-43-515-001-170	R	09/26/16	10/13/16			N
	27		OIL FILTER	4.05	6-01-26-315-001-131	R	09/26/16	10/13/16			N
	28		MOBIL OIL	14.52	6-01-26-315-001-131	R	09/26/16	10/13/16			N
	29		CAR 11 - CHECK CLUNK NOISE	61.20	6-01-43-515-001-170	R	09/26/16	10/13/16			N
	30		CAR 12 - CK HEADLIGHTS	18.36	6-01-43-515-001-170	R	09/26/16	10/13/16			N
				<u>1,001.01</u>							
			Vendor Total:	1,001.01							
T0211 TRAP ROCK INDUSTRIES LLC.											
	16-01547	09/26/16	3/4" CLEAN STONE								
	1		INV. 8056996 - 3/4" CLN STONE	540.72	6-09-55-501-001-535	R	09/26/16	10/13/16		8056996	N
			Vendor Total:	540.72							
N0008 TREASURER, STATE OF NJ, DCA											
	16-01631	10/03/16	CONSTRUCTION DCA FEES								
	1		CONSTRUCTION DCA FEES	2,074.00	6-01-55-003-000-002	R	10/03/16	10/13/16		3RD QTR DCA FEE	N
			Vendor Total:	2,074.00							
T1066 TROPICANA CASINO RESORT											
	16-01473	09/12/16	NJSLOM CONFERENCE								
	1		RESERVATION FOR	291.00	6-01-20-120-001-041	R	09/12/16	10/13/16			N
	2		RESERVATION FOR	194.00	6-01-20-100-001-041	R	09/12/16	10/13/16			N
	3		RESERVATION FOR	97.00	6-01-20-110-001-041	R	09/12/16	10/13/16			N
				<u>582.00</u>							
			Vendor Total:	582.00							
T0050 TRU-STOR LLC											
	16-01088	07/06/16	OFF SITE STORAGE JULY 2016								
	1		INV 62478	249.95	6-01-20-140-001-060	R	07/06/16	10/13/16		62478	N

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T0050 TRU-STOR LLC Continued											
	16-01506	09/14/16	OFF SITE STORAGE AUG/SEPT 2016								
	1		OFF SITE STORAGE AUGUST 2016	249.95	6-01-20-140-001-060	B Internet Services and Web Services	R	09/14/16	10/13/16	62672	N
	2		OFF SITE STORAGE SEPT 2016	249.95	6-01-20-140-001-060	B Internet Services and Web Services	R	09/14/16	10/13/16	63099	N
				499.90							
	16-01618	10/03/16	OFF-SITE BACK UP - OCT. 2016								
	1		OFF-SITE BACK UP - OCT. 2016	249.95	6-01-20-140-001-060	B Internet Services and Web Services	R	10/03/16	10/13/16	63559	N
			Vendor Total:	999.80							
U0007 UNIVAR USA											
	16-00038	01/19/16	Res.2015-61 Liq.Chlorine Sewer			B					
	10		INV HB828067 DATED 9/14/16	243.00	6-09-55-501-002-526	B Chlorine-Liquid	R	01/19/16	10/13/16	HB828067	N
	16-00040	01/19/16	Res2015-34 Calcium Hydroxide-w			B					
	8		INV HB828612	930.00	6-09-55-501-001-527	B Calcium Hydroxide - Lime	R	06/08/16	10/13/16	HB828612	N
	16-00041	01/19/16	Res2015-34 Calcium Hydroxide-s			B					
	11		HB 828232	650.00	6-09-55-501-002-553	B Calcium Hydroxide (Lime)	R	08/09/16	10/13/16	HB828232	N
	16-00042	01/19/16	Res.2015-125 Sod.Bicarbonate-s			B					
	10		INV HB828831 DATED 9/23/16	3,905.00	6-09-55-501-002-552	B Sodium Bicarbonate-UNIVAR	R	08/31/16	10/13/16	HB828831	N
	16-00139	01/26/16	Res.2015-41 Sulfur Dioxide - S			B					
	5		INV HB828067 DATED 9/14/16	1,035.00	6-09-55-501-002-543	B Sulfur Dioxide (SO 2)	R	07/07/16	10/13/16	HB828067	N
			Vendor Total:	6,763.00							
U0144 UPS											
	16-01668	10/11/16	INV 0000161Y33386- 9/17/16								
	1		INV 0000161Y33386- 9/17/16	15.44	6-01-30-421-001-022	B Postage & Express Charges	R	10/11/16	10/13/16	0000161Y33386	N
			Vendor Total:	15.44							

Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge	PO Type Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
V0290 VITAL COMMUNICATIONS INC.													
	16-01600	09/30/16	ADDED AND OMITTED TAPE 2016/17										
	1		ADDED AND OMITTED TAPE 2016/17	100.00	6-01-20-145-001-023		B Tax Bill/Notice Printing	R	09/30/16	10/13/16			N
	Vendor Total:			100.00									
W0002 W.B. MASON CO., INC.													
	16-01640	10/05/16	OFFICE SUPPLIES										
	1		OFFICE SUPPLIES AWWTP	560.15	6-09-55-501-002-509		B Office Supplies - Admin.	R	10/05/16	10/13/16			N
	2		OFFICE SUPPLIES - CENTRAL	560.15	6-01-20-125-001-036		B Office Supplies	R	10/05/16	10/13/16			N
				<u>1,120.30</u>									
	Vendor Total:			1,120.30									
WEBER005 WEBER'S TRAINING SCHOOL													
	16-01591	09/29/16	ADOPTED YORKIE BOARDING										
	1		ADOPTED YORKIE BOARDING	245.00	T-13-56-286-000-824		B RESERVE-ANIMAL CONTROL TRUST	R	09/29/16	10/13/16		YORKIE BOARDING	N
	Vendor Total:			245.00									
W0094 WILLIAMS SCOTSMAN INC.													
	16-01468	09/12/16	CONTAINER RENTAL										
	1		INV. 99141764 - CONTAINER	210.49	6-01-26-310-001-025		B Building Rental	R	09/12/16	10/13/16		99141764	N
	Vendor Total:			210.49									
WOOLS005 WOOLSEN ANDERSON MAZIARZ, P.C.													
	16-01642	10/06/16	Professional Services-YASH										
	1		June-review time extension res	294.00	YASH1306		P YASH AUTO SERVICE, INC	R	10/06/16	10/13/16			N
	16-01643	10/06/16	June Professional Services										
	1		6/13/16- attend P.B. Meeting	450.00	6-01-21-180-001-107		B Planning Board - Attorney	R	10/06/16	10/13/16			N
	2		6/13/16 rev. meeting materials	73.50	6-01-21-180-001-107		B Planning Board - Attorney	R	10/06/16	10/13/16			N
	3		6/3/16 conf call F. Rafetto	154.00	6-01-21-180-001-107		B Planning Board - Attorney	R	10/06/16	10/13/16			N
	4		6/27/16 conf call Rafetto	84.00	6-01-21-180-001-107		B Planning Board - Attorney	R	10/06/16	10/13/16			N

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								
WOOLS005 WOOLSEN ANDERSON MAZIARZ, P.C. Continued											
16-01643 10/06/16 June Professional Services		Continued									
5 7/6/2016-email windsor school	28.00	6-01-21-180-001-107	B Planning Board - Attorney	R	10/06/16	10/13/16					N
	<u>789.50</u>										
Vendor Total:	1,083.50										
W0035 WTH TECHNOLOGY, INC											
16-01522 09/26/16 ANNUAL CONSULTING & SUPPORT											
1 ANNUAL CONSULTING & SUPPORT	535.50	6-01-25-250-001-029	B Maintenance Contracts-Other	R	09/26/16	10/13/16					N
Vendor Total:	535.50										
Z0106 ZEP SALES & SERVICE											
16-00668 04/20/16 CHEMICALS											
1 SEP 777 5 GAL	438.94	6-09-55-501-002-535	B Chemicals Miscellaneous	R	04/20/16	10/13/16					N
2 APRIZA 16.95 C GAL	67.80	6-09-55-501-002-535	B Chemicals Miscellaneous	R	04/20/16	10/13/16					N
	<u>506.74</u>										
16-00961 06/15/16 QUOTE #10228221											
1 5 GALLON 777	219.47	6-09-55-501-002-535	B Chemicals Miscellaneous	R	06/15/16	10/13/16					N
2 WASP & HORNET	69.00	6-09-55-501-002-535	B Chemicals Miscellaneous	R	06/15/16	10/13/16					N
3 ZEP RING MASTER	121.34	6-09-55-501-002-535	B Chemicals Miscellaneous	R	06/15/16	10/13/16					N
4 ZEP METER MIST	86.30	6-09-55-501-002-535	B Chemicals Miscellaneous	R	06/15/16	10/13/16					N
5 ZEP PLUS GL	13.61	6-09-55-501-002-535	B Chemicals Miscellaneous	R	06/15/16	10/13/16					N
6 ZEP SOY POWER AERO	15.10	6-09-55-501-002-535	B Chemicals Miscellaneous	R	06/15/16	10/13/16					N
	<u>524.82</u>										
Vendor Total:	1,031.56										
<hr/>											
Total Purchase Orders:	96	Total P.O. Line Items:	253	Total List Amount:	121,521.62	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	5-01	1,050.00	0.00	1,050.00	0.00	0.00	0.00	1,050.00
CURRENT FUND	6-01	68,190.65	0.00	68,190.65	0.00	0.00	0.00	68,190.65
	6-09	42,184.47	0.00	42,184.47	0.00	0.00	0.00	42,184.47
	6-21	0.00	0.00	0.00	0.00	0.00	1,186.50	1,186.50
Year Total:		110,375.12	0.00	110,375.12	0.00	0.00	1,186.50	111,561.62
GENERAL CAPITAL	C-04	797.50	0.00	797.50	0.00	0.00	0.00	797.50
WATER/SEWER CAPITAL	C-08	4,975.00	0.00	4,975.00	0.00	0.00	0.00	4,975.00
Year Total:		5,772.50	0.00	5,772.50	0.00	0.00	0.00	5,772.50
TRUST OTHER - FUND #12	T-12	2,892.50	0.00	2,892.50	0.00	0.00	0.00	2,892.50
ANIMAL CONTROL TRUST FUND #13	T-13	245.00	0.00	245.00	0.00	0.00	0.00	245.00
Year Total:		3,137.50	0.00	3,137.50	0.00	0.00	0.00	3,137.50
Total of All Funds:		120,335.12	0.00	120,335.12	0.00	0.00	1,186.50	121,521.62

Project Description	Project No.	Rcvd Total	Held Total	Project Total
MINOR SUBDIVISION	TECKN03-14	892.50	0.00	892.50
YASH AUTO SERVICE, INC	YASH1306	294.00	0.00	294.00
Total of All Projects:		<u>1,186.50</u>	<u>0.00</u>	<u>1,186.50</u>

Resolution 2016-185

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

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2016 BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2016 as follows:

Source	Amount	Revenue Title	Appropriation Title
State of New Jersey Division of Criminal Justice	\$1,462.38	State Body Armor Replacement Fund Program	State Body Armor Replacement Fund Program

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2016-186

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

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2016 BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2016 as follows:

Source	Amount	Revenue Title	Appropriation Title
State of New Jersey Division of Motor Vehicles Drunk Driving Enforcement Fund	\$4,779.03	Drunk Driving Enforcement Grant	Drunk Driving Enforcement Grant

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2016-187

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2016 BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2016 as follows:

Source	Amount	Revenue Title	Appropriation Title
State of New Jersey	\$3,000.00	Division of Parks and Forestry- Green Communities Grant	Division of Parks and Forestry- Green Communities Grant

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016.

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2016-188

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

**MEMORIALIZING THE ADMINISTRATIVE POLICY THAT THE TAX
ASSESSOR NOTIFY THE GOVERNING BODY OF FILED TAX APPEALS
ON OR BEFORE THE FIRST DAY OF JUNE OF EACH YEAR**

WHEREAS, the Borough of Hightstown currently has in place an administrative policy by which the Tax Assessor notifies the Business Administrator and CFO of the tax appeals that have been filed for properties within the municipality each year; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services "CY2016/SFY 2017" Best Practices Inventory" asks whether a municipality has an established written policy requiring its tax assessor to notify the chief financial officer and the governing body of all tax appeals upon filing, but no later than June 1st of each year; and

WHEREAS, the Borough Council believes it to be in the best interests of the Borough to memorialize its administrative policy by way of a resolution.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Hightstown, County of Mercer and State of New Jersey, hereby memorialize the administrative policy that the Tax Assessor notify the Mayor, Borough Council, Chief Financial Officer and Business Administrator of the tax appeals that have been filed for properties within the municipality on or before June 1st of each year.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 17, 2016

Margaret M. Riggio
Deputy Borough Clerk

Ordinance 2016-xx

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 14, ENTITLED “PROPERTY MAINTENANCE”, OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN.”

WHEREAS, the Borough of Hightstown (the “Borough”) previously established regulations relating to vacant and abandoned properties located within the Borough, as set forth in Chapter 14, entitled “Property Maintenance,” of the “Revised General Ordinances of the Borough of Hightstown”; and

WHEREAS, the Mayor and Council wish to make certain revisions relating thereto, in accordance with the provisions set forth herein.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that Chapter 14, entitled “Property Maintenance,” of the “Revised General Ordinances of the Borough of Hightstown” is hereby amended and supplemented in order to add the following (additions are shown with underline, deletions are shown with ~~striketrough~~):

Chapter 14 - PROPERTY MAINTENANCE

14-1 TITLE, POLICY AND PURPOSES

14-1.1 Title.

This chapter shall be known as the “Property Maintenance Code of the Borough of Hightstown” and may be referred to in the chapter in the short form as “The Property Maintenance Code” or as “this code.”

14-1.2 Findings and Declaration of Policy.

It is hereby found and declared that there exists in the Borough of Hightstown structures used for residential and nonresidential purposes which are, or may become in the future, substandard with respect to structure, equipment or maintenance, and further, that such conditions including, but not limited to, structural deterioration, inadequate maintenance, infestation, inadequate provisions for light and air, and unsanitary conditions constitute a menace to the health, safety and welfare of the residents and inhabitants of the Borough of Hightstown. It is further found and declared that the existence of such conditions has the effect of creating blights and substandard neighborhoods, and that by the enactment

of timely regulations and restrictions as herein contained, the development of blight may be prevented and neighborhood and property values maintained, and the public health, safety and welfare protected and fostered.

14-1.3 Purposes.

The purpose of this code is: to protect the public health, safety and welfare and to ensure the maintenance of property values by establishing minimum standards governing the maintenance, appearance, condition and occupancy of residential and nonresidential premises; to establish minimum standards governing facilities and other physical components and conditions essential to make the aforesaid facilities fit for human habitation, occupancy and use; to fix certain responsibilities and duties upon owners, operators and occupants; and to fix penalties for the violation of this code. This code is hereby declared to be remedial and essential for the public interest and it is intended that this code be liberally construed to effectuate the purposes as stated herein.

14-2 GENERAL PROVISIONS

14-2.1 Applicability to All Properties.

Every residential and nonresidential building and the premises upon which it is situated in the Borough of Hightstown, previously or presently used or intended to be used for dwelling, commercial, business or industrial occupancy, shall comply with the provisions of this code, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this code, and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building, or for the installation or repair of equipment or facilities prior to the effective date of this code. This code establishes minimum standards for the initial and continued occupancy and use of all such buildings, and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained therein.

14-2.2 Compliance required to obtain Certificate of Occupancy.

No certificate of occupancy, as set forth in Section 28-18.8 of the Revised General Ordinances of the Borough of Hightstown, shall be issued for any building unless it complies with the provisions of this Property Maintenance Code.

14-2.3 Higher Standard to Prevail.

In any case where the provisions of this code impose a higher standard than set forth in any other ordinance of the Borough of Hightstown, or under the laws of the State of New Jersey, then the standards set forth herein shall prevail, but if the provisions of this code impose a lower standard than other ordinances of the Borough of Hightstown or of the laws of the State of New Jersey, then the higher standard contained in any such other ordinance or law shall prevail.

14-2.4 Compliance Not a Defense.

No certification of compliance with this code shall constitute a defense against any violation of any other ordinance of the Borough of Hightstown applicable to any structure or premises.

14-2.5 Conditions of Approval.

All conditions of approval incorporated in Resolutions or other acts of the Hightstown Borough Council or of any duly constituted board or agency of the Borough of Hightstown shall be adhered to and shall be construed to be continuing conditions of approval. Any on-site improvements of every kind or nature including, without limitation, sidewalks, curbs, landscaping, catch basins, storm drains and driveways installed pursuant to the requirements of the Hightstown Borough Council or of any duly constituted board or agency of the Borough of Hightstown shall be maintained in good and serviceable condition at all times.

14-2.6 Responsibilities of Owner, Operator and Occupant to be Independent of Each Other.

- a. **Owners and Operators.** Owners and operators shall have all the duties and responsibilities as prescribed in this code, and no owner or operator shall be relieved from any such duties and responsibilities nor be entitled to defend against any charge of violation thereof by reason of the fact that the occupant is also responsible therefor and in violation thereof.
- b. **Occupants.** Occupants shall have all the duties and responsibilities as prescribed in this code, and the occupant shall not be relieved from any such duties and responsibilities nor be entitled to defend against any charge of violation thereof by reason of the fact that the owner or operator is also responsible therefor and in violation thereof.
- c. **Contracts Not to Alter Responsibilities.** Unless expressly provided to the contrary in this code, the respective obligations and responsibilities of the owner and operator on one hand, and the occupant on the other, shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.

14-3 DEFINITIONS

The following terms, wherever used or referred to in this code, shall have the respective meanings assigned to them unless in a different context:

“Accessory structure” shall mean a building or use that is: (a) on the same lot as; or (b) subordinate to; and (c) under the same ownership of control as; and (d) used for the purpose customarily incident to the use of the main building.

“Debris” (see also “Garbage,” “Junk,” “Litter,” and “Rubbish”) shall mean any grass, leaves, yard waste, parts of trees, stumps or any other similar material, construction waste, scrap lumber, scrap metal or any other similar material.

“Deterioration” shall mean the condition or appearance of a building or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.

“Exterior of the premises” shall mean those portions of a building which are exposed to view either from the street or public way, or from a neighboring property, and the open space of any premises outside of any building erected thereon.

“Garbage” (see also “Debris,” “Junk,” “Litter,” and “Rubbish”) shall mean putrescible animal and/or vegetable waste resulting from the handling preparation, cooking and/or consumption of food.

“Infestation” shall mean the presence of insects, rodents, vermin or other pests on the premises which constitute a health hazard.

“Junk” (see also “Debris,” “Garbage,” “Litter,” and “Rubbish”) shall mean any portions, parts or wholes of any usable or formerly usable item, including, but not limited to mattresses, bedding, furniture, inoperable lawnmowers and combustion engine devices, inoperable machinery, appliances or parts thereof, automobile parts, rubber tires, broken toys, bicycles or any similar material.

“Litter” (see also “Debris,” “Garbage,” “Junk,” and “Rubbish”) shall mean any used or unconsumed substance or waste material which has been discarded, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any lit or unlit cigarette, cigar or match, or any used petroleum products or other materials that are deemed hazardous by the New Jersey Department of Environmental Protection, or any garbage, rubbish, debris, newspaper, magazines, glass, metal, plastic or paper containers, or other packaging or construction material.

“Litter receptacle” shall mean a container suitable for the depositing of litter.

“Nuisance” shall mean:

- a. Any public nuisance known as common law or in equity jurisprudence, or as provided in the statutes of the State of New Jersey, or in the ordinances of the Borough of Hightstown.
- b. Any attractive nuisance which may prove detrimental to the health or safety of children, whether in a building or on an occupied or vacant lot. This includes, but is not limited to, abandoned wells, shafts, basements, excavations, abandoned freezers or refrigerators, any structurally unsound

fences or structures, scrap lumber, construction lumber, garbage, junk or debris.

- c. Physical conditions dangerous to human life or detrimental to the health of persons on or near the premises where the conditions exist.
- d. Unsanitary conditions or conditions which render air, food or drink detrimental to the health of human beings.

“Occupant” shall mean any person living in, sleeping in, or having actual possession of a dwelling unit or rooming unit.

“Owner” shall mean any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises with or without accompanying actual possession thereof; or shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as fiduciary, including but not limited to: executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate or as a mortgagee in possession regardless of how much possession was obtained. Any person who is a lessee subletting or reassigning any part or all of any dwelling unit shall be deemed to be a co-owner with the lessor and shall have joint responsibility over the portion of the premises sublet or assigned by said lessee.

“Premises” shall mean a lot, plot or parcel of land including the buildings or structures thereon.

“Rubbish” (See also “Garbage”) shall mean all putrescible and nonputrescible solid wastes consisting of both combustible and noncombustible wastes, including, but not limited to, garbage, ashes, street cleanings, dead animals, abandoned automobiles, solid market and industrial wastes, paper and paper products, wrappings, cigarettes, aluminum cans, bottles, containers, yard clippings, leaves, wood, glass, bedding, pottery and similar materials

“Structure” shall mean anything that is built or constructed and permanently affixed on or under the ground or upon another structure or building.

14-4 ADDRESS TO BE DISPLAYED

All buildings, whether residential or nonresidential, shall have prominently displayed the address of said building in order to promote public safety in regard to fire, police and rescue. Said address shall be clearly visible from the curb line of said building or buildings at all hours of the day.

14-5 GENERAL MAINTENANCE AND APPEARANCE

14-5.1 Hazards and Structural Integrity.

- a. Hazards. The exterior of all premises and all structures shall be kept free of any hazards to the safety of occupants, pedestrians and other persons utilizing the premises, and any of the foregoing shall be promptly removed and abated. Such hazards and conditions include, but are not limited to, the following:
 1. Debris, garbage, litter, junk, and rubbish.
 2. Loose and overhanging objects including, without limitation, dead and dying trees and/or tree branches, accumulations of ice, or other similar conditions which, by reason of their location above ground level, constitute a hazard to persons in the vicinity thereof.
 3. Ground surface hazards including, without limitation, holes, excavations, breaks, projections and obstructions which constitute a hazard to persons using the premises, except during active construction if cordoned off in a visually obvious manner, as determined by the Construction Official.
- b. Foundation walls, piers, retaining walls and columns. Foundation walls, piers, retaining walls, columns or similar load-bearing components shall be kept structurally sound, free from defects and damage, and capable of bearing imposed loads safely.
- c. Exterior Facilities. Unsafe exterior facilities including, without limitation, exterior porches, landings, balconies, stairs and fire escapes, shall be kept structurally sound and in good repair and shall be provided with banisters or railings properly designated and maintained. Exterior walls, retaining walls, sidings and roofs shall be kept structurally sound, in good repair and free from defects.
- d. Painting and Other Protective Coating. All exposed surfaces susceptible to decay shall be kept, at all times, painted or otherwise provided with a protective coating sufficient to prevent deterioration. This provision shall not apply during the course of active construction projects for which a permit has been issued, provided that not more than six (6) months has expired since the issuance of such permit.
- e. Weather and Watertightness. Every dwelling shall be maintained so as to ensure weather and watertightness. Exterior walls, retaining walls, roofs, windows, window frames, doors, door frames, foundations and other portions of the structure shall be so maintained as to prevent water from entering the structure under normal conditions and to prevent excessive drafts. Damaged materials must be repaired or replaced promptly; places showing signs of rot, leakage, deterioration or corrosion are to be restored and protected against weathering or seepage.

14-5.2 Appearance.

- a. All structures (including fences) shall be kept painted or whitewashed where necessary for purposes of preservation and appearance, free of broken glass, loose shingles, crumbling stone or brick, or excessive peeling paint.
- b. All properties, vacant or improved, shall be maintained free of any accumulation of debris, rubbish, recyclable material, garbage, junk or litter as defined herein.

14-5.3 Excessive Exterior Lighting.

Exterior lighting fixtures shall be so hooded or shielded as to reflect the light away from abutting or neighboring residential property.

14-5.4 Sidewalks, Driveways, Walkways and Entrance Stairways.

- a. It shall be the duty of the owner, lessee, tenant, occupant or person in charge or any structure to keep the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind, and to keep sidewalks, areaways, backyards, courts and alleys free from litter.
- b. Sidewalks, driveways, walkways and entrance stairways shall be maintained in a safe condition, such as will not constitute a hazard to persons using the premises.
- c. Sidewalk repairs and maintenance shall comply with the provisions of Section 17-2 of the Revised General Ordinances of the Borough of Hightstown.
- d. The owner, occupant or tenant of premises abutting or bordering on any street in the Borough shall remove all snow and ice from abutting sidewalks of such street or, in the event of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with sand or abrasive material within twelve (12) hours of daylight after it falls or is formed.
- e. The owner, occupant or tenant of premises used by the public or business invitees shall remove all snow and ice from the sidewalks, streets and parking areas used by the public in the transaction of business or, in the event of ice which may be so frozen as to make removal impracticable, shall cause the same to be thoroughly covered with sand or abrasive material within twelve (12) hours of daylight after it falls or is formed.

- f. No owner, tenant or occupant of any premises abutting on any street shall throw, place or deposit any snow or ice into or on any street in the Borough. The purpose of this provision is to prohibit any person from throwing, casting, placing or depositing snow and ice which accumulates on the private property belonging to that person onto the sidewalks or streets of the Borough.
- g. In case snow or ice is not removed from any sidewalks or is cast or deposited on the sidewalks or the street by the owner, tenant or occupant of any premises, it shall be removed under the direction of the Superintendent of Public Works, and the cost of removal as nearly as can be ascertained shall be certified by the Superintendent of Public Works to the Borough Council. The Council shall examine such certification and, if it is found to be correct, shall cause such cost to be charged against the real estate so abutting or bordering on such sidewalks. The amount charged shall become a lien and a tax upon the real estate or land and be added to, recorded and collected in the manner as the taxes next to be levied and assessed upon the premises and shall bear interest and be enforced and collected by the same officers and in the same manner as other taxes. The imposition and collection of a fine or any other penalty for violation of any of the provisions of this section shall not constitute any bar to the right of the Borough to collect the cost as certified for the removal of snow or ice in the manner herein authorized.

14-5.5 Hedges, Brush and Grass.

- a. All properties shall be kept free of brush, grass and weeds (including but not limited to ragweed) of more than ten (10) inches in height, dead and dying trees, and obnoxious growth where same are inimical to the preservation of public health, safety or general welfare of the Borough or which may constitute a fire hazard.
- b. Trees, shrubs, hedges, etc. that are dead shall be removed and lawfully disposed of.
- c. In accordance with Section 13-3.1(h) of the Revised General Ordinances of the Borough of Hightstown, hedges and shrubbery must be kept trimmed so as not to overhang or obstruct the sidewalk.
- d. Hedges, trees and other “living fences” along property lines shall be kept pruned so that they do not impinge on neighboring properties.

14-5.6 Waterways.

All waterways, brooks, drainage ditches and swales, to the extent that the same are located on or immediately adjacent to the premises, shall be maintained in good condition, free from debris, plantings or other obstructions.

14-6 LITTER AND DEBRIS

14-6.1 Littering Prohibited.

- a. It shall be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than a litter receptacle., or having done so, to allow such litter to remain.
- b. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

14-6.2 Litter Receptacles.

Litter receptacles and their servicing are required at the following public places which exist in the Borough: buildings held out for use by the public, including but not limited to: schools and government buildings; parks; construction sites; gasoline service station islands; shopping centers; parking lots; and at special events to which the public is invited, including sporting events, parades, carnivals, circuses, concerts and festivals. The proprietors of these places or the sponsors of these events shall be responsible for providing and servicing the receptacles.

14-6.3 Containerization of Sweepings.

No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. All litter sweepings shall be collected and properly containerized for disposal.

14-6.4 Litter, Debris and Garbage.

All litter, debris and garbage must be lawfully disposed of in accordance with Section 18-1.13 of the Revised General Ordinances of the Borough of Hightstown, and shall not be placed at curbside before 5 p.m. on the day before collection. Empty containers shall be removed from the curbside by 8 p.m. on the collection day.

14-6.5 Recyclables.

Recyclable materials shall be disposed of separately, in accordance with the provisions of Section 18-1 of the Revised General Ordinances of the Borough of Hightstown.

14-6.6 Open or Overflowing Waste Disposal Bins.

It shall be unlawful for any residential or commercial property owner to permit open or overflowing waste disposal bins or dumpsters on his or her property, except that open construction dumpsters will be permitted subject to the requirements of Section 14-6.9 herein.

14-6.7 Harboring of Rodents.

Non-elevated wood piles, poorly maintained compost piles of organic or non-organic yard and kitchen waste, or any accumulation of materials that will rot or decay, allowing infestation and habitats for rodents, insects, etc. shall not be permitted.

14-6.8 Debris from Uncovered Vehicles.

It shall be unlawful for any vehicle to be driven, moved, stopped or parked on any public roadway unless such vehicle is constructed, covered or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any materials which constitute litter have fallen or escaped, or which could cause an obstruction, damage a vehicle or otherwise endanger travelers, pedestrians or public property, shall immediately cause the public property to be cleaned of all such materials and shall pay the cost therefor.

14-6.9 Construction Sites.

It shall be unlawful for any owner, agent or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during or immediately following completion of any construction or demolition project. It shall be the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage.

14-7 CONSTRUCTION EQUIPMENT, MATERIALS AND DEBRIS

14-7.1 Construction equipment, vehicles and/or construction materials.

No person shall keep, store or leave, either permanently or temporarily, any construction equipment, vehicle or construction materials on any residential lot within the Borough of Hightstown, which premises are not then currently being improved for development as the result of a permit issued by the Construction Code Official.

14-7.2 Storage of Materials for New Construction; Time Allowed.

- a. New construction materials may be stored in the house or enclosed accessory structure, back yard or side yard only when it is for the use of a

construction project with an open permit, and the materials must be used or removed within six months of the beginning of the project. A driveway may be used for storage only in the event that no side yard or back yard space is accessible or available, and provided that the materials are not stored in front of the house. No construction materials shall be permitted to be stored in the front yard for more than 24 hours.

- b. Stored materials shall be elevated off the ground and covered to prevent harboring and infestation of rodents or insects.

14-7.3 Debris from Construction or Demolition of Building; Time Allowed.

No person shall permit land to be covered with, or contain, refuse or debris resulting from the construction activities or the demolishing of a building, which refuse or debris has remained on the land for more than (a) 30 days after the completion of the construction activities or demolition work, or (b) six months after the permit for such activity or work was granted, whichever is soonest.

14-8 DUMPING PROHIBITED

No person shall within the limits of the Borough throw, discard, dump, cast or deposit or permit to be maintained along any public street, highway or public place, or on or off any right-of-way, or on any private property, any household or commercial solid waste, rubbish, junk, garbage, litter, debris or other waste materials in any place not specifically approved by an appropriate governmental authority for the purpose of solid waste storage or disposal.

14-9 SPECIFIC REQUIREMENTS FOR NONRESIDENTIAL PROPERTIES

In addition to all other provisions of this code, the following requirements shall apply to nonresidential properties in the Borough of Hightstown.

14-9.1 Windows.

No storage of materials, stock or inventory shall be permitted in window display areas unless said areas are first screened from public view by drapes, Venetian blinds or other permanent rendering of the windows opaque to public view. All such screening of interiors shall be maintained in a clean and attractive manner and in a good state of repair.

14-9.2 Store fronts.

All store fronts shall be maintained in good repair and all surfaces thereof shall be kept painted when necessary for purposes of preservation and appearance. In the event repairs to a portion of a store front are made, such repairs shall be performed with materials identical or compatible with the materials used in the area not undergoing repair, to the

end that the appearance of the store front shall be uniform and attractive and shall not constitute a blighting factor depreciating adjoining properties.

14-9.3 Reconstruction.

All reconstruction of walls and siding shall be of standard quality and appearance commensurate with the character of the properties in the zoning district in which the premises are located, and materials used shall not be of a kind that, by their appearance under prevailing appraisals, practices and standards will depreciate the value of the neighboring and adjoining properties as aforesaid.

14-9.4 Awnings and marquees.

Any awning or marquee and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event such awning or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event said awnings or marquees are made of cloth, plastic or of a similar material, said material where exposed to public view shall be maintained in good condition and shall not show evidence of excessive weathering, discoloration, ripping, tearing or holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

14-9.5 Signs, Light Stanchions and Poles.

All signs, including the structural and supporting components thereof, and all light stanchions and poles shall be maintained in good repair.

14-10 REGISTRATION AND MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES IN FORECLOSURE

a. Definitions

1. "Creditor" means a State chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the "New Jersey Residential Mortgage Act," P.L. 2009, c.53 (C.17:11C-51 et seq.), any foreclosing entity subject to the provisions of C.46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers.
2. "Vacant and Abandoned" residential property, [for purposes of this Section](#), means, consistent with section 1 of P.L. 2010, c.70 (C.2A:50-73), residential real estate, where a notice of violation has been issued pursuant to Paragraph e. 1 of this Section and subsection b. of section 1 of P.L.

2014, c.35 (C.40:48-2.12s). Residential property shall further be deemed Vacant and Abandoned where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

- (a) overgrown or neglected vegetation;
- (b) the accumulation of newspapers, circulars, flyers or mail on the property;
- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash or debris on the property;
- (f) the absence of window treatments such as blinds, curtains or shutters;
- (g) the absence of furnishings and personal items;(h) statements of neighbors, association management, delivery persons, or government employees indicating that the residence is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;

- (n) a written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
- (o) any other reasonable indicia of abandonment.

b. Registration of Vacant and Abandoned Properties

1. A Creditor filing a summons and complaint in an action to foreclose on a Vacant and Abandoned property, or a Creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes Vacant and Abandoned, shall within thirty (30) calendar days after the building becomes Vacant and Abandoned or within thirty (30) calendar days after assuming ownership of the Vacant and Abandoned property, whichever is later; or within ten (10) calendar days of receipt of notice from the Borough, and annually thereafter, file a registration statement for such Vacant and Abandoned property with the municipal clerk on forms provided by the Borough for such purposes. Any failure to receive notice from the Borough shall not constitute grounds for failing to register the Vacant and Abandoned property.
2. Each Vacant and Abandoned property having a separate block and lot number as designated in the official tax maps of the Borough shall be registered separately.
3. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person twenty-one (21) years or older, designated by the Creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Creditor in connection with the enforcement of any applicable code.
4. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the Abandoned and Vacant property. The individual or representative of the firm responsible for maintaining the Abandoned and Vacant property shall be available by telephone or in person on a twenty-four-hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
5. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31st of the year in which it was filed. The Creditor shall be required to renew the registration annually as long as the building remains Vacant and Abandoned and shall pay a registration or renewal fee in the

amount prescribed in Paragraph c. of this Section for each Vacant and Abandoned property registered.

6. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be pro-rated for registration statements received less than ten (10) months prior to that date.
7. The Creditor shall notify the municipal clerk within thirty (30) calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.
8. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the Creditor.

c. Fee Schedule

The initial registration fee for each Vacant and Abandoned property under the provisions of this Section shall be five hundred (\$500.00) dollars. The fee for the first annual renewal shall be one thousand five hundred (\$1,500.00) dollars and the fee for the second annual renewal shall be three thousand (\$3,000.00) dollars. The fee for any subsequent annual renewal beyond the second renewal shall be five thousand (\$5,000.00) dollars.

d. Creditor Responsibility for Vacant and Abandoned Properties

1. A Creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough shall be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes Vacant and Abandoned as defined in this Section.
2. Where a Creditor is located out-of-state, the Creditor shall be responsible for appointing an in-State representative or agent to act on the Creditor's behalf for the purpose of satisfying the requirements of Paragraph d. 1 of this Section. Notice of said representative or agent shall be provided to the municipal clerk pursuant to Paragraph b. 3 and 4 of this Section and pursuant to paragraph (1) of subsection a. of section 17 of P.L. 2008, c. 127 (C.46:10B-51).

e. Notice

1. The enforcement officers designated in this Section shall be authorized to issue a notice to a Creditor that has filed a summons and complaint in an

action to foreclose on a residential property within the Borough, if the enforcement officer determines that the Creditor has violated this Section by failing to provide for the care, maintenance, security, and upkeep of the exterior of a Vacant and Abandoned property.

Where a Creditor is an out-of-State Creditor, the notice shall be issued to the representative or agent that has been identified by the Creditor pursuant to Paragraph d. 2 of this Section and paragraph (1) of subsection a. of section 17 of P.L. 2008, c. 127 (C.46:10B-51).

2. The notice referenced in Paragraph e. 1 of this Section shall require the Creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.
3. The issuance of a notice pursuant to Paragraph e. 1 of this Section shall constitute proof that a residential property is Vacant and Abandoned for the purposes of this Section.

f. Enforcement Officers

The duty of administering and enforcing the provisions of this Section is conferred upon the municipal clerk, construction official, zoning officer, housing officer, health officer, Borough police, and any other duly appointed representatives.

g. Violations and Penalties

1. A Creditor subject to this Section that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this Section shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.
2. An out-of-state Creditor subject to this Section that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this Section shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51) for providing notice to

the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

3. A Creditor subject to this Section that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to register a Vacant and Abandoned property pursuant to Paragraph b. of this Section shall be subject to a fine not exceeding two thousand (\$2,000.00) dollars. Any fines imposed on a Creditor under this Paragraph shall commence 11 days following receipt of notice from the Borough pursuant to Paragraph b. 1 of this Section.
4. No less than 20 percent of any money collected by the Borough pursuant to this Section shall be utilized by the Borough for municipal code enforcement purposes.

14-11 ABANDONED PROPERTY

14-11.1 Definitions.

“Abandoned Property” shall, for purposes of this Section, mean any building or structure which is not at present legally occupied or at which all lawful business or construction operations or residential or other occupancy have substantially ceased, and which is in such condition that it cannot legally be re-occupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-80; provided, however, that any habitable property where all building systems are in sound working order, where the building and grounds are maintained in good condition, and which is being actively marketed by its owner for sale or rental, shall not be deemed an abandoned property for purposes of this ordinance.

“Building” shall mean any building, or structure, or part thereof, whether used for human habitation or otherwise, and includes any outbuildings, and appurtenances belonging thereto.

“Interested Parties” includes any resident of the Borough, any owner or operator of a business within the Borough, or any organization representing the interests of residents, business owners or otherwise engaged in furthering the revitalization and improvements of the neighborhood in which the property is located.

“Lienholder” or “Mortgage Holder” shall mean any person or entity holding a note, mortgage, or other interest secured by a building or any part thereof.

“Owner” shall include the title holder, any agent of the title holder having authority to act with respect to an abandoned property, any foreclosing entity that has filed a notice with the municipal clerk pursuant to the provisions of C.46:10B-51 (P.L.2008, c.127, Sec.17 as amended by P.L.2009, c.296), or any other entity

determined by the public officer of the Borough to have authority to act with respect to the property.

“Property” shall mean any building or structure and the land appurtenant thereto.

“Public officer” shall mean a person designated or appointed pursuant to P.L. 1942, N.J.S.A. 40:48-2.5, or any officer of the municipality qualified to carry out the responsibilities set forth in N.J.S.A. 55:19-78, et seq., as designated by resolution of the Governing Body.

“Qualified Rehabilitation Entity” shall mean an entity organized or authorized to do business under the New Jersey statutes which shall have as one of its purposes the construction or rehabilitation of residential or nonresidential buildings, the provision of affordable housing, the restoration of abandoned property, the revitalization and improvement of urban neighborhoods, or similar purpose, and which shall be well qualified by virtue of its staff, professional consultants, financial resources, and prior activities to carry out the rehabilitation of abandoned buildings, as set forth under N.J.S.A. 55:19-80.

14-11.2 Determination that property is abandoned; nuisance.

- a. Except as provided under N.J.S.A. 55:19-83, any property that has not been legally occupied for a period of six (6) months and which meets any of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer, that:
1. The property is in need of rehabilitation in the reasonable judgment of the public officer, and no rehabilitation has taken place during that same six-month period; or
 2. Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six (6) months as of the date of a determination by the public officer; or
 3. At least one installment of property tax remains unpaid and delinquent on that property as of the date of a determination by the public officer; or
 4. The property has been determined to be a nuisance by the public officer, in accordance with N.J.S.A. 55-19-82 for one or more of the following reasons:
 - (a) The property has been found to be unfit for human habitation, occupancy or use pursuant to N.J.S.A. 40:48-2.3;

- (b) The condition and vacancy of the property materially increases the risk of fire to the property and adjacent properties;
 - (c) The property is subject to unauthorized entry leading to potential health and safety hazards; the owner has failed to take reasonable and necessary measures to secure the property; or the municipality has secured the property in order to prevent such hazards after the owner has failed to do so;
 - (d) The presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds have created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards; or
 - (e) The dilapidated appearance or other condition of the property materially affects the welfare, including the economic welfare, of the residents of the area in close proximity to the property, and the owner has failed to take reasonable and necessary measures to remedy the conditions.
- b. A property which contains both residential and nonresidential space may be considered abandoned pursuant to N.J.S.A. 55:19-78, et seq., so long as two-thirds (2/3) or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six (6) months at the time of the determination of abandonment by the public officer.

14-11.3 Abandoned property list; notice to owner of record; challenge by the owner.

- a. The Governing Body may direct the public officer to identify abandoned property for the purpose of establishing an abandoned property list throughout the Borough, or within those parts of the Borough as the Governing Body may designate. Each item of identified abandoned property shall include the tax block and lot number, the name of the owner of record, if known, and the street address of the property lot.
- b. The public officer shall establish and maintain a list of abandoned property, known as the “abandoned property list.” The Governing Body may add properties to the abandoned property list at any time, and may

delete properties at any time when the public officer finds that the property no longer meets the definition of an abandoned property.

c. Notice to owner.

1. The public officer shall establish the abandoned property list or any additions/deletions thereto in the official newspaper designated by the Borough. Within ten (10) days after publication in said newspaper, the public officer shall send a notice by certified mail, return receipt requested, and by regular mail, to the owner of record of every property included on the abandoned property list. The published and mailed notices shall identify the property determined to be abandoned setting forth the owner of record and, if known, the tax lot and block number and street address. The public officer, in consultation with the Tax Collector, shall also send out a notice by regular mail to any mortgage, servicing organization, or property tax processing organization that receives a duplicate copy of the tax bill pursuant to N.J.S.A. 54:4-64(d).

2. When the owner of record is not known for a particular property and cannot be ascertained by the exercise of reasonable diligence by the Tax Collector, notice shall not be mailed but instead shall be posted on the property in the manner as provided in N.J.S.A. 55:19-54, and shall specify the information relied upon in making such finding. In all cases, a copy of the mailed or posted notice shall also be filed by the public officer, in the office of the Clerk, County of Mercer. This filing shall have the same force and effect as a formal notice under N.J.S.A. 2A:15-6. The notice shall be captioned with the name of the Borough as "Plaintiff" and the name of the property owner as "Defendant," as though an action had been commenced by the Borough against the owner.

d. An owner or lienholder may challenge the inclusion of his/her/its property on the abandoned property list by appealing that determination to the Governing Body within thirty (30) days of the owner's receipt of the certified notice or forty (40) days from the date upon which the notice was sent. An owner whose identity was not known to the public officer shall have forty (40) days from the date upon which notice was published or posted, whichever is later, to challenge the inclusion of a property on the abandoned property list. For good cause shown, the Governing Body shall accept a late filing of an appeal. Within thirty (30) days of receipt of a request for an appeal of the findings contained in the notice, the Governing Body shall schedule a hearing for redetermination of the matter. Any property included on the list shall be presumed to be abandoned property unless the owner, through the submission of an affidavit or certification asserting that the property is not an abandoned

property, can demonstrate that the property was erroneously included on the list. The affidavit or certification shall be accompanied by supporting documentation, such as, but not limited to, photographs, repair invoices, bills and construction contracts. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined herein and in N.J.S.A. 55:19-54. The Governing Body shall decide any timely filed appeal within ten (10) days of the hearing on the appeal and shall promptly, by certified mail, return receipt requested, and by regular mail, notify the property owner of the decision and the reasons therefore.

- e. The property owner may challenge an adverse determination of an appeal with the Governing Body, by instituting, in accordance with the New Jersey Court Rules, a summary trial proceeding in the Superior Court, County of Mercer. Such action shall be instituted within twenty (20) days of the date of the notice of decision mailed by the Governing Body. The sole ground for appeal and new hearing before the Superior Court shall be that the property in question is not an abandoned property as that term is defined in N.J.S.A. 55:19-54. The failure to institute an action of appeal on a timely basis shall constitute a jurisdictional bar to challenging the adverse determination, except that, for good cause shown, the court may extend the deadline for instituting the action.
- f. The Borough shall promptly remove any property from the abandoned property list that has been determined by the Governing Body or on appeal not to be abandoned and may, in its discretion, remove properties from said list whenever the Governing Body deed such removal appropriate under the circumstances.
- g. The abandoned property list shall become effective, and the Borough shall have the right to pursue any legal remedy with respect to properties on the list, at any time after at least one property has been placed on the list and following the expiration of the period for appeal with respect to that first property or upon the denial of an appeal brought by the property owner of that first property.

14-11.4 Requests for additions to abandoned property list.

- a. Any interested party may submit a written request to the Governing Body asserting that any property within the Borough should be included on the abandoned property list. The written request must specify the street address and block and lot number of the property to be included and the grounds for its inclusion. Within thirty (30) days of receipt of any such request, the Governing Body shall provide a written response to the party, either indicating that the property will be added to the abandoned property list or otherwise stating the Governing Body's reasons for not adding the property. For the purposes of this section, the term "interested parties"

shall include any resident of the Borough, any owner or operator of a business within the Borough, or any organization representing the interests of residents, business owners or otherwise engaged in furthering the revitalization and improvement of the neighborhood in which the property is located.

- b. Any interested party may participate in a redetermination hearing regarding the inclusion of property on the abandoned property list. Upon written request by any interested party, the Governing Body shall provide that party with at least twenty (20) days' notice of any such hearing. The party shall provide the Governing Body with notice at least ten (10) days before the hearing of its intention to participate and the nature of the testimony or other information that it proposes to submit at the hearing.

14-11.5 Sale of tax lien; remediation costs.

a. Sale of tax lien on abandoned property.

1. Notwithstanding N.J.S.A 54:5-19 or the provisions of any other law to the contrary, if a property is included on the abandoned property list and the property taxes or other Borough liens due on the property are delinquent six (6) or more quarters as of the date of expiration of the right to appeal inclusion on the list, or, if an appeal has been filed, as of the date that all opportunities for appeal of inclusion on the list have been exhausted, then the tax lien on the property may be sold in accordance with the procedures in the "Tax Sale Law," N.J.S.A. 54:5-1, *et seq.*, on or after the 90th day following the expiration of that time of appeal or final determination on appeal, as appropriate.
2. The Borough may, at its option, require that the sale of the tax sale certificate or any subsequent assignment or transfer of a tax sale certificate held by the Borough be subject to the express condition that the purchaser or assignee shall be obliged to perform and conclude any rehabilitation or repairs necessary to remove the property from the abandoned property list pursuant to N.J.S.A. 55:19-55. The Borough may further require that the purchaser or assignee post a bond of the Borough to guarantee the rehabilitation or repair of the property. The cost of rehabilitation and repairs and the cost of the bond shall be added to the amount required to be paid by the owner for the redemption of the property.
3. The public officer may waive a requirement to post a bond imposed by the Borough for any purchaser, assignee or transferee of a tax sale certificate that provides documentation acceptable to

the public officer that the purchaser, assignee or transferee is a qualified rehabilitation entity as defined herein.

4. The purchaser, assignee or transferee of the tax sale certificate who is required to rehabilitate and repair the property shall be required to file the appropriate affidavits with the Tax Collector, pursuant to N.J.S.A. 54:5-62, representing the amounts of monies expended periodically toward the rehabilitation or repair of the property. A purchaser, assignee or transferee shall be entitled to interest on the amounts expended, as set forth in the affidavits, at the delinquent rate of interest for delinquencies in excess of \$1,500.00 pursuant to N.J.S.A. 54:4-67, in effect for the time period when the amounts were expended.

5. The tax sale certificate purchaser, assignee or transferee, under the auspices and with the authority of the Borough, shall be permitted to enter in and upon the property for the purposes of appraising the costs of rehabilitation and repair and to perform all other acts required to guarantee the completion of the rehabilitation or repair of the property. No rehabilitation or repair work shall be commenced, however, until proof of adequate liability insurance and an indemnification agreement holding the Borough harmless is filed with the public officer. If the tax sale certificate is not purchased at the initial auction of the tax sale certificate and the Borough purchases the certificate pursuant to N.J.S.A. 54:5-34, then the Borough is authorized and empowered to convey and transfer to the authority or any of its subsidiaries, without receiving compensation therefor, all of its right, title and interest in that certificate; however, any portion of the amount paid to the Tax Collector to redeem the tax sale certificate that represents tax or other Borough lien delinquencies and subsequent Borough liens, including interest, shall be returned by the Tax Collector of the Borough.

b. If the Borough acquires the tax sale certificate for a property on the abandoned property list then, upon ten (10) days' written notice to the property owner and any mortgagee as of the date of the filing of the lis pendens notice under Subsection d. of N.J.S.A. 55:19-55, that entity shall be permitted to enter upon the property and remediate any conditions that caused the property to be included on the abandoned property list. No remediation shall be commenced, however, if within that ten-day period the owner or mortgagee shall have notified the Borough or authority or its subsidiary, as appropriate, in writing that the owner or mortgagee has elected to perform the remediation itself. When the owner or mortgagee elects to perform the remediation itself, it shall be required to post bond in

favor of the Borough in order to ensure performance. The amount and conditions of the bond shall be determined by the public officer.

- c. The cost of remediation incurred by the Borough pursuant to this section, as so certified by the entity incurring the cost upon completion of the remediation, shall constitute a lien upon the property first in time and right to any other lien, whether the other lien was filed prior to, or after the filing of any lien by the Borough, except for Borough taxes, lien and assessments on any lien imposed pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11, et seq., together with any interest thereon. The certification of cost shall be filed and recorded as a lien by the entity incurring the cost with the county clerk register of deeds and mortgages, as appropriate, in the county in which the property is located.
- d. Failure of an owner or lienholder to remove a property from the abandoned property list within the period of time for appeal of inclusion of the property on the abandoned property list pursuant to this subsection shall be prima facie evidence of the intent of the owner to continue to maintain the property as abandoned property.
- e. The clearance, development, redevelopment, or repair of property being maintained as an abandoned property pursuant to this chapter shall be a public purpose and public use, for which the power of eminent domain may be exercised.

14-11.6 Removal of property from list of abandoned properties; remediation.

- a. An owner may remove a property from the abandoned property list prior to sale of the tax sale certificate by paying all taxes and Borough liens due, including interest and penalties and:
 - 1. By posting cash or a bond equal to the cost of remediating all conditions because of which the property has been determined to be abandoned pursuant to Section 36 of P.L. 1996, N.J.S.A. 55:19-55 and posting cash or a bond to cover the cost to any environmental cleanup required on the property, evidenced by a certification by a licensed engineer retained by the owner and reviewed and approved by the public officer stating that the cash or bond adequately covers the cost of the cleanup; or
 - 2. By demonstrating to the satisfaction of the public officer that the conditions rendering the property abandoned have been remediated in full; provided, however, that where the public officer finds that the owner is actively engaged in remediating the conditions because of which the property was determined to be abandoned pursuant to Section 36 of P.L. 1996, N.J.S.A. 55:19-55, as

evidenced by significant rehabilitation activity on the property, the public officer may grant an extension of time of not more than one hundred twenty (120) days for the owner to complete all work, during which time no further proceedings will be taken against the owner of the property.

- b. If the owner has posted cash or a bond in order to have a property removed from the abandoned property list and the conditions because of which the property was determined to be abandoned have not been fully remediated within one year of the date of posting the cash or bond, or, in the case of a property which requires a remediation of any known, suspected or threatened release of contaminants, if the owner has failed to enter into a memorandum of agreement with the Department of Environmental Protection or an administrative consent order, as the case may be, or if an agreement or order is in effect but the owner has failed to perform the remediation in conformance with the agreement or order, then the cash or bond shall be forfeited by the borough which shall use the cash or bond and any interest which has accrued thereon for the purpose of demolishing or rehabilitating the property or performing the environmental remediation. Any funds remaining after the property has been demolished, rehabilitated or cleaned up shall be returned to the owner.

14-11.7 Property deemed not abandoned; criteria; certification of abandonment.

- a. An abandoned property shall not be included on the abandoned property list if rehabilitation is being performed in a timely manner, as evidenced by building permits issued and the furtherance of rehabilitation work as authorized by said permits.
- b. If an entity or person other than the Borough has purchased or taken assignment for the Borough of a tax sale certificate on a property that has not been legally occupied for a period of six months, that property shall not be placed on the abandoned property list if:
1. The owner of the certificate has continued to pay all Borough taxes and liens on the property in the tax year when due; and
 2. The owner of the certificate takes action to initiate a foreclosure proceeding within six (6) months after the property is eligible for foreclosure pursuant to N.J.S.A. 54:5-86, and diligently pursues foreclosure proceedings in a timely fashion thereafter.
- c. A property which is used on a seasonal basis shall be deemed to be abandoned only if the property meets any two of the additional criteria set forth in N.J.S.A. 55-19.81.

- d. Upon request of a purchaser or assignee of a tax sale certificate seeking to bar the right of redemption on an abandoned property pursuant to N.J.S.A. 54:5-86, the public officer or the Borough Tax Collector shall, in a timely fashion, provide the requester with a Certificate of Abandonment that the property satisfies the definition of an abandoned property in accordance with this chapter.

14-11.8 Acquisition of tax sale certificate; action to foreclose right of redemption.

- a. When a person other than the Borough acquires a tax sale certificate for a property on the abandoned property list at tax sale, the purchaser may institute an action to foreclose the right of redemption at any time after the expiration of six (6) months following the date of the sale of the tax sale certificate.
- b. When the Borough is the purchaser at tax sale of any property on the abandoned property list pursuant to N.J.S.A. 54:5-34, an action to foreclose the right of redemption may be instituted in accordance with the provisions of Subsection b. of N.J.S.A. 54:5-77. After the foreclosure action is instituted, the right to redeem shall exist and continue to exist until barred by the judgment of the Superior Court; provided, however, that no redemption shall be permitted except where the owner:
 1. Posts cash or a bond equal to the cost of remediating the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-56, as determined by the Court; or
 2. Demonstrates to the Court that the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-56 have been remedied in full.

14-11.9 Special tax sale; criteria for bidders.

- a. The Borough may hold special tax sales with respect to those properties eligible for tax sale pursuant to N.J.S.A. 54:5-19 which are also on the abandoned property list.
- b. The Governing Body shall establish criteria for eligibility to bid on properties at the sale, which may include, but need not be limited to:
 1. Documentation of the bidder's ability to rehabilitate or otherwise reuse the property consistent with Borough plans and regulations, commitments by the bidder to rehabilitate or otherwise reuse the property, consistent with Borough plans and regulations;

2. Commitments by the bidder to take action to foreclose on the tax lien by a date certain; and
 3. Such other criteria as the Governing Body may determine are necessary to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest.
- c. The Governing Body may establish minimum bid requirements for a special tax sale that are less than the full amount of the taxes, interest and penalties due to help ensure that the properties will be rehabilitated or otherwise utilized in a manner consistent with the public interest.
 - d. The Governing Body may combine properties in said special tax sale into bid packages and require that bidders place a single bid on each package, rejecting any and all bids on individual properties that are submitted.
 - e. The Governing Body may sell said properties to the provision that, if the purchaser fails to carry out any commitment that has been set forth as a condition of sale or misrepresents any material qualification that has been established as a condition of eligibility to bid pursuant thereto, then the properties and any interest thereto acquired by the purchaser shall revert to the Borough, and any amount paid by the purchaser at the special tax sale shall be forfeit to the Borough.
 - f. In the event there are two or more qualified bidders for any property or bid package in a special tax sale, the Borough may designate the unsuccessful qualified bidder whose bid was closest to the successful bid, as an eligible purchaser. In the event that the selected purchaser of that property or bid package fails to meet any of the conditions of sale established by the Borough pursuant to this section and their interest in the property or properties reverts to the Borough, the Borough may subsequently designate the entity previously designated as an eligible purchaser as the winning bidder for the property or properties, and assign the tax sale certificates to that entity on the basis of that entity's bid at the special tax sale, subject to the terms and conditions of the special tax rate.
 - g. The Borough shall provide notice of a special tax sale pursuant to N.J.S.A. 54:5-26. The notice shall include any special terms of sale established by the Borough pursuant to this section. Nothing shall prohibit the Borough from holding a special tax sale on the same day as a standard or accelerated tax sale.

14-11.10 Expedited action to foreclose right of redemption.

- a. When a person or entity other than the Borough acquires a tax sale certificate for a property on the abandoned property list at tax sale, the purchaser may institute an action to foreclose the right of redemption at any time after the expiration of just six (6) months following the date of the sale of the tax sale certificate.
- b. When the Borough is the purchaser at tax sale of any property on the abandoned property list pursuant to N.J.S.A. 54:5-34, an action to foreclose the right of redemption may be instituted in accordance with the provisions of Subsection b. of N.J.S.A. 54:5-77.
 - 1. After the foreclosure action is instituted, the right to redeem shall exist and continue to exist until barred by the judgment of the Superior Court; provided, however, that no redemption shall be permitted except where the owner:
 - (a) Posts cash or a bond equal to the cost of remediating the conditions because of which the property was determined to be abandoned pursuant to N.J.S.A. 55:19-56, as determined by the Court; or
 - (b) Demonstrates to the Court that the conditions because of which the property was determined to be abandoned have been remedied in full.

14-11.11 Transfer of possession and control to Borough.

- a. Transfer of possession.
 - 1. A summary action or otherwise to transfer possession and control of abandoned property in need of rehabilitation to the Borough may be brought by the borough in the Superior Court, County of Mercer. If the Court shall find that the property is abandoned pursuant to N.J.S.A. 55:19-81, and the owner or party in interest has failed to submit and initiate a rehabilitation plan, then the Court may authorize the Borough to take possession and control of the property and develop a rehabilitation plan.
 - 2. If the Borough is granted possession, it may commence and maintain those further proceedings for the conservation, protection or disposal of the property or any part thereof that are required to rehabilitate the property, necessary to recoup the cost and expenses of rehabilitation and for the sale of the property; provided, however, that the Court shall not direct the sale of the property if

the owner applies to the Court for reinstatement of control of the property as provided in N.J.S.A. 55:19-92.

3. Failure by the owner, mortgage holder or lien holder to submit plans for rehabilitation to the municipality, obtain appropriate construction permits for rehabilitation or, in the alternative, submit formal applications for funding the cost of rehabilitation to local, state or federal agencies providing such funding within that six-month period shall be deemed prima facie evidence that the owner has failed to take any action to further the rehabilitation of the property.

b. A complaint filed pursuant to section N.J.S.A. 55:19-84 and Subsection a of this section shall include:

1. Documentation that the property is on the municipal abandoned property list or a certification by the public officer that the property is abandoned; and

2. A statement by an individual holding appropriate professional qualifications that there are sound reasons that the building should be rehabilitated rather than demolished based upon the physical, aesthetic or historical character of the building or the relationship of the building to other buildings and lands within its immediate vicinity.

c. Within ten (10) days of filing a complaint, the plaintiff shall file a notice of lis pendens with the County of Mercer recording officer.

1. At least thirty (30) days before filing the complaint, the Borough shall serve a notice of intention to take possession of an abandoned building. The notice shall inform the owner and interested parties that the property has not been legally occupied for six (6) months and of those criteria that led to a determination of abandonment pursuant to N.J.S.A. 55:19-81.

2. The notice shall provide that unless the owner or a party in interest prepares and submits a rehabilitation plan to the appropriate Borough officials, the Borough will seek to gain possession of the building to rehabilitate the property and the associated cost shall be a lien against the property, which may be satisfied by the sale of the property, unless the owner applies to the Court for reinstatement of control of the property as provided in N.J.S.A. 55:19-92.

3. After the complaint is filed, the complaint shall be served on the parties in interest in accordance with the New Jersey Rules of Court.
 4. After serving the notice of intention pursuant to this subsection, the Borough may enter upon that property after written notice to the owner by certified mail, return receipt requested, in order to secure, stabilize or repair the property, or in order to inspect the property for purposes of preparing the plan to be submitted to the Court pursuant to N.J.S.A. 55:19-89.
- d. Any owner may defend against a complaint filed pursuant to this section by submitting a plan for the rehabilitation and reuse of the property which is the subject of the complaint and by posting a bond equal to 125% of the amount determined by the public officer or the Court to be the projected cost of rehabilitation.
1. Any plan submitted by an owner to defend against a complaint shall be submitted within sixty (60) days after the complaint has been filed, unless the Court provides the owner with an extension of time for good cause shown.
 2. A plan submitted by an owner pursuant to this subsection shall include, but not be limited to:
 - (a) A detailed financial feasibility analysis, including documentation of the economic feasibility of the proposed reuse, including operating budgets or resale prices, or both, as appropriate;
 - (b) A budget for the rehabilitation of the property, including sources and uses of funds, based on the terms and conditions of realistically available financing, including grants and loans;
 - (c) A timetable for the completion of rehabilitation and reuse of the property, including milestones for performance of major steps leading to and encompassing the rehabilitation and reuse of the property; and
 - (d) Documentation of the qualifications of the individuals and firms that will be engaged to carry out the planning design, financial packaging, construction, and marketing or rental of the property.

- e. The Court shall approve any plan that, in the judgment of the Court, is realistic and likely to result in the expeditious rehabilitation and reuse of the property, which is the subject of the complaint.
1. If the Court approves the owner's plan, then it may appoint the public officer to act as monitor of the owner's compliance. If the owner fails to carry out any step in the approved plan, then the Borough may apply to the Court to have the owner's bond forfeited, possession of the building transferred to the Borough to complete the rehabilitation plan and authorization to use the bond proceeds for rehabilitation of the property.
 2. The owner shall provide quarterly reports to the Borough on its activities and progress toward rehabilitation and reuse of the property. The owner shall provide those reports to the Court on its activities that the Court determines are necessary.
 3. The Court may reject a plan and bond if it finds that the plan does not represent a realistic and expeditious means of ensuring the rehabilitation of the property or that the owner or his representatives or agents, or both, lack the qualifications, background or other criteria necessary to ensure that the plan will be carried out successfully.
- f. If an owner is unsuccessful in defending against a complaint filed pursuant to this section, the mortgage holder or lien holder may seek to be designated in possession of the property by submitting a plan and posting a bond meeting the same conditions as set forth in N.J.S.A. 55:19-87. The plan shall be submitted within sixty (60) days after the Court has rejected the owner's plan, unless the Court provides the mortgage holder or lienholder with an extension of time for good cause shown. If the Court approves any such mortgage holder or lienholder's plan, it shall designate that party to be in possession of the property for purposes of ensuring its rehabilitation and reuse and may appoint the public officer to act as a monitor of the party's compliance. The mortgage holder or lienholder, as the case may be, shall provide quarterly reports to the Court and the Borough on its activities and progress toward rehabilitation and reuse of the property.
- g. If the mortgage holder or lienholder fails to carry out any material step in the approved plan, then the public officer shall notify the Court, which may order the bond forfeit, grant the Borough possession of the property, and authorize the Borough to use the proceeds of the bond for rehabilitation of the property. Any sums incurred or advanced for the purpose of rehabilitating the property by a mortgage holder or lienholder granted possession of a property pursuant to this section, including Court

costs and reasonable attorney's fees, may be added to the unpaid balance due that mortgage holder or lienholder, with interest calculated at the same rate set forth in the note or security agreement; or, in the case of tax lienholder, at the statutory interest rate for subsequent liens.

14-11.12 Borough rehabilitation of property; submission of plan to Court.

- a. If no mortgage holder or lienholder meets the conditions of N.J.S.A. 55:19-88, then the Borough shall submit a plan to the Court which conforms with the provisions of N.J.S.A. 55:19-87.
- b. The Court shall grant the Borough possession of the property if it finds that:
 - 1. The proposed rehabilitation and reuse of the property is appropriate and beneficial;
 - 2. The Borough is qualified to undertake the rehabilitation and reuse of the property; and
 - 3. The plan submitted by the Borough represents a realistic and timely plan for the rehabilitation and reuse of the property.
- c. The Borough shall take all steps necessary and appropriate to further the rehabilitation and reuse of the property consistent with the plan submitted to the Court. In making its findings pursuant to this section, the Court may consult with qualified parties, including the Department of Community Affairs, and, upon request by a part in interest, may holding a hearing on the plan.

14-11.13. Borough exercise of rights to further rehabilitation and reuse of property; designation of qualified rehabilitation entity.

- a. The Borough may exercise its right under N.J.S.A. 55:19-78, et al., directly, or may designate a qualified rehabilitation entity to act as its designee for the purpose of exercising the Borough's rights where that designation will further the rehabilitation and reuse of the property consistent with the Borough's plans and objectives. This designation shall be made by resolution of the Governing Body.
- b. Regardless of whether the Borough exercises its rights directly or designates a qualified rehabilitation entity pursuant to this section, while

in possession of a property, the Borough shall maintain, safeguard, and maintain insurance on the property. Notwithstanding the Borough's possession of the property, nothing in this chapter shall be deemed to relieve the owner of the property of any civil or criminal liability or any duty imposed by reason of acts or omissions of the owner.

- c. If the Borough has been granted possession of a property, the Borough shall be deemed to have an ownership interest in the property for the purpose of filing plans with public agencies and boards, seeking and obtaining construction permits and other approvals, and submitting applications for financing or other assistance to public or private entities.
- d. For the purposes of any state program of grants or loans, including but not limited to programs of the Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency, possession of a property under this section shall be considered legal control of the property.
- e. The Court may approve the borrowing of funds by the Borough to rehabilitate the property and may grant a lien or security interests with priority over all other liens or mortgages other than municipal liens. For the purposes of this section, the cost of rehabilitation shall include reasonable non-construction costs such as architectural fees or construction permit fees customarily included in the financing of the rehabilitation of residential property.
- f. The Borough shall file a notice of completion with the Court, and shall also serve a copy on the owner and any mortgage holder or lienholder, at such time as the Boorough has determined that no more than six (6) months remain to the anticipated date on which rehabilitation will be complete. This notice shall include an affidavit of the public officer attesting that rehabilitation can realistically be anticipated to be complete within that time period, and a statement setting forth such actions as it plans to undertake to ensure that reuse of that property takes place consistent with the plan.
- g. Notwithstanding the granting of possession to the Borough, nothing in this chapter shall be deemed to relieve the owner of the property of any

obligation the owner or any other person may have for the payment of taxes or other Borough liens and charges, or mortgages or liens to any party, whether those taxes, charges or liens are incurred before or after the granting of possession. The granting of possession shall not suspend any obligation the owner may have as of the date of the granting of possession for payment of any operating or maintenance expense associated with the property, whether or not billed at the time of the granting of possession.

14-11.14 Petition for reinstatement of control and possession by owner.

- a. An owner may petition for reinstatement of the owner's control and possession of the property at any time after one (1) year from the grant of possession, but no later than thirty (30) days after the Borough has filed a Notice of Completion with the Court or, in the event the Notice of Completion is filed within less than one (1) year of the grant of possession, within thirty (30) days after the Borough has filed notice. The Court may allow additional time for good cause if that additional time does not materially delay completion of the rehabilitation, place undue hardship on the Borough, or affect any of the terms or conditions under which the Borough has applied for or received financing for the rehabilitation of the property.
- b. Any petition for reinstatement of the owner's control and possession of the property shall:
1. Include a plan for completion of the rehabilitation and reuse of the property consistent with the plan previously approved by the Court;
 2. Provide legally binding assurances that the owner will comply with all conditions of any grant or loan secured by the Borough or repay those grants or loans in full, at the discretion of the maker of the loan or grant; and
 3. Be accompanied by payment equal to the sum of 1) all Borough liens outstanding on the property; 2) all costs incurred by the Borough in bringing action with respect to the property; 3) any

costs incurred by the Borough not covered by grants or loans to be assumed or repaid pursuant to this section; and 4) any costs remaining to complete rehabilitation and reuse of the property, as determined by the public officer, which payment shall be placed in escrow with the Clerk of the Court, County of Mercer, pending disposition of the petition.

14-11.15 Obligations of owner prior to grant of petition.

- a. Prior to the granting of a petition on the part of the owner by the Court pursuant to §14-11.14, the owner may be required to post a bond or other security in an amount determined by the Court, after consultation with the public officer, as likely to ensure that the owner will continue to maintain the property in sound condition. That bond or other security shall be made available to the Borough to make any repair on the property in the event of a code violation which is not corrected in a timely fashion by the owner.
- b. The owner may seek approval of the Court to be relieved of this requirement after five (5) years, which shall be granted if the Court finds that the owner has maintained the property in good repair during that period, that no material violations affecting the health and safety of the tenants have occurred during that time period, and that the owner has remedied other violations in a timely and expeditious fashion.

14-11.16 Procedure of Borough seeking to gain title to property; authorization to sell; proceeds.

- a. If the owner fails to petition for the reinstatement of control and possession of the property within thirty (30) days after the Borough has filed a notice of completion or in any event within two (2) years after the initial grant of possession, or if the owner fails to meet any conditions that may be set by the Court in granting a reinstatement petition, upon petition from the Borough, the Court may grant the Borough title or authorize the Borough to sell the property, subject to the provisions of N.J.S.A. 55:19-96.

- b. Where the Borough seeks to gain title to the property, it shall purchase the property for fair market value on such terms as the Court shall approve, and may place the proceeds of the sale in escrow with the Court.
- c. The Court may authorize the Borough to sell the building free and clear of liens, claims and encumbrances, in which event all such liens, claims and encumbrances shall be transferred to the proceeds of sale with the same priority as existed prior to resale in accordance with the provisions of this section, except that municipal liens shall be paid at settlement. The proceeds of the purchase of the property shall be distributed as set forth in N.J.S.A. 55:19-97.
- d. The Borough may seek approval of the Court to sell the property to a third party when the Court finds that such conveyance will further the effective and timely rehabilitation and reuse of the property.
- e. Upon approval by the Court, the Borough shall sell the property on such terms and at such price as the Court shall approve, and may place the proceeds of sale in escrow with the Court. The Court shall order a distribution of the proceeds of sale after paying Court costs in the order of priority set forth in N.J.S.A. 55:19-97. The proceeds paid pursuant to N.J.S.A. 55:19-96 shall be distributed in the following order of priority:
1. The costs and expenses of sale;
 2. Other governmental liens;
 3. Repayment of principal and interest on any borrowing or indebtedness incurred by the Borough and granted priority lien status pursuant to Subsection a. of N.J.S.A. 55:19-98;
 4. A reasonable development fee to the Borough consistent with the standards for development fees established for rehabilitation programs by the New Jersey Department of Community Affairs or the New Jersey Housing and Mortgage Finance Agency;

5. Other valid liens and security interests, in accordance with their priority; a and
6. The owner.

14-11.17 Public officer; authority to place lien on property; remedies.

The public officer, with the approval of the Court, may place a lien on the property to cover any costs of the Borough in connection with a proceeding under this chapter, incurred prior to the grant by the Court of an order of possession, which may include costs incurred to stabilize or secure the property to ensure that it can be rehabilitated in a cost-effective manner.

14-11.18 Eminent domain proceedings; establishment of fair market value.

- a. With respect to any eminent domain proceeding carried out under section N.J.S.A. 55:19-56, the fair market value of the property shall be established on the basis of an analysis which determines independently:
 1. The cost to rehabilitate and reuse the property for such purpose as is appropriate under existing planning and zoning regulations governing its reuse or to demolish the existing property and construct a new building on the site, including all costs ancillary to rehabilitation such as, but not limited to, marketing and legal costs.
 2. The realistic market value of the reused property after rehabilitation or new construction, taking into account the market conditions particular to the neighborhood or subarea of the Borough in which the property is located; and
 3. The extent to which the cost exceeds or does not exceed the market value after rehabilitation, or demolition and new construction, and the extent to which any “as is” value of the property prior to rehabilitation can be added to the cost of rehabilitation or demolition and new construction without the resulting combined cost exceeding the market value as separately determined.

- b. If the appraisal finds that the cost of rehabilitation or demolition and new construction, as appropriate, exceeds the realistic market value after rehabilitation or demotion and new construction there shall be a rebuttable presumption in all proceedings under this subsection that the fair market value of the abandoned property is zero, and that no compensation is due the owner.

~~14-11~~ 14-12 ENFORCEMENT AND PENALTIES

14-~~11~~12.1 Enforcement officers.

The Construction Official, Fire Inspector, Fire Official, Fire Chief, Electrical Inspector, Plumbing Inspector, Housing Inspector, Health Officer or his/her designee, Health Department and all police officers are authorized enforcement officers for the purposes of enforcing the provisions of this code. This Chapter shall also be enforced by the Code Enforcement Officer, whose position is hereby created, for the sole purpose of enforcing the provisions of this Chapter. The Code Enforcement Officer shall receive such salary as provided by Ordinance and shall be appointed by the Borough Council for a term as specified in the Resolution of Appointment.

14-~~11~~12.2 Procedure.

Whenever any enforcement officer determines, after appropriate investigation, that there exists a violation of any provision of this chapter, he or she shall give written notice of such alleged violation to the person or persons responsible therefor. Such notice shall include a statement of the reasons for its issuance, and shall be served upon the owner or occupant of the premises, or the agent of either. Notice shall be deemed to be properly served if a copy thereof is served upon such person personally or sent by certified mail or registered mail to his last known address, or posted in a conspicuous place in or about the premises affected by the notice. Such notice shall state that unless, within five calendar days from service of the notice, the condition complained of is abated, a municipal court summons will be issued and/or the Borough will undertake to abate the violation and place a lien on the property as hereinafter provided. A copy of the Notice shall be provided to the Borough Clerk.

14-~~11~~12.3 Special Procedure in Emergency Conditions.

Whenever the enforcement officer finds that an emergency exists which requires immediate attention to protect the health or safety of the public, he or she may, without notice, issue and order reciting the existence of such an emergency and requiring that such action be taken as he or she deems necessary to meet the emergency. Notwithstanding any other provisions in this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the enforcement officer, shall be afforded a hearing as soon as possible. In the event that the order is disregarded by the property owner or

person to whom the order is directed, the enforcement officer shall have the right to notify the Borough Clerk for the purpose of instituting immediate remedial action, the cost of which shall result in a lien on the premises. After such hearing, the enforcement officer shall continue such order in effect, or modify or withdraw it.

14-~~11~~12.4 Violations and Penalties.

- a. General Penalty. Except as otherwise set forth herein, any person who shall violate any of the provisions of this chapter shall be subject to penalties as set forth in Section 1-5 of the Revised General Ordinances of the Borough of Hightstown. Each violation of any of the provisions of this chapter and each day that such violation shall continue shall be deemed to be a separate and distinct offense.
- b. Lien to be Placed on Property. In addition to the foregoing, and all other remedies available to the Borough, the Borough Treasurer, upon appropriate notification from the Mayor and Council and appropriate certification from the enforcement officer, shall place a lien on any property determined by the enforcement officer to be in violation of the provisions of this code, in the amount of any and all administrative expenses and any and all actual expenditures for work necessary in order to maintain the property and/or abate the violation, including the cost of removal of any offensive construction materials, refuse, hazards, overhanging objects or any other offending physical object. The lien placed upon such lands shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this Chapter.

BE IT FURTHER RESOLVED, that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER RESOLVED, that 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 the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

BE IT FURTHER RESOLVED, that this Ordinance shall take effect following final passage and publication in accordance with the law.

Introduced:
Adopted:

Debra L. Sopronyi
Municipal Clerk

Lawrence D. Quattrone
Mayor

DRAFT

Hightstown Borough (Mercer)			
1104		<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question		Comments
General Management - GM			
1	Yes	Has your municipality 1) explored all potential shared service opportunities; and 2) filed a copy of all shared service agreements presently in effect for which it provides the service, along with any amendments thereto, with the Division (excluding cooperative purchasing agreements governed by the Local Public Contracts Law)? In the Comments section, please identify all explored all potential shared service opportunities, whether an agreement resulted and, where no agreement was reached, the reason(s) why.	Dispatch Services - East Windsor Township Agreement Reached
2	Yes	Has your municipality adopted a written vehicle use policy prohibiting personal use of municipal vehicles (except for commuting), and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.	No personal use of municipal vehicles
3	Yes	Active monitoring management of a municipality's ratable base is fundamental to helping ensure fiscal stability. Does your municipality have an established written policy requiring its tax assessor to notify the chief financial officer and the governing body of all tax appeals upon filing, but no later than June 1st each year?	

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4	Yes	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
5	No	A municipality's participation in FEMA's <u>National Flood Insurance Program Community Rating System</u> can lead to significant flood insurance premium reductions for its homeowners. An explanation of the program may be found on FEMA's website at http://www.fema.gov/national-flood-insurance-program/national-flood-insurance-program-community-rating-system , and more information on how the NJDEP's statewide CRS coordinator can assist with improving your rating can be found at http://www.nj.gov/dep/floodcontrol/about.htm . <u>Does your municipality have, or has your municipality made an application to FEMA for, a Community Rating System ranking of at least Class 9?</u>	Reviewing with Engineer. Mercer County not adopted amended flood maps.

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6	N/A	The "Director's Ratio" (the average ratio of assessed to true market value) for each municipality as determined by the Director of the Division of Taxation, in the Table of Equalized Valuations promulgated annually pursuant to <u>N.J.S.A. 54:1-35.1</u> . A Director's Ratio of lower than 85 percent generally denotes lack of uniformity in assessments and indicates a need for revaluation. <u>N.J.A.C. 18:12A-1.14</u> . <u>If the ratio of assessed values to market values in your municipality is presently less than 85%, has your municipality at minimum awarded a contract for the updating of tax maps and earmarked funds in its budget for the hiring of relevant firms and/or professionals?</u>	
7	Yes	The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. Compliance by local elected officials is particularly important. <u>Have all of your local elected officials filed their Financial Disclosure Form in 2016 that covers the 2015 calendar year?</u>	
8	Yes	While outside employment by municipal officials can sometimes be acceptable, it is imperative that no conflicts of interest impinge on municipal governance. Does your municipality have 1) an established documented process requiring department heads to submit notice of outside employment, and 2) upon receiving such notice, does your municipality have a documented process within its human resources function to determine whether or not a conflict of interest exists?	

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9	No	<p>Many municipalities have created one or more authorities (including fire districts, utilities authorities, redevelopment authorities, housing authorities, port authorities, etc.) to provide greater focus and attention on addressing a public need, or to reduce governing body burdens. While creation of an authority is often appropriate, and many authorities successfully fulfill their missions, authorities with weak membership or insufficient local-level monitoring can become wasteful, inefficient and unresponsive to the public they serve. N.J.S.A. 40A:5A-20 allows a local governing body to dissolve an authority subject to certain parameters and with Local Finance Board approval. Municipalities should at least annually assess the authority or authorities they created and publicly discuss their findings and conclusions. Findings and conclusions should address whether their existing authorities 1) continue to serve the public interest, and 2) are more efficient than other potential alternatives in providing services and financing public facilities. <u>Within the past year, 1) has the above-referenced discussion appeared as a listed agenda item on a scheduled governing body meeting, and 2) do the findings and conclusion appear in publicly-available meeting minutes?</u> Please identify the meeting date under "Comments".</p>	<p>ONLY HOUSING AUTHORITY THAT IS UNDER FEDERAL FUNDING. NOT ONE PARTICULAR MEETING, BUT CLOSELY MONITOR THEIR ACTIVITIES AND HAVE THEM PRESENT AT VARIOUS MEETINGS THROUGHOUT THE YEAR TO REVIEW PARTICULAR ACTIVITIES AND EVENTS. ALSO, A LIAISON IS APPOINTED FROM GOVERNING BODY TO ATTEND EACH MEETING AND BRING INFORMATION ON ACTIVITIES OF THE AUTHORITY BACK TO COUNCIL MONTHLY.</p>

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Finance & Audit - FA			
10	No	Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. <u>Have all audit findings from the 2014 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2015 audit?</u> If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. Only answer "N/A" if there were no audit findings in 2014.	Audit in process
11	N/A	Payments In Lieu of Taxed (PILOTs) are often used as a tool for economic development. It is imperative that municipalities monitor PILOT agreements to ensure recipients complying with all agreement terms, including but not limited to timely payment and reporting. Does your municipality 1) have an official designated to monitor exemptions granted pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.) and Five-Year Exemptions/ Abatements granted pursuant to N.J.S.A. 40A:21-1 et seq., and 2) have in place a documented process for ensuring compliance with the terms of each PILOT agreement?	
12	No	<u>N.J.S.A. 40A:5-4</u> requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of their fiscal year. Further, <u>N.J.S.A. 40A:5-6</u> requires the municipality's auditor to submit a certified duplicate copy of the audit report and recommendations with the Division within 5 days after filing the original with the municipal clerk. <u>Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that your auditor has filed a certified duplicate copy of the audit report with the Division?</u> You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.	Audit in process

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13	Yes	Pursuant to <u>N.J.S.A. 40A: 2-40</u> , the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. The annual debt statement must be filed electronically following the procedure described in Local Finance Notice 2013-3. <u>Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?</u>	
14	Yes	Local Finance Notice 2014-09 contains important information about the need for municipalities that have certain outstanding debt to abide by requirements to annually disclose certain information with respect to financial conditions. The continuing financial disclosure obligations are required by federal law and local agreements executed as part of past issuances of debt. Failure to comply can result in penalties against local governments and individual officers responsible for various filings. Failure to comply can also result in a lack of access to capital markets. <u>Is your municipality up to date and fully compliant with continuing disclosure obligations as discussed in Local Finance Notice 2014-09?</u>	
15	Yes	The Prompt Payment Law, enacted as P.L. 2006 c.96, establishes timing standards for the payment of obligations under a wide range of construction-related contracts. The law seeks to ensure that contractors submitting bills for completed work are paid on a timely, established schedule, and that the full chain of subcontractors receive timely payment from their hiring contractor. Local Finance Notice 2006-21 discusses the law and its impact on local governments. <u>Have your municipality's claim payment procedures been reviewed by legal counsel and appropriate municipal staff to ensure compliance with the Prompt Payment Law?</u>	
16	Yes	While the issuance and renewal of bond anticipation notes can be a reasonable and prudent financing mechanism, failing to take advantage of low interest rates on permanent financing can cause municipalities to incur unnecessary carrying costs and inflated costs of issuance. Has your municipality evaluated its outstanding bond anticipation notes and developed a strategy to move toward permanent financing?	
Procurement - P			

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17	N/A	Pursuant to <u>N.J.S.A. 52:15C-10(a)</u> , municipalities (among other government entities) must notify the State Comptroller within no later than 20 business days of awarding most contracts greater than \$2 million but less than \$10 million. For contracts \$10 million or more, <u>N.J.S.A. 52:15C-10(b)</u> requires written notification to the State Comptroller of any negotiation or solicitation no later than 30 days before advertisement; from which point the State Comptroller has 30 days to approve the procurement moving forward unless said period is waived. Further information on the law and applicable forms is available on the State Comptroller’s website. <u>Did your municipality comply with the notice and approval provisions of N.J.S.A. 52:15C-10 in the prior year?</u>	No Contracts over 2 million
18	Yes	Pursuant to <u>N.J.S.A. 40A:11-25</u> , the Director of the Division of Local Government Services must approve all prequalification regulations enacted by contracting units subject to the Local Public Contracts Law. Prequalification requirements can be fixed according to experience, financial ability, capital, and equipment. Absent Director approval, bid prequalification regulations are of no force and effect and may not be required as a condition of bid acceptance on any public contract. Local Finance Notice 2016-12 goes into further detail concerning prequalification regulations under the Local Public Contracts Law. Is your municipality following the process set forth in <u>N.J.S.A. 40A:11-25</u> , including seeking Director approval prior to implementing and enforcing all prequalification regulations? “N/A” is only applicable where the municipality has not adopted any prequalification regulations.	
19	Yes	<u>N.J.S.A. 40A:11-5 (a)(i)</u> states that, if a municipality utilizes the professional services exemption from the Local Public Contracts Law, “The governing body shall in each instance state supporting reasons for its action in the resolution awarding each contract and shall forthwith cause to be printed once, in the official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available for public inspection in the office of the clerk of the [] municipality...”. <u>With respect to the award of professional services contracts, is your municipality complying with the above referenced provision of the Local Public Contracts Law?</u>	

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Budget Preparation and Presentation - BP			
20	Yes	N.J.A.C. 5:30-3.8(a) requires that the introduced annual municipal budget incorporate a User-Friendly Budget section. Is your municipality providing the public with its introduced User-Friendly Budget at least one week prior to the date of the public hearing on adopting the annual budget?	
21	Yes	Unless the Director sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). <u>Did your municipality introduce and adopt its current year budget no later than the dates provided by law or as extended by the Director in Local Finance Notice 2015-27?</u> This question may only be answered N/A if your municipality is under State Supervision or if the Division instructed the municipality to delay budget adoption.	
Health Insurance - HI			
22	Yes	Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)? Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No". If you answered "No", please list in the Comments section the name and title of each elected or appointed official receiving either health benefits or a waiver payment in lieu of health benefits.	
23	Yes	Is your municipality collecting at least the amount set forth by the Chapter 78 Grid for health benefit contributions (or 1.5% of base salary, whichever is greater) for all officers and employees?	

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24	Yes	<p>Payments for waivers filed before May 21, 2010, and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or \$5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments lower than the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. <u>Does your municipality 1) refrain from paying waiver payments in excess of the statutory maximum; 2) deduct employee healthcare contribution obligations from the total premium cost when calculating waiver payments; and 3) refrain from incorporating healthcare waiver payments in any labor agreement?</u> "N/A" is only applicable where the municipality has a policy of not making payments in lieu of health benefits.</p>	

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Personnel - PE			
25	Yes	The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with labor counsel for more detailed guidance). Exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered to be a form of overtime pay unless such leave is utilized in the same pay period. <u>Does your municipality refrain from paying overtime to employees classified as exempt under the FLSA?</u>	
26	No	<u>For any employees covered by a collective bargaining agreement, has your municipality instituted a policy to not compensate said employees for sick leave accumulated after a certain date?</u> If such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining, your answer can be "N/A". If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.	
27	No	Has your municipality instituted a written policy to not compensate non-union employees for sick leave accumulated after a certain date?	
28	Yes	Has your municipality adopted an ordinance, resolution, regulation or written policy eliminating longevity awards, bonuses or payments for non-union employees?	No bonuses ever paid Longevity payments eliminated for nonunion employees hired after 5/1/2014.

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29	Yes	<p><u>For any employees covered by a collective bargaining agreement, has your municipality eliminated all longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing any longevity awards, bonuses or payments for employees hired before a specified date?</u> The answer to this question can be "N/A" if such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining. If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.</p>	No longevity for new employees hired after January 1, 2015
30	Yes	<p>Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of township vehicles, smoking and political activity, among others. <u>Has your municipality adopted or updated an employee personnel manual/handbook by resolution or ordinance within the last five years? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was adopted or updated.</u></p>	April 21, 2014, May 19, 2014 and May 16, 2016

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Answer	Question	Comments	
0	Select		
21	Yes		
6	No		
3	N/A		
30	Total Answered:		
24	Score (Yes + N/A)		
80%	Score %		
Chief Administrative Officer's Certification			
I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.		Certification #(s)	
Name & Title		Date	
Henry M. Underhill, Borough Administrator		October 18, 2016	
Chief Financial Officer's Certification			
I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.		Certification #(s)	
		N-0227	
Name		Date	
George J. Lang		October 18, 2016	
Municipal Clerk's Certification			
I hereby certify that the Governing Body of the Borough of Hightstown in the County of Mercer discussed the CY 2016/SFY 2017 Best Practice Inventory as completed herein at a public meeting on October 17, 2016 with the Inventory results, and the certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to be stated in the minutes of said public meeting.		Certification #(s)	
		C-1447, Q-0885	
Name		Date	
Debra L. Sopronyi		October 18, 2016	

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	Answer	Question
	Red	= "Yes; "No"; "N/A answers permitted
	Green	= Only "Yes" and "No" answers permitted
	Question	Table of Weblinks
	5	http://www.fema.gov/national-flood-insurance-program-community-rating-system
	5	http://www.nj.gov/dep/floodcontrol/about.htm
	13	http://www.nj.gov/dca/divisions/dlgs/lfns/13/2013-3.pdf
	14	http://www.nj.gov/dca/divisions/dlgs/lfns/14/2014-09.pdf
	15	http://www.nj.gov/dca/divisions/dlgs/lfns/06/2006-21.doc
	17	http://www.nj.gov/comptroller/compliance/index.html
	18	http://www.nj.gov/dca/divisions/dlgs/lfns/16/2016-12.pdf
	21	http://www.nj.gov/dca/divisions/dlgs/lfns/15/2015-27.pdf
	24	http://www.nj.gov/dca/divisions/dlgs/lfns/10/2010-12.doc
	24	http://www.nj.gov/dca/divisions/dlgs/lfns/16/2016-10.pdf