

**Meeting Minutes
Hightstown Borough Council
Workshop Meeting
April 6, 2015
7:00 p.m.**

The meeting was called to order by Mayor Quattrone at 7:00 p.m. and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

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

Also in attendance: Debra Sopronyi, Borough Clerk; Henry Underhill, Borough Administrator; George Lang, CFO; Frederick Raffetto, Borough Attorney; Carmela Roberts, Borough Engineer; Tamara Lee, Borough Planner

Councilmember Hansen moved the agenda for approval; Councilmember Montferrat seconded.

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

Agenda approved 5-0.

Councilmember Misiura moved March 16, 2015 open session minutes for approval; Council President Hansen seconded.

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

Minutes approved 5-0.

Councilmember Bluth moved March 16, 2015 executive session minutes for approval; Council President Hansen seconded.

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

Minutes approved 5-0.

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

Phyllis Deal, 305 Stockton Street – commented that Pennington has been voted the best town for families; we used to be charming, but that has changed and something should be done.

Lynn Woods, 315 Park Avenue – inquired if Councilmember Kurs has checked on the flooded police personnel records, to which Councilmember Kurs stated that he had not, he had a personal emergency that took his time. She then commented that there was a town that got \$4.6M to build a new Borough Hall and she hopes Council makes a decision soon regarding our Borough Hall.

Doug Mair 536 N. Main Street – commented that this week marks the first 100 days of this Council and a measurement of their success; he is disappointed in their accomplishments, tearing down Borough Hall is not a priority; he then inquired as to whether the bond ordinance for the bridge will be cancelled now that a grant has been received and how approving two more bond

ordinances will stabilize the tax rate.

Sarah Johnson, 301 Lincoln Avenue – inquired as to what the plan is to replace the trees on Hutchinson Street and noted that she would like to see the plans; noted that she received the right-of-way and did not sign it, but the work is going forward anyway; she is very disappointed that the Engineer’s office did not call to her to meet regarding the markings; the project should keep the trees and have sidewalks as well.

Scott Caster, 12 Clover Lane – commented that Council should note that the Borough pays East Windsor in lieu of taxes for use of the Senior Center; while we do not ask for a fee for the schools, they do for the Senior Center and this should be looked at when considering outsourcing; everyone is having police personnel issues; we could be a model for downtown.

Eugene Sarafin, 628 S. Main Street – commented that next month marks fifty years that he has been in Hightstown and the Borough has always been honest, dispersing information when it is final; the New Jersey Constitution gives the Governor too much power and the state is dishonest.

Frank Marchione, Hightstown Police Department – commented that the latest charges against him are not new; they are from 2008 when he was not even here; it has been 22 months and he hopes he is not accused of untruths.

Jerome Katz, 400 Stockton Street – commented that everyone answers to someone in their job; inquired as to who Lt. Gendron answers to.

Janine Krupa, Hightstown Police Department – announced that the DARE graduation is scheduled for the 17th at 2pm at Walter C. Black School and Council will be receiving invitations to attend; noted that she received letters from Mr. Underhill and that she will be responding; clarified things in the letters received and noted that she had asked for the investigative report, but has been told she will not receive it; read specific parts of the letters she received commenting that she had reached out to Labor Counsel during the investigation, but the letters say she did not; noted that Mr. Underhill has requested that she report anything going on at the PD that is considered hostile and as soon as he receives a report he will conduct an investigation, she commented that an investigation has already been done; she noted that there has been more going on at the PD and every time she comes to a Council meeting there is more because people at the department do not like that she comes to Council meetings; she asked that it be put on the record that she never gives names when she comes to Council meetings and advises that things have happened; since this began in October, she has gained many supporters.

James Lentini, 116 Clinton Avenue– commented that two years ago the PD broke down doors at his rental unit causing \$4,000 in damages and he was told to claim it on his homeowners, who paid only \$1,000; there is also an income loss and he has hired an Attorney but hopes the Borough pays so he does not have to sue the Borough.

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

Recognition - Greenway Walking Bridge Grant

Mayor Quattrone acknowledged those who were responsible for the Borough receiving a grant for the Greenway Walking Bridge: Bridge Committee, Borough Engineer, Senator Greenstein, and Assemblyman Benson. Darek Hahn, Chair of the Greenway Walking Bridge Committee, gave the history of the progress on bridge design and it’s restructuring due to new regulations, noting that the medallions will exemplify the history of Hightstown.

Mayor Quattrone then noted that Senator Greenstein, and Assemblyman Benson assisted by writing letters of support for the grant. He continued that the committee was formed five years ago this month and they never gave up on the project; Mr. Hahn moved from town and still chairs the committee. Their endurance is appreciated.

Senator Greenstein then congratulated the Borough on its receipt of the grant. Mr. Hahn distributed pictures that contained a picture of the bridge once it is complete.

Ordinance 2015-02 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 7, Entitled “Traffic,” to the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Mr. Underhill commented that this ordinance is for the access of emergency vehicles.

Mayor Quattrone opened the public hearing on ordinance 2015-02 and the following individuals spoke:

Doug Mair, 536 S. Main Street – commented that during the first reading Councilmember Stults inquired where people are going to park, but there was no response; it is customary for Council not to answer public inquiries, but this is their own question; there should not be business on this agenda, it is a workshop.

Eugene Sarafin, 628 S. Main Street – commented that he strongly objects to this ordinance; where will residents park when there is snow and must there be a certain level of snowfall before they are towed? Mayor Quattrone advised Mr. Sarafin that the ordinance he is talking about was previously discussed, but that is not this ordinance.

Shayna Wilson, 122 Williams Street – commented that the church is concerned with the change because there are 200 parishioners who attend services; where will they park? There is also concern with the residents on these streets using the church parking lot, causing the church liability.

Scott Caster, 12 Clover Lane – commented that this ordinance is needed for safety reasons, but that enforcement is needed. He supports this ordinance.

Rob Thibault, 504 S. Main Street – inquired if the residents on these streets have been informed; Mr. Underhill advised that they were sent letters. Mr. Thibault commented that the Borough is held to a higher standard of notification and this ordinance should be tabled until the Borough is sure the residents have been notified.

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

Council President Hansen moved ordinance 2015-02 for adoption; Councilmember Misiura seconded.

There was Council discussion regarding public safety, quality of life, Borough responsibility, the availability to park on the other side of the street, and that less than 12 parking spots are being lost with this ordinance.

Mr. Underhill agreed to meet with the church and discuss their concerns; the Borough will keep an eye on the situation.

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

Ordinance adopted 5-0.

Ordinance 2015-02
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7, ENTITLED “TRAFFIC,” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”

WHEREAS, the Hightstown Borough Council has determined that amendments are needed to Chapter 7 to the Revised General Ordinances of the Borough of Hightstown.

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

Section 1. That Section 7-13, Subsection 7-13-1 entitled “Parking Prohibited at All Times on Certain Streets”, is hereby amended to read (additions are shown with underline):

Section 7-13

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PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

Subsections:

7-13-1 Parking Prohibited at All Times on Certain Streets.

Subsection 7-13-1 Parking Prohibited at All Times on Certain Streets.

No person shall park a vehicle at any time upon any streets or parts thereof described.

Name of Street	Side	Location
Academy Street	North	Mercer Street to easternmost Post Office driveway
Academy Street	North	Railroad Avenue to westernmost Post Office driveway
Academy Street	South	Mercer Street to Railroad Avenue
Academy Street	East	From Park Avenue to Stockton Street
Academy Street	East	From Rogers Avenue to Railroad Avenue
Academy Street	East	From Stockton Street to Rogers Avenue
Academy Street	West	From Park Avenue to Grant Avenue
Bank Street	North	From North Main Street to Mechanic Street
Bank Street	North	From the westerly curblines of the driveway entrance of the water plant, a distance of 30 feet east and 30 feet west
Bank Street	South	From North Main Street to Academy Street
Center Street	West	From Stockton Street to Morrison Avenue
Church Street	East	From Rogers Avenue to Stockton Street
Clinton Street	North	From Cole Avenue to Maxwell Avenue
	South	From the westerly curblines of Cole Avenue for a distance of 70 feet east
Cole Avenue	Both	From Franklin Street to Clinton Street
Dutch Neck Road	North	From the southerly curblines of Stockton Street 665 feet southwesterly
Dutch Neck Road	Southeast	From Gilman Place to Stockton Street
Etra Road	Both	From South Main Street to the Borough line
First Avenue	North	From Outcalt Street to Joseph Street
Forman Street	West	From the southerly curblines of Stockton Street for 205 feet south
Grape Run Road	North	From Westerlea Avenue to Pershing Avenue
Grape Run Road	South	From the easterly curblines of Westerlea Avenue to a point 120 feet east

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Grape Run Road	Both	From Westerlea Avenue to Mercer Street
Hagemount Avenue	West	From Lincoln Avenue to Rocky Brook Court
Harron Avenue	East	From Stockton Street to Morrison Avenue
Hutchinson Street	East	From Grant Avenue to Park Avenue
Joseph Street	East	From Stockton Street to Second Avenue
Leshin Lane	North	From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue
Leshin Lane	South	From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue
Monmouth Street	North	From North Main Street to a point opposite the east curbline of Broad Street
Monmouth Street	South	From the east curbline of Manlove Avenue 652.67 feet east
Monmouth Street	South	From Pennsylvania Railroad to Broad Street
North Main Street	East	From the northerly curbline of Franklin Street to a point 80 feet north
North Main Street	West	From a point 239.5 feet north of the north curbline of Stockton Street to a point 242 feet north
Oak Lane	East	From Stockton Street to the north curbline of Lincoln Avenue; thence from Lincoln Avenue for 397 feet north
Oak Lane	West	From the northerly curbline of Stockton Street to a point 450 feet north
Outcalt Avenue	East	For a distance of 50 feet north or south of the First Avenue and Second Avenue intersections
Outcalt Street	West	From Rogers Avenue to Morrison Avenue
Park Avenue	South	From the westerly curbline of Academy Street to a point 50 feet west
Pershing Avenue	West	From Grape Run Road to South Street
Purdy Street	East	From Bank Street to Reed Street
Railroad Avenue	East	From Stockton Street to Academy Street
Railroad Avenue	West	From Stockton Street to Rogers Avenue
<u>Reed Street</u>	<u>North</u>	<u>From Mechanic Street to Rev. Powell Drive</u>
<u>Rev. Powell Drive</u>	<u>East</u>	<u>From Reed Street to Chamberlin Avenue</u>
Rogers Avenue	North	From Stockton Street to Mercer Street

Second Avenue	North	From Outcalt Street to Joseph Street
Second Avenue	North	From Summit Street to Joseph Street
South Main Street	West	From Ward Street to Mercer Street
South Street	North	From Mercer Street to South Main Street
Stockton Street	North	From Mercer Street to South Main Street for 199 feet west
Stockton Street	South	From Main Street to the west curbline of Dutch Neck Road; thence on Dutch Neck Road for 624 feet
Ward Street	North	From Mercer Street to South Main Street
Ward Street	North	From the easterly curbline of South Main Street to a point 793.25 feet east
Ward Street	South	From the southeasterly curbline of Mercer Street to a point 57 feet east
Ward Street	South	From the easterly curbline of South Main Street to a point 2,241 feet east
Westerlea	West	Leshin Lane to Grape Run Road

(1971 Code § 11-3.3; New; Ord. No. 1997-5 § 1; Ord. No. 2001-18; Ord. No. 2003-16; Ord. No. 2007-11; Ord. 2007-17; Ord. No. 2008-13)

Section 2. That Section 7-20, Subsection 7-20-1 entitled "Stop Intersections", is hereby amended to read (additions are shown with underline):

Section 7-20

STOP INTERSECTIONS

Subsections:

7-20-1 Stop Intersections.

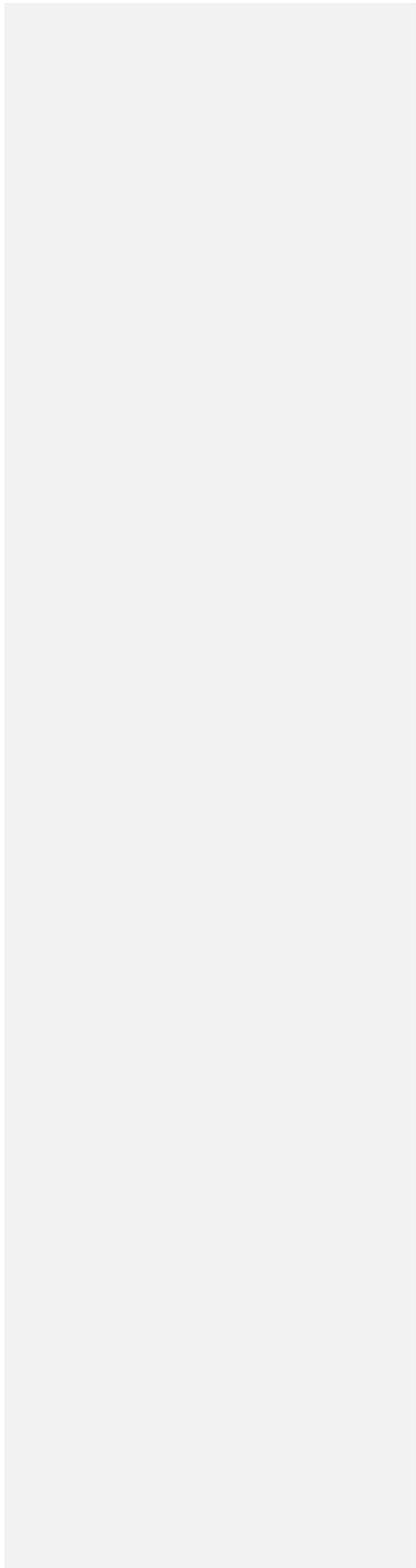
Subsection 7-20-1 Stop Intersections.

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

Intersection(s)	STOP Sign(s) on:
Academy Street and	Morrison
Morrison Avenue--	Avenue--Railroad
Railroad Avenue	Avenue
Dutch Neck Road and	Gilman Place
Gilman Place	

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Grape Run Road and Westerlea Avenue	Westerlea Avenue
Greeley Street and Glen Brook Place	Glen Brook Place
Hagemount Avenue and Rocky Brook Court	Rocky Brook Court
Harron Avenue and Dutch Neck Road	Dutch Neck Road
Lincoln Avenue and Hagemount Avenue	Hagemount Avenue
Maxwell Avenue and Clinton Street	Clinton Street
Meadow Drive and Clover Lane	Clover Lane
Meadow Drive and Clover Lane	Clover Lane
<u>Morrison Avenue and</u> Harron	<u>Morrison Avenue</u>
<u>Morrison Avenue and</u> Center Street	<u>Morrison Avenue</u>
Oak Lane and Lincoln Avenue	Lincoln Avenue
Orchard Avenue and Meadow Drive	Meadow Drive
Orchard Avenue and Schuyler Avenue	Schuyler Avenue
Prospect Drive and April 6, 2015	- 7 -



Bennett Place	Bennett Place
Reed Street and	
Purdy Street	Purdy Street
Springcrest Avenue	
and Glen Drive	Glen Drive
Sunset Avenue and	
Maple Avenue	Maple Avenue
Westerlea Avenue and	
Springcrest Avenue	Springcrest Avenue
Wilson Avenue and	
Mechanic Street	Mechanic Street

(1971 Code § 11-11; Ord. No. 839; New)

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

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

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

Ordinance 2015-03 Final Reading and Public Hearing – An Ordinance to Establish Police Salaries for the Years 2015, 2016, 2017 and 2018

Mayor Quattrone opened the public hearing on ordinance 2015-03 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that he is in favor of this ordinance.

Doug Mair, 536 S. Main Street – commented that this salary ordinance is shady at best and he is concerned with this ordinance because a collective bargaining agreement has been reached with no increase in salary for four years; and that if the Borough outsources police services the Borough will be responsible for payment of the contract. He then inquired as to whether Councilmember Kurs negotiated this contract while speaking with East Windsor about outsourcing, noting that it would not be negotiating in good faith. Council asked Mr. Mair to talk about the ordinance during this public hearing, and not to stray to other subjects.

Scott Caster, 12 Clover Lane – commented that he appreciates the pay scale and still thinks Council should consider outsourcing.

JP Gibbons, 602 N. Main Street – commented that he is concerned that the rank and file receive a reduction in salary then zero percent raise, but Lt. Gendron gets a 16%-17% raise; do we need a Lieutenant for \$117,000? He should receive a supplement, not an increase in salary. The Borough should take care of the officers who walk the beat; this just does not make sense.

Lynne Woods, 315 Park Avenue – inquired if this ordinance can be voted down. Borough Clerk Sopronyi explained that this

ordinance is putting into effect the collective bargaining agreement that has been signed, and it must be passed. Ms. Woods then commented that the Council needs to examine what is going on in the police department and the supervisor's effectiveness.

Rob Thibault, 504 S. Main Street – commented that the Lieutenant should be taken out of the agreement; he is hourly and gets overtime pursuant to the agreement. He added that he thought negotiations went well with keeping salaries down; nobody is getting a pay cut, they are getting raises pursuant to the steps in the agreement. He noted that he has a problem with supervisory officers being rewarded when they are not doing an effective job; the department manager should not get overtime.

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

Council President Hansen moved ordinance 2015-03 for adoption; Councilmember Kurs seconded.

Mr. Underhill explained that this ordinance covers both FOP agreements and is needed to give the personnel their increases. The Borough Attorney confirmed that the ordinance is necessary to implement what was agreed upon in the agreements.

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

Ordinance adopted 5-0.

ORDINANCE 2015-03
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**AN ORDINANCE TO ESTABLISH POLICE SALARIES
 FOR THE YEARS 2015, 2016, 2017, AND 2018.**

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

SECTION 1.

A. Base "A" salaries shall be as follows:

classification	2015	2016	2017	2018
academy	42,000.00	42,000.00		
Probationary	45,000.00	45,000.00	45,000.00	45,000.00
patrolman	51,000.00	51,000.00	51,000.00	51,000.00
2 years	57,000.00	57,000.00	57,000.00	57,000.00
3 years	63,000.00	63,000.00	63,000.00	63,000.00
4 years	69,500.00	69,500.00	69,500.00	69,500.00
5 years	76,000.00	76,000.00	76,000.00	76,000.00
6 years	82,000.00	82,000.00	82,000.00	82,000.00
7 years	88,000.00	88,000.00	88,000.00	88,000.00
8 years	91,469.00	91,469.00	91,469.00	91,469.00
9 years	93,298.00	95,164.00	95,164.00	95,164.00
10 years			97,067.00	99,009.00
Sergeants	100,606.00	101,612.00	103,644.00	105,717.00
Lieutenants	117,000.00	117,000.00	119,150.00	120,342.00

B. Base salaries for employees hired from January 1, 2015 through December 31, 2018 shall be as follows:

1. Classification – Academy - \$42,000.00
2. Patrolman, once they are hired and the probationary period is complete, shall be entitled to the contractual wage increases as required by the 2015-2018 collective bargaining agreement between FOP and the Borough of Hightstown.

SECTION 2. Formula for Salary Computation.

A. Police officers' salaries shall be computed in accordance with the following formula:

Base "A" + longevity = Base "B"

Base "B" divided by 2080 = Hourly rate for holiday pay

Holiday hourly rate x 104 holiday hours = Holiday adjustment value

Base "B" + Holiday adjustment value + College + Stipends = Base "C"

Base "C" divided by 2080 = Current year's hourly pay rate

B. Base "A" is set forth above

Base "B" is only used to calculate Holiday Pay

Base "C" is the current year's salary

SECTION 3. Longevity pay.

Effective January 1, 2015, each employee covered by this agreement shall, in addition to his regular wages and benefits, be paid longevity increments based upon years of service with the police department in accordance with the following schedule:

After 10 years of service	\$1,800.00
After 15 years of service	\$2,600.00
After 20 years of service	\$3,500.00
After 24 years of service	\$4,400.00

Any employee hired after 1/1/2015 shall not be eligible for longevity pay.

SECTION 4. Other pay.

A. The following stipends shall be paid:

1.	Officers assigned to head the traffic bureau	\$750 per year
2.	Detectives on call 24/7	\$2000 per year
3.	Highest college of university degree obtained:	
	a. Associates Degree in field of police science, public administration or criminal justice	\$150
	b. Bachelor's Degree in field of police science, public administration or criminal justice	\$250
	c. Master's Degree in field of police science, public administration or criminal justice	\$350
	d. Doctorate in field of police science, public administration or criminal justice	\$450
4.	Officer In Charge Pay (when designated by appropriate authority)	\$2.50/hour

SECTION 5. This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2015.

SECTION 6. The salary ranges established in this ordinance supersede any established for the same positions in previous salary ordinances, and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

2015-04 Final Reading and Public Hearing (By Title Only) – An Ordinance Amending the Borough’s Redevelopment Plan Relating to Sub-Area I (Bank Street) Within the Borough of Hightstown

Councilmember Misiura explained that this ordinance has been discussed because the redevelopment plan is 5 to 6 years old and no longer applies; these changes will encourage development of the site. The Planning Board recommends adoption of this ordinance.

Mayor Quattrone opened the public hearing on ordinance 2015-04 and the following individuals spoke:

Eugene Sarafin, 628 S. Main Street – commented that this is a first step; apartments have been proposed over nine acres and he would like to see different parking; parking over nine acres will not be attractive and the cabs will use the parking area.

Doug Mair, 536 S. Main Street – questioned the Council President on what the changes are. Council President Hansen responded that it generalizes the development in the area to encourage redevelopment. Mr. Mair commented that Council President Hansen does not have a clue what this ordinance is about.

Lynne Woods, 315 Park Avenue – commented that the red lined copy showing the changes is not in the packet; inquired about the proposed development, why the firehouse and historical society is not proposed for sale, where the \$2M figure came from, and whether this meant they are taking down the old Borough Hall.

Councilmember Misiura advised that there is no specific action being done, it simply references the \$2M insurance claim.

Rob Thibault, 504 S. Main Street – commented that developers should be required to restore the bridge between the buildings and infrastructure increases cost to developers; he has concern with the flexibility and a possible pilot or abatement.

Councilmember Misiura noted that the intent of the ordinance is to make development of the area more flexible by using the words strongly encouraged instead of mandated because developers know the market better than the Borough. While the ordinance states what the Borough would like to see there, but the intent is to make the development more flexible.

Mr. Thibault commented that Hightstown was in the top five in the misery index in 2008 and 2009, Council should consider applying for an urban enterprise zone. Councilmember Misiura noted that a tax zone is not a priority for this administration. The Borough Planner noted that she does not believe the state is permitting any more urban enterprise zones.

JP Gibbons, 602 N. Main Street – commented that when the subject of developing this area was initially brought up, it hit a note with residents regarding the fire department, with issue regarding the firehouse; he objects to a public hearing on a revision to the redevelopment plan without a map being available which shows the blocks and lots; regarding the firehouse page 7 should be revised from not proposed for acquisition to say will not be part of this redevelopment; page 8, under acquisitions of properties, it says certain blocks and lots may be developed at a later date, which clearly indicates that there is a plan on what will be done at this site, and he questioned the financial stability of the owner of this property, which is a legitimate concern for the Borough. According to the media, the owner has a \$1M plan for the property that he is turning over “free” to the new developer of the property, but that sounds just like the plan that has been changed, so he inquired as to why it says that this portion of the property does not have to be included in the redevelopment plan; this gives options.

Councilmember Misiura responded that those blocks and lots which are the blue buildings are owned by someone else, so the area is under two separate ownerships. This will allow the redevelopment to go forward if there is an acceptable redevelopment plan. If someone acquires the main chunk of the property, they can go forward with the development process without necessarily owning the other piece, which the Borough hopes they could then negotiate to acquire. It recognizes that there are two owners of the property. And as far as the maps, I have to refer to the Borough Attorney. Should we have maps available since we are only changing the verbiage?

Fred Raffetto, Borough Attorney, advised that a description of the blocks and lots is all that is really necessary, if anyone is

interested in viewing a tax map which is a public document, they can view the area and the blocks and lots; the maps are not required to move forward if Council so chooses.

There was discussion regarding providing maps and it was noted that maps are available on the website under the current redevelopment plan that is in place, and that the tax maps are also on line.

Mr. Gibbons continued that his next issue is with page 14, at the bottom, where the funds being available are noted. He would suspect that any funds coming to the Borough from the insurance claim should be used by the Borough for whatever it wants, perhaps to build a new police station or a tax rebate; he finds it offensive and strongly recommends removal of that clause in the ordinance; it is not money for development, it is the money of the residents for damage done to Borough Hall by a disaster. He also referenced DEP regulations regarding setbacks at the bridge, to which Councilmember Misiura noted that these requirements are the due diligence of the developer and should not be in the ordinance.

Eugene Sarafin, 628 S. Main Street – commented that he goes to Borough Hall to look at maps and other information, it is the responsibility and due diligence of the public to research the information for which they are looking.

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

There was discussion regarding tabling the ordinance because there is no map available. The Borough Attorney advised that Council has met its obligation regarding this ordinance and can move forward with the adoption if it so wishes.

Councilmember Montferrat moved to table ordinance 2014-04 until a map showing the area could be included, Council President Hansen seconded.

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

Ordinance tabled 5-0.

ORDINANCE 2015-04

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

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

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

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

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

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

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

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

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

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

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

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

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

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

INTRODUCTION

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

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

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the local housing market.
4. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.

5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, c. 398 (C.52:18A-196 et al).

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

The parcels contained within the Main Street Redevelopment Area include Block 54, Lots 6 - 10, 13, 14.01, 16.01 & 23; Block 40, Lots 14 - 28; Block 33, Lots 1 - 30 & 32 - 36; Block 30, Lots 1 - 13; Block 28, Lots 56 & 57; and, Block 21, Lots 1 - 14 & 26. The landowners are identified in Appendix 2, Property Owners List, attached.

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

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

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

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

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

I. GOALS AND OBJECTIVES

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

- Eliminate blighted conditions which are negatively impacting the quality of life for residents;
- Develop new opportunities to increase ratables;
- Create new opportunities for community recreation and cultural activities;
- Enhance the view from Route 33/County Road 539 into the newly revitalized central business district of the Borough of Hightstown; and,
- Build upon the core node of mixed-use development to better utilize the frontage and access to the Route 33 transportation corridor.

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

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Sub-Area I (Bank Street):

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

Sub-Area II (South Academy Street):

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

Sub-Area III (Rt. 33):

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

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

PHYSICAL DESCRIPTION OF THE MAIN STREET REDEVELOPMENT AREA

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

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

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

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

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

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

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

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

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

PROPOSED LAND USES AND BUILDING REQUIREMENTS:

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EXISTING ZONING

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

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

PROPOSED ZONING

Sub-Area I (Bank Street): Additional redevelopment design and land use standards have been promulgated to address a number of development issues, including density, parking and other design issues.

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

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

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

PROPOSED IMPROVEMENTS AND DESIGN STANDARDS

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

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

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

- a. Municipal Facility: The existing municipal facilities, located at Block 30, Lots 10, 11, and 12 on the Borough's Tax Map, have been vacant since 2011 when extensive flooding damaged the building during Hurricane Irene. The municipal functions have been re-located to a nearby Borough owned facility and the police station is operating out of leased office space at the southern end of the Borough. The selected redeveloper shall take into consideration these properties and either, a) acquire and incorporate them into their over-all redevelopment project, b) redevelop the properties in partnership with the Borough for municipal or other uses or c) coordinate with the Borough the redevelopment of those properties which will be undertaken separately by the Borough. In either of the three scenarios, these properties shall be included in the redevelopers site planning. The terms of all of the above shall be detailed in Redeveloper Agreement.

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b. **Recreational Facilities:** The selected Redeveloper shall be required to make a contribution for recreational facilities in an amount to be negotiated by the Borough and the selected Redeveloper and detailed in the Redeveloper Agreement. Said contribution shall be deposited in a Recreation Trust Fund established for the Borough of Hightstown, the purpose of which is to provide for the purchase, lease, acquisition, maintenance and/or improvement of recreational facilities serving the Borough, with specific emphasis on the additional needs arising as a result of the residential and non-residential construction contemplated under this Redevelopment Plan. Said contribution shall be paid in accordance with requirements to be set forth in the Redeveloper Agreement.

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c. **Affordable Housing:** At the current time it is anticipated that no affordable housing units will be required.

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d. **Restaurant:** The inclusion of a full-service, sit-down restaurant is highly encouraged as part of the redevelopment project.

e. **Artist Live/Work Studio Lofts:** The inclusion of artist live/work studio lofts in all or a portion of the existing mill structures is highly encouraged as part of the redevelopment project.

f. **Bridge construction/rehabilitation:** The original bridge structure traversing Rocky Brook connecting the existing industrial buildings at the site shall be exposed, rehabilitated, and made ADA compliant, if required by law, and an additional pedestrian bridge shall be constructed across Rocky Brook to facilitate pedestrian access to and from all areas of the redevelopment area. The construction of said pedestrian bridge is conditioned upon the receipt of all necessary permits and approvals from State agencies having jurisdiction over such a stream crossing.

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g. **Payment in Lieu of Taxes (PILOT):** The selected Redeveloper may apply to the Borough for a PILOT associated with the redevelopment project, in accordance with applicable law. Specific requirements associated with any such PILOT shall be set forth in the Redeveloper Agreement, and further action of the Governing Body will be required to effectuate any such PILOT.

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h. **Development Standards:** As indicated above, the attached Bank Street Sub-Area Development Standards provide the overall guidelines and requirements associated with the physical development of the site by the selected Redeveloper.

Deleted: d. - Small Cities Block Grant: - The selected Redeveloper shall provide a contribution to the Borough in the amount of Thirty-five Thousand Dollars (\$35,000.00), which shall be used by the Borough to represent the ten-percent (10%) matching funds that is required for the Borough to obtain a \$350,000 Small Cities Block Grant previously awarded by the State of New Jersey Department of Community Affairs in relation to the redevelopment of the Bank Street Sub-Area. Said contribution shall be paid in accordance with requirements to be set forth in the Redeveloper Agreement.

Sub-Area II (South Academy Street):

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

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Sub-Area III (Rt. 33):

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

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RELOCATION PLAN

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

ACQUISITION OF PROPERTIES

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

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

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

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

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

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

As per N.J.S.A. 40A:12A-7a.(4) the Redevelopment Plan must be in conformance with the Master Plans of the contiguous municipalities, the county master plan, and the State Development and Redevelopment Plan (SDRP). The Borough of Hightstown is totally encompassed by the Township of East Windsor, also located in Mercer County; however, none of the Redevelopment Plan's Sub-Areas border the Township of East Windsor (and its zoning districts) and, therefore, no impacts are anticipated and conformance with the SDRP is not an issue.

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

Land Use: "Promote redevelopment and development in Cores and neighborhoods of Centers and Nodes that have been identified through cooperative regional planning efforts." *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 191.*

Economic Development: "Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace." *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 191.*

Natural Resource Conservation: "Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites and Historic and Cultural Sites." *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 191.*

Recreation: "Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects." *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 192.*

Redevelopment: "Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian

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activity and reduce dependency on the automobile.” *March 2001, The New Jersey State Development and Redevelopment Plan, pg. 192.*

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

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

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

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

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

IMPLEMENTATION

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

CONCLUSION

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

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

The final outcome of the Main Street Redevelopment Plan will be the revitalization of critical areas of the community, while creating a new mixed-use development, which will bring significant new ratables into the community. Additional housing, economic, and recreational and cultural opportunities will also be created. Finally, the Main Street Redevelopment Plan will help redefine the Borough of Hightstown and enhance its position as a State-Designated Town Center.

MAP I

MAP II

MAP III

PROPERTY OWNERS LIST (As of December 3, 2014)

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BLOCK/LOT	OWNER OF RECORD & MAILING ADDRESS
54/6 & 7	Dogias, A. Alexander & Lola, 4754 White Tail Lane, Newport Richey, FL 34653
54/8 & 9	RPSP Holdings, LLC, 139 Mercer St. Hightstown NJ 08520
54/10 & 23	Jeffrey Bond, 210 S. Main St., Hightstown, NJ 08520
54/13 & 16.01	KPM Holdings, LLC, 19 Robbins Rd., Millstone TWP 08535
54/14.01	Ordonez, Luis F. & Juan E., 138 S. Main St., Hightstown, NJ 08520
40/14	Carias, Hector & Barrios, Maydra, 207 Rogers Ave., Hightstown, NJ 08520
40/15	Battash, Annie, 10 Hidden Spring Lane East Windsor, NJ 08520
40/16	Darling, Elizabeth & Shishone Evers, S. 200 Academy St., Hightstown, NJ 08520
40/17	Amin, Mohammad, 102 Bryn Mawr Avenue, Lansdowne, PA 19050
40/18	Ames, Samuel, 210 Academy St., Hightstown, NJ 08520
40/19	McKinnie, Virginia, 212 Academy St., Hightstown, NJ 08520
40/20	Ordonez Realty, LLC, 138 S. Main Street, Hightstown, NJ 08520 (20 & 21 consolidated in 2006)
40/22 - 24	Millstone Basin Area Hab for Humanity, 120 Main St. #207 Hightstown, NJ 08520
40/25	Bowman, Lucy, 238 Academy St., Hightstown, NJ 08520
40/26	Phillips, Dennis G., 240 Academy St., Hightstown, NJ 08520
40/28	Regenthal, Frank W & Jamie A., 250 Academy St., Hightstown, NJ 08520
33/1, 9, 12, 33 & 35	Borough of Hightstown, 148 N. Main Street, Hightstown, NJ 08520
33/2	Wang, BJ. & HS, Trustees Wang Family, 43314 Clearwood Drive, Fremont CA 94538
33/3	Owner Unknown
33/4, 5, 8, 10 & 13	Bond, Jeffrey, 210 S. Main St., Hightstown, NJ 08520
▼	▼
33/6	Cheng, Yin & Zheng, Ziu Quin, 100 Main Street, Hightstown, NJ 08520
33/7	Unknown Owner
33/11	Unknown Owner
33/14	Eastern Dragon Ocean, Inc., 114 Main St., 2 nd Floor, Hightstown, NJ 08520
33/15 & 16	Eastern Dragon Ocean, Inc., 114 Main St., 2 nd Floor, Hightstown, NJ 08520
33/17, 21, 22, 26, 27 & 31, 32	These lots no longer exist in the Borough
33/18, 29 & 34	TPS Management, c/o Richardson Management, 2115 State Highway 33, Trenton, NJ 08690-

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PROPERTY OWNERS LIST (As of <u>December 3, 2014</u>)	
BLOCK/LOT	OWNER OF RECORD & MAILING ADDRESS
	1740
33/19	Salnin LLC, 124 Main St., Hightsown, NJ 08520
33/20	Alderman, Gloria, POB 7424, Monroe, NJ 08831
33/23 - 25	C.J. Vanderbeck, LLC, 344 Stockton St., Hightstown, NJ 08520
33/28 & 36	Sackowitz, Harry, 106 Mercer St., Hightstown, NJ 08520
33/30	Bond, Jeffrey & Tolmie, Catherine, 210 S. Main St., Hightstown, NJ 08520
30/1 - 7	Greystone Capital Partners NJ, LLC, 920 Matsonford Road, West Conshohocken, PA 19428
30/10-13	Borough of Hightstown, 148 N. Main Street, Hightstown, NJ 08520
30/8 & 9	Hightstown-East Windsor Historical Society, 164 N. Main Street, Hightstown, NJ 08520
28/56 & 57	Borough of Hightstown, 148 N. Main Street, Hightstown, NJ 08520
21/1 - 5 & 26	Greystone Capital Partners NJ, LLC, 920 Matsonford Road, West Conshohocken, PA 19428
21/6-14	5C Industries LLC, 101 Bank Street, Hightstown, NJ 08520

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IMPLEMENTATION FUNDING RESOURCES

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

- **NJ DOT Transportation Enhancement Program Fund:** This grant program could provide funds to make significant enhancements, such as period lighting, sidewalk replacement, street furniture and landscaping, to the remaining unimproved areas within the downtown district.
- **NJ DOT Bikeways Program:** This program could provide grants up to about \$150,000 each to build the **infrastructure** within the proposed greenway. Projects that connect to regional trails and local amenities/facilities will fare best.
- **NJ DOT Centers of Place Program:** This program provides grant funding to address transportation-related issues, such as parking, or pedestrian amenities, such as the Peddie lake crosswalk. Only municipalities which are listed as designated within the SDRP, such as Hightstown, are eligible for this grant program. In 2003 awards averaged \$187,000.
- **NJ DEP Historic Preservation Trust and the New Jersey Historic Commission Grant Programs:** These two (2) programs provide grants for restoration of historic structures, including design and capital costs necessary to preserve existing historic resources. Capital Preservation Grants are for construction expenses related to the preservation and restoration of historic properties and associated architectural and engineering expenses and awards range from \$5,000 to \$750,000; however, the applicant, (local government or a non-profit) must own the property or have a valid lease for 15 years, and the property must be listed, or eligible for listing, in the state or federal Register of Historic Places.

- **NJ DEP Environmental Infrastructure Financing Program:** This program could provide a low-interest loan (currently around 1.2%) for construction costs to replace/repair existing sewer and storm water systems to ensure the protection of water quality. This program may provide significant savings due to the lower interest rate of this program and costs of bonding locally. This program could also provide funding to study and remediate localized storm water flooding. While there is no upper limit to funding, most awards are multi-million in magnitude.
- **NJ DEP Livable Communities Program:** This program could provide grant funds for recreation-related improvements and development (excluding land acquisition) such as the greenway. In previous years, Livable Communities were capped at \$100,000.
- **NJ DEP Hazardous Discharge and Site Remediation (HDSRF) Program:** The grant program could provide up to \$2,000,000 in grant funding to the municipality for environmental site investigation. Funds may be used for Preliminary Assessment (PA), Site Investigation (SI) and Remedial Investigation (RI). Funds may not be used for cleanup activities.
- **NJ DCA Small Cities Programs:**
 - **Public Facilities:** These funds may be utilized to construct or improve essential public facilities which will primarily benefit people of low and moderate-income and/or redevelopment areas. In a designated redevelopment area, eligible activities include streets, sidewalks, streetscape improvements, lighting, infrastructure and recreational amenities. Awards are typically in the \$400,000 range.
 - **Innovative Development Fund (IDF):** Projects within a redevelopment area, that propose two (2) or more inter-related activities such as land acquisition and parking, and are related to implementation of the redevelopment project, are eligible for this funding source. Additionally, IDF projects must be ineligible for any other Small Cities funding source. Awards generally range up to \$400,000.
 - **Employment Development:** Projects that result in the creation of new employment opportunities for low and moderate income are eligible for funding under this category. Proposed projects may include loans to for-profit enterprises, or off-site public improvement grants. Awards generally range up to \$400,000.
- **Federal Historic Preservation Tax Incentives:** This program offers development costs for the rehabilitation and restoration of buildings that are National Historic Landmarks, that are listed in the National Register, and that contribute to National Register Historic Districts and certain local historic districts. Properties must be income-producing and must be rehabilitated according to standards set by the Secretary of the Interior. A 20% rehabilitation tax credit equals 20% of the amount spent in the certified rehabilitation of a certified historic structure. The 10% tax credit equals 10% of the amount spent to rehabilitate a non-historic building built before 1936.
- **Various NJ Economic Development Authority (EDA):** EDA offers a wide-range of loans and tax credits for projects that result in new job creation. As additional information becomes available on the types of uses within the Redevelopment Area, specific NJ EDA programs will be identified and targeted.
- **Municipal Bonding:** Local financing may be provided to the designated Redeveloper for portions of the project at a lower-than-market interest rate. The designated Redeveloper would benefit from the lower interest rate and would be responsible for all municipal fees, principal and interest payments.
- **Borough Insurance Claim:** [The Borough may be able to apply funds of up to 2 million dollars from the Hurricane Irene insurance claim towards work related to the vacant municipal properties, \(Block 30 Lots 10, 11 and 12\).](#)

Sub-Area I (BANK STREET) DESIGN CRITERIA

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

1. Green space shall be included to the maximum extent possible within the Sub-Area and should be considered an integral design element.

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

2. Reasonable efforts must be made to allow visibility of the site's retail/commercial facilities and the site's natural and historic features from North Main Street.
3. The surrounding Main Street streetscaping design shall be continued along the west side of the North Main Street frontage, to Bank Street. Elements of the existing streetscape design should be used within the site and along Bank Street, as accents. See Subsection k.1.
4. A greenway shall be established along the Rocky Brook corridor and a footbridge, subject to State approvals, shall be provided to link the Redevelopment Area together.
5. The inclusion of an engineered passive water feature that shall also serve as a detention pond in the event of a flood shall be evaluated and if feasible incorporated into the project.
6. Usable pedestrian access ways shall be provided throughout the site, connecting to existing perimeter sidewalks and to the Greenway.
7. Buildings shall be considered in terms of their relationship to the surrounding neighborhood and natural environment as well as in relation to the human scale.
8. Design visual and green space transitions, which include pedestrian connections and landscaping, to buffer the existing Historical Society property. Additionally, volunteer firefighters and fire equipment shall have unimpeded access to the firehouse.
9. Create a new street front along Academy Street that respects the scale and character of the neighborhood on the opposite side of the street.
10. Roof top spaces shall be encouraged for passive and active recreation uses, such as patios, gardens, swimming pools and sunbathing areas.
11. The Borough of Hightstown recognizes the importance of environmental sustainability and, therefore, the Redeveloper is encouraged to evaluate the potential for LEED accreditation of the Bank Street Sub-Area I Redevelopment District.

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Deleted: <#>Require that before 75% of all approved residential units receive Certificates of Occupancy that 100% of all non-residential uses shall be constructed and completed. -

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BANK STREET SUB-AREA REDEVELOPMENT DISTRICT – DEVELOPMENT STANDARDS

LAND USE

Land Use: The Bank Street Sub-Area currently contains partially-vacant facilities, and commercial and governmental uses. The area is bounded by Route 33 (Main Street), Rocky Brook, and residential neighborhoods. Selected structures, if approved by the Borough, may be demolished, and existing environmental hazards remediated as required by the New Jersey Department of Environmental Protection (NJDEP). The lots will then be combined to facilitate the redevelopment of the area. In partnership with the selected Redeveloper, the Borough may pursue various state and federal grant opportunities to help accomplish the redevelopment of this Sub-Area. The collaborative partnership between the Borough and the selected Redeveloper may also seek funding assistance to assist in the development of the greenway along Rocky Brook.

The following uses are permitted within the Sub-Area I Redevelopment district:

Adaptive reuse of the site's existing structures for residential and commercial/office use

Residential uses including multi-family dwellings and duplex town homes , (facing Academy Street only).

Artist live/work studio lofts.

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Studios for the visual and performing arts

Hotel

Governmental uses and other public facilities

Passive and active recreational facilities

Retailing within a completely enclosed building, but excluding drive through retail.
A variety of retail shops shall be provided to encourage and maximize consumer choice.

Personal and other business services within a completely enclosed building, excluding drive-thrus.

Offices.

Public facilities, including public parking facilities

Restaurants and other places to eat and drink, but not including drive-thrus.

Banks and financial institutions, excluding drive-thrus.

Residential dwelling units as upper floor use of buildings containing above-permitted principal uses.

Scientific and research laboratories

Pharmaceutical operations (non-manufacturing)

Galleries, theatres and performance spaces.

For-profit only schools, testing centers and learning centers.

Accessory Uses:

Signs

Parking decks and garages

Roof top recreation spaces and uses.

All other uses, unless specifically permitted, are prohibited.

Permitted residential dwelling types include: (1) townhomes/duplexes on fee simple lots or under a condominium form of ownership; and (2) multi-family dwellings which shall contain no more than two (2) bedrooms per dwelling.

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

DESIGN STANDARDS

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

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Deleted: under a condominium form of ownership. Rental apartments are specifically prohibited. Townhomes/duplexes shall average at least 2,500 square feet of floor space, and multi-family dwellings shall be no less than 1,000 square feet of floor space and

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Deleted: unit; however, multi-family COAH dwellings shall be excluded from these requirements. These requirements may be amended by the Planning Board during site plan review

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

Setbacks:

All buildings shall have minimum set backs consistent with the building setback of the Historical Society (Block 30, Lots 8 and 9) from County Route 539 (North Main Street). All parking and roadways shall be setback a minimum of 15 feet from the interior edge of the existing sidewalk along North Main Street (C.R. 539), to facilitate the creation of the viewscape from Route 33 into the new mixed-use development. Based on review of the parking study, additional buffering, green space, and/or landscaping may be required.

It is the intent of the Governing Body to retain as much of the historic structures as practicable. Any demolition of any part of the existing structures is subject to approval of the Planning Board through the site plan review process.

Ten (10) foot front and side yard setbacks shall be required for all new structures along Bank Street.

Minimum front yard setbacks for townhomes/duplexes shall be fifteen (15) feet. Minimum rear yard setback for townhomes/duplexes shall be thirty (30) feet. Porches may project not more than five (5) feet into the required front yard setback.

Minimum lot depth for townhomes/duplexes shall be one hundred ten (110) feet.

Minimum distance between townhome/duplexes shall be fifteen (15) feet, equally divided between lots.

The minimum set back for accessory structures shall be five (5) feet.

Buffers:

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

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

of trails for recreational or pedestrian circulation purposes, and the Borough of Hightstown shall be granted an easement on said lands for that purpose.

A thirty (30) foot buffer shall be required between any new structures, with the exception of service area structures, and the Historic Society building (Block 30, Lots 8 and 9). This buffer may include green space, pedestrian improvements such as sidewalks, and recycling/rubbish storage areas.

Individual driveways and garages shall not be permitted to front on North Academy Street.

Design Standards

Building Design:

The maximum height of any new building or building addition, excluding residential townhomes/duplexes, shall not exceed the height of the existing Rug Mill structures. Rooftop appurtenances for new buildings or additions shall not exceed five (10) feet above the roofline. The maximum height for adaptive reuse of existing site buildings shall be the existing building height, excluding screened rooftop appurtenances, which shall not exceed an additional five (10) feet and shall be set back a minimum of (10) feet from the front facade.

Residential townhomes/duplexes shall not exceed two and one half stories or thirty-five (35) feet in height as measured from the grade curb level in front of each residential building to the highest point of the roof.

Residential uses shall be permitted on all floors of the existing buildings and accessory recreation uses for residents may be developed on building roof tops.

All new buildings, excluding residential townhomes/duplexes shall compliment the façade of the existing Rug Mill structures. Residential townhomes and duplexes shall match the character and style of the North Academy/Stockton Street neighborhood. Detailed architectural plans including colors, materials, and textures, shall be provided for all buildings and accessory structures. If rehabilitation of the municipal building is selected by the parties, detailed floor plans shall be provided for the new municipal facility.

The Architectural Review Committee shall review and advise the Planning Board and the Redeveloper with regard to architectural features, styles, materials and colors.

Buildings shall be located, designated and identified to allow for adequate fire and emergency access.

All new construction and adaptive reuse must conform to [all applicable codes and standards including](#) Americans with Disabilities (ADA) Act requirements.

All external mechanical, electrical, and plumbing appurtenances, including but not limited to electrical components and HVAC equipment, including roof-mounted units, shall not exceed five (10) feet above the roofline, shall be screened by landscaping or enclosed and shall not be included in determining building height.

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Deleted: Impervious Coverage: An amount not to exceed 75% of the total redevelopment area (excluding Block 30, Lots 8, 9 through 13), within the Bank Street Sub-Area, may be covered by impervious surfaces. This includes structures, parking areas, and other related infrastructure. Any redevelopment activities or structures shall be in conformance with applicable NJDEP regulations and Borough Ordinances with regard to storm water control. ... [2]

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Such HVAC and other appurtenances shall comply with all state statutes governing noise levels for both day and night time uses.

All electrical, gas, water, sewer, telephone, cable television, power, phone, CATV, and other utilities shall be installed underground, as per current engineering standards. Roof antennae or towers shall not be permitted.

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

1. Usable pedestrian walkways within the site shall be designed to interconnect to parking lots and North Main and Bank Streets, and to the greenway where possible. Based upon the selected Redeveloper's parking plan, which plan will identify the number of potential on-street parking spaces along North Academy Street, the Planning Board may allow on-street parking along North Academy Street to be included in the Redeveloper's overall parking requirement calculations. Four (4) spaces of on-street parking on Bank Street shall be made available for use by the existing business on the corner of Bank and North Main Streets and shall not be included in any shared use parking analysis. Circulation throughout the site should be designed so that pedestrian pathways have priority and take precedence over vehicular circulation. Downtown parking ratios can only be sustained when complemented by a well developed pedestrian system. The downtown parking ratios that follow will be permitted only when the Redeveloper can demonstrate to the Planning Board that the design of the site's pedestrian circulation adequately establishes pedestrian priorities and connections to the downtown. Absent such design, additional parking on-site may be required.
2. Retail or other commercial uses shall provide one (1) parking space for every 500 square feet of gross floor area utilized by the commercial or retail use. Retail or food service drive-thrus are prohibited.
3. Office uses shall provide one (1) parking space for each 400 square feet of gross floor area utilized by the office use.
4. Movie houses, other theaters, restaurants, and entertainment uses shall provide one (1) space for every three (3) seats or one (1) space per 40 square feet of usable seating, floor, or activity area, whichever is greater.
5. The Planning Board may approve a total reduction of the required parking where such reduction is demonstrated by a study of the combined, or shared uses and customary operation of the uses that adequate parking would be provided for the actual uses. The Planning Board shall also encourage the developer to pursue accessible off-site shared parking use.
6. The selected Redeveloper's traffic study shall investigate such limiting factors including but not limited to, safe and efficient access, existing roadway capacities and levels of service, traffic signals, timing, existing and proposed volumes, peak hour analyses, and the ability of the existing conditions to safely absorb the projected amount of traffic. Utilization of the property shall be dependent upon the results of the traffic study, which results may alter the number of units, mix of uses and commercial floor area permitted on-site.
7. For 90 degree parking, standard parking spaces shall be nine (9) feet in width and a minimum of eighteen (18) feet in length. Up to 1/3 of the parking spaces may be designed as compact car spaces and designated as such. For 90 degree parking compact parking spaces shall be (8) feet by (15) feet.

8. The location, size, and signage of accessible parking spaces must conform to all ADA requirements.
9. Parking lot layout, landscaping, and buffering shall be designed to enhance the viewscape from New Jersey State Highway (NJSH) Route 33 (North Main Street) frontage.
10. The interior of parking lots shall be landscaped to provide shade and visual relief.
11. Parking garages and decks are permitted accessory uses in Sub-Area I, and are subject to Planning Board approval. Approval of the need for and size of the parking garage shall be determined by the Planning Board in conjunction with the overall number of parking spaces required. If the selected Redeveloper proposes a parking garage or deck, it must be properly located by the Redeveloper to provide clear views of all scenic and historic sites within Sub-Area I from key off-site and on-site vistas, as determined by the Planning Board. Any approvals of a parking garage, including bulk and height, will be evaluated and determined by the Planning Board during the site plan review process.
12. Landscaped islands shall dictate flow and provide pedestrian safety zones.
13. For lots with eleven (11) or more spaces, a minimum of one (1) tree shall be planted for every twenty (20) spaces and shall not include those planted along the perimeter.
14. Parking spaces and ADA accessible spaces shall be clearly marked at all times.
15. Parking for residential units shall require two (2) parking spaces per unit, subject to approval under N.J.A.C. 5:21-3.5 (Special Area Standards).
16. Individual driveways and garages shall not be permitted to front on North Academy Street.
17. Increase the safety of pedestrians, bicyclists and motorists by providing streetscape improvements and a mid-block pedestrian crossing on Bank Street.

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

Signs:

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

One (1) free standing sign shall be permitted along the North Main Street frontage, and one (1) free standing sign to identify the commercial buildings shall be permitted along the Bank Street frontage.

Each retail store front shall be permitted a façade sign.

The Redeveloper shall provide a comprehensive sign package, including colors and materials, to the Planning Board. The Planning Board may approve a comprehensive sign package for the project that exceeds the standards in Chapter 29 and/or in this document, without the need for a variance, in terms of sign area and number of signs if it is demonstrated to the Board's

satisfaction such additional signage is necessary to appropriately identify the uses on the site from the street, and is consistent with good planning for the site.

Lighting:

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

Parking area lighting shall be post-mounted, located on landscaped islands, and shall not exceed 20 feet in height above grade.

Street fixtures should be period lighting similar to those sited in the downtown area along Mercer Street.

Pedestrian and access point lighting shall be post-mounted and shall not exceed 14 feet in height above grade.

Where parking lighting abuts residential areas, fixtures shall be shielded to eliminate light overflow into residential lots.

Lighting shall conform to the Borough's specifications and the developer shall pay the up-front cost per fixture for street lights to reduce the ongoing operational and maintenance costs to the municipality. Exact details will be specified in the Redeveloper Agreement.

Lighting in interior parking and commercial/office areas of the development shall be privately owned and maintained by the selected Redeveloper.

Fences/Enclosures: Shall be prohibited with the following exceptions:

All bulk waste/recycling receptacles (dumpsters) shall be fully screened. Such screening shall be of adequate height to fully shield the receptacle and shall utilize plantings and/or brick construction with a brick front and gated access way which can be secured during periods of non-use. Chain link fencing is prohibited. If landscape screening is utilized, bollards shall be provided to maintain the integrity of the planted screening. Full brick construction shall be required for structures located within designated buffer areas adjacent to any residential or commercial building.

Ornamental fencing along North Main Street.

Privacy fencing along the rear boundary of the Bank Street Sub-Area abutting the properties designated as Block 21, Lots 15, 19, 21 and 22.

Heights of all fencing are subject to Planning Board review and approval.

Infrastructure:

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

parking areas shall be constructed of similar decorative paving materials.. All materials shall be compatible with the existing streetscape along Main Street.
Roadways: As appropriate, all roadways must conform to the State of New Jersey Residential Site Improvement Standards, N.J.A.C. 5:21, unless otherwise approved under N.J.A.C. 5:21-3.5 (Special Area Standards).

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

Unless expressly modified herein, all existing Borough of Hightstown Site Plan and Subdivision Ordinances and criteria shall apply to development plans submitted within the Bank Street Sub-Area 1 Redevelopment district as per Chapters 26, 27, 28 and 29 of the Borough of Hightstown Code. In the event of any inconsistencies between the approved Redevelopment Plan and the aforementioned Code chapters, this Redevelopment Plan shall govern.

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

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

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

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2015-05 First Reading and Introduction – An Ordinance Amending and Supplementing Chapter 2, Entitled “Administration,” Section 26, Entitled “Municipal Court,” Sub-Section 6, Entitled “Public Defender; Application Fee” to the “Revised General Ordinances of the Borough of Hightstown, New Jersey”

Councilmember Kurs moved ordinance 2014-05 for introduction, Councilmember Misiura seconded.

There was discussion regarding amending the ordinance to reference statute N.J.S.A. 2B:24-1 et. seq. and to read maximum allowable by the statute in place of a specific amount.

Councilmember Bluth moved to amend ordinance 2014-05 to reference statute N.J.S.A. 2B:24-1 et. seq. and to read maximum allowable by the statute in place of a specific amount, Councilmember Kurs seconded.

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

Ordinance amended 5-0.

Mayor Quattrone called for a roll call vote on the introduction of the amended ordinance.

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

Ordinance introduced as amended 5-0, public hearing to be held on April 20, 2015.

Ordinance 2015-05
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ENTITLED “ADMINISTRATION,” SECTION 26, ENTITLED “MUNICIPAL COURT”, SUB-SECTION 6, ENTITLED “PUBLIC DEFENDER;

**APPLICATION FEE” TO THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN,
NEW JERSEY.”**

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

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

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

Subsection 2-24.6 Public Defender; Application Fee.

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

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

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

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

2015-06 First Reading and Introduction – Bond Ordinance Providing a Supplemental Appropriation of \$215,000 for Various Road Improvements in and by the Borough of Hightstown in the County of Mercer, New Jersey, and Authorizing the Issuance of \$215,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Councilmember Misiura moved ordinance 2014-06 for introduction, Councilmember Kurs seconded.

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

Ordinance introduced as amended 5-0, public hearing to be held on April 20, 2015.

Ordinance 2015-06
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

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

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

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

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

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

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$644,164, including the \$429,164 authorized by the Original Bond Ordinance and the \$215,000 bonds or bond anticipation notes authorized herein.

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

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

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

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

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

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

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

Law.

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

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

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

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

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

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

2015-07 First Reading and Introduction – Bond Ordinance Providing for Various Road Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$619,000 Therefor and Authorizing the Issuance of \$335,500 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

It was noted that there is a typo in the amount on the agenda, but it correctly reads the amount of \$335,500 in the ordinance.

Council President Hansen moved ordinance 2014-07 for introduction, Councilmember Misiura seconded.

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

Ordinance introduced as amended 5-0, public hearing to be held on April 20, 2015.

Ordinance 2015-07
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

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

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF

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MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolution 2015-100 Authorizing the Payment of Bills

Mr. Underhill noted that the item on the manual bills list that Council questioned at the previous meeting was for a tax overpayment that the Council had previously approved by resolution.

Councilmember Misiura moved Resolution 2015-100, Council President Hansen seconded.

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

Resolution adopted 5-0.

Resolution 2015-100

*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 \$ from the

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following accounts:

Current		\$75,489.83
W/S Operating		66,057.50
General Capital		13,177.95
Water/Sewer Capital		0.00
Grant		0.00
Trust		5,557.19
Housing Trust		0.00
Animal Control		63.80
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>2,703.75</u>
Total		<u>\$ 163,050.02</u>

Resolution 2015-101 Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2015 Budget

Council President Hansen moved Resolution 2015-101; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2015-101

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2015 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2015 temporary budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes above mentioned; and

WHEREAS, it is the desire of the Mayor and Council to create emergency temporary appropriations as set forth on Schedule "A," attached; and

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2015 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	273,700.00	139,800.00	413,500.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	200,000.00	300,000.00	500,000.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	473,700.00	439,800.00	913,500.00

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2015 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Treasurer.

Temporary Appropriation No. 3
April 6, 2015

Current Fund

Mayor & Council S/W	\$1,500.00
Municipal Clerk S/W	\$5,000.00
Collection of Taxes S/W	\$2,000.00
Assessment of Taxes S/W	\$2,000.00
Public Safety S/W	\$100,000.00
Police & Fire Communications S/W	\$20,000.00
Uniform Fire Safety S/W	\$10,000.00
Streets & Roads S/W	\$10,000.00
Sanitation/Solid Waste S/W	\$15,000.00
Recycles S/W	\$5,000.00
Board of Health S/W	\$10,000.00
State Uniform Constr Code S/W	\$5,000.00
Engineering O/E	\$2,000.00
Insurance O/E	\$50,000.00
Municipal Prosecutor O/E	\$1,200.00
Vehicle Maintenance O/E	\$5,000.00
Electric O/E	\$5,000.00
Street Lighting O/E	\$5,000.00
Gas, Heating Oil O/E	\$5,000.00
Social Security O/E	\$10,000.00
Shared Services-Roosevelt Clerk	\$5,000.00
TOTAL CURRENT FUND	\$273,700.00
Water & Sewer O/E	\$100,000.00
Water & Sewer S/W	\$100,000.00
TOTAL WATER & SEWER	\$200,000.00
Total Temporary Appropriation	\$473,700.00

Resolution 2015-102 Amending Resolution 2015-47 Appointing and Authorizing an Agreement for Professional Auditor Services – William E. Antonides, Jr., C.P.A., R.M.A.

Council President Hansen moved Resolution 2015-101; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2015-102

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

**AMENDING RESOLUTION 2015-47 APPOINTING AND AUTHORIZING AN AGREEMENT
FOR PROFESSIONAL AUDITOR SERVICES – WILLIAM E. ANTONIDES, JR., C.P.A.,
R.M.A.**

WHEREAS, resolution 2015-47 appointed and authorized an agreement for Professional Services for an Auditor for the year 2015; and

WHEREAS, the resolution stated that the anticipated term of this contract is for one (1) year, and it may only be renewed upon further action of the Borough Council; and

WHEREAS, the resolution should have stated that the term of the contract shall be until completion of the audit for the budget year 2015.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Borough Council of the Borough of Hightstown that resolution 2015-47 is hereby amended to state that the term of the contract shall be until completion of the audit for the budget year 2015.

2015-103 Appointing a Crossing Guard – Bryan P. Conlon

Council President Hansen moved Resolution 2015-103; Councilmember Kurs seconded.

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

Resolution adopted 5-0.

Resolution 2015-103

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

APPOINTING A CROSSING GUARD – BRYAN P. CONLON

WHEREAS, the Mayor and Borough Council recognize that there is a need to hire a Crossing Guard; and,

WHEREAS, Lt. Frank Gendron has recommended that Bryan P. Conlon of East Windsor, New Jersey be appointed as a Crossing Guard for the Borough of Hightstown Police Department; and,

WHEREAS, Bryan P. Conlon has completed and passed the required evaluations and background investigations.

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown that Bryan P. Conlon is hereby appointed as a Crossing Guard effective March 18, 2015, for the remainder of calendar year 2015.

BE IT FURTHER RESOLVED that Ryan S. Buck shall not be eligible for the following: (1) pay and/or time off for any leave (vacation, holiday, sick leave, personal days, etc); (2) overtime (whether in pay and/or compensatory time off); and, (3) health/insurance benefits of any kind from the Borough of Hightstown.

2015-104 Authorizing Receipt of Bids for Solid Waste Dumpster Service

Council President Hansen moved Resolution 2015-104; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2015-104

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

AUTHORIZING RECEIPT OF BIDS FOR SOLID WASTE DUMPSTER SERVICE

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 for Solid Waste Disposal Service and that the Borough is authorized to receive same after proper advertisement.

2015-105 Extending a Contract for Solid Waste Dumpster Service – Sakoutis Brothers Disposal, Inc.

Council President Hansen moved Resolution 2015-105; Councilmember Kurs seconded.

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

Resolution adopted 5-0.

Resolution 2015-105

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

EXTENDING A CONTRACT FOR SOLID WASTE DUMPSTER SERVICE – SAKOUTIS BROTHERS DISPOSAL, INC.

WHEREAS, four (4) bids were received on June 9, 2010 for Solid Waste Dumpster Service; and,

WHEREAS, the contract was awarded to Sakoutis Brothers Disposal, Inc., of Colts Neck, New Jersey; and,

WHEREAS, pursuant to N.J.S. A. 40A:11 – 15 (3) the bid was for a period of five (5) years, said contract being awarded for a period of one (1) year with the Borough reserving the right to renew at the end of each one-year contract period for a total aggregate contract period of five (5) years; and,

WHEREAS, the final fifth year of the contract is set to expire on June 30, 2015; and,

WHEREAS, the Purchasing Agent has reached out to the vendor who has agreed to continue their service under the present contract through July 31, 2015 in order to allow proper time for the bid and award process; and

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WHEREAS, funds for this expenditure will be made available in the 2015 budget; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the present contract for Solid Waste Dumpster Service in Hightstown Borough is hereby extended with Sakoutis Brother Disposal, Inc. of Colts Neck, New Jersey for an additional month ending July 31, 2015 in the amount of \$2,437.50.

2015-106 Making and Confirming an Appointment to the Hightstown Borough Environmental Commission

Councilmember Misiura moved Resolution 2015-106; Councilmember Montferrat seconded.

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

Resolution adopted 5-0.

Resolution 2015-106

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

**MAKING AND CONFIRMING AN APPOINTMENT TO THE HIGHTSTOWN BOROUGH
ENVIRONMENTAL COMMISSION**

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

Renato A. DiLorenzo

Ux. 3 yrs.

December 31, 2016

COAH

Mayor Quattrone asked the Borough Planner, Tamara Lee, to begin this discussion. Ms. Lee reviewed the recent COAH rulings which made COAH non-functional and assigned the determinations to trial courts within 90 days using the rules in rounds one and two. She noted that it is unsure how this will work; she reviewed the possible process. The Borough can submit a plan to the courts between June 8th and July 8th, and if not the Borough could be challenged giving developers/builders the opportunity to come in and do as they please, and the Borough needs to be protected; the last complete plan was in 2008 and the Borough should submit a complete updated plan between these dates. She continued that the Borough should include what the Borough can from the old plan and argue for a reasonable number using census data to prove we are providing affordable housing. Ms. Lee then reviewed various plan options and noted that the plan must come from the Planning Board as part of the Master plan and that the Borough needs to move forward as there is not a lot of time. She commented that the Borough could put into the plan that the Borough will be utilizing zoning overlays, the zoning will not have to be done now.

There was discussion regarding the need to update the plan, overlay zoning, possible challenges, property eligibility, presenting a balanced spending plan, the need to present a tight plan that is reasonable, and submission of a draft plan. The Planner requested direction from Council to go to the Planning Board to develop the updated plan. Council directed the Planner to move forward with working with the Planning Board to develop an updated plan.

Snow Parking Ordinance

Mayor Quattrone called forward Ken Lewis, DPW Superintendent. Mr. Lewis noted that there is a need for parking restrictions on narrow streets when they are snow covered. It was noted that the residents have driveways, but still park in the street, restricting the Borough's ability from proper plowing and requiring that the snow is trucked off the streets with limited resources. A lot of the streets have to be re-plowed due to the vehicle parking, causing the re-covering of sidewalks and driveways which institutes complaints.

There was discussion regarding narrow streets, lack of visibility, process for snow removal, the parking ordinance and enforcement, and the time spent on hauling snow. Mayor Quattrone asked that this item be brought forward for further

discussion at a future meeting since Councilmember Stults is absent and he had concern with where residents will park. Mr. Lewis was instructed to provide a copy of Brick Township's ordinance as an example of how this can be done.

Parking Permit Ordinance

Mayor Quattrone noted that this amendment was brought forward by the police department because they are having trouble with enforcement. They are requesting that the parking permit must be visible in the vehicle at the time of using the parking lot. It was noted that the ordinance needs enforcement and that the permit should be clearly visible in the vehicle. Council agreed that an amendment should be made to the ordinance to assist the police with enforcement.

Hutchinson Street Update

Carmela Roberts, Borough Engineer, stated that they had a meeting with the resident of Hutchinson Street and three of the five rights-of-way have been signed. If the other two residents do not sign, the improvements will have to be placed in the Borough right-of-way, putting the sidewalk next to the curb with no grass; and the trees removed will not be able to be replaced in the location where they were taken out. The Borough will have to put the trees elsewhere, as the Borough is committed to replacing the same number of trees that were removed for the project.

There was discussion regarding alternate methods of acquiring permission for the right-of-way entry, the survey provided by the resident being accepted, and a planned meeting with the Engineers office and two residents.

Tax Abatement

Councilmember Misiura noted that he brought this forward because historic older properties in the Borough have deteriorated and require renovation; there is a program available and flexibility in the ordinance. He inquired if a committee should be formed to consider an ordinance.

The Borough Attorney advised that having this considered at a committee level is a good way to handle it; they can then bring it back to Council. It merits investigation; it is a good tool to encourage property owners to reinvest in their properties. Mr. Underhill noted that the Assessor is familiar with this type of ordinance and can assist with the formulation and advice. It was decided that Council members Misiura and Montferat, along with a member of the Planning Board, will investigate this ordinance and then come back to Council with their findings.

Shared Services Agreement – East Windsor Senior Center

The Borough Clerk advised that the agreement is up for renewal and noted that the increased cost is minimal. After review and discussion it was decided that the renewal of this agreement should be on the next agenda.

Summer Hours

Mr. Underhill explained that the Borough has had summer hours for the Borough Hall offices for many years; residents like the extended hours for the availability to come to the office and conduct business before and after work. He noted that due to the minimal staff, a rotation of hours is not feasible for Hightstown. Councilmember Kurs opposed the summer hours, noting that if it is advantageous to the residents the proposed hours should be all year around, not just in the summer. Borough Clerk Sopronyi noted that due to Council concern regarding a four day weekend for the Fourth of July holiday, the employees will be given a floater day that can be used during the summer hour schedule; this will keep the Borough Hall holiday weekend to three days.

After further discussion, the Borough Clerk was directed to put a resolution authorizing summer hours on the next agenda.

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

Doug Mair, 536 S. Main Street – suggested that stickers be used for parking permits; commented that if the sidewalk is moved on Hutchinson Street the plows will hit it when plowing snow; tax abatement is a good idea and the HPC should spearhead the project, and the Wyckoff Mills residents did not get tax abatement; with the bond ordinances the water/sewer budget was \$3M last year, \$1M more than the police, where are our priorities?

Sandra Johnson, 301 Lincoln Avenue – inquired if she is meeting with the Engineer tomorrow evening and if there is a plan for planting the trees; Commented that there are 8 or 9 trees on Lincoln Avenue and inquired as to whether they are included in the plans.

Rob Thibault, 504 S. Main Street – commented that there is a lot of disregard for the residents tonight; no plan for the April 6, 2015

trees, the Reed Street resident letters. Government should be open five days per week. You are charging \$75 for a parking permit for people that are already here, but are offering a tax abatement which will cause an undue burden on taxpayers. We heard at the last meeting that an employee was threatened with physical harm by a supervisor and he hopes it is being investigated and taken seriously.

Eugene Sarafin, 628 S. Main Street – commented that criticism is based on a lack of knowledge and suggested that they be added to committees so they can be educated; recommended that discussion with East Windsor cease as he is upset with the public challenge regarding the Better Beginnings Ball, go to Robbinsville.

Scott Caster, 12 Clover Lane – commented that downtown needs attention as there is no shopping for goods.

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

Mayor/Council/Administrative Comments and Committee Reports

Councilmember Bluth – noted that the Parks & Recreation meeting is this week.

Councilmember Montferrat – noted that he is working to get 501 Main Street placed on the list of Historic Places; there is a request forthcoming to use the Memorial Parking lot for a cultural festival.

Councilmember Misiura – noted that he attended the Housing Authority meeting and they are installing security cameras, it has been determined that the Borough will not be contributing toward the cost because they will not be of benefit to the police; the units are at 99% occupancy and they are renovating the community room; the Environmental Commission meeting is scheduled for the 28th; Arbor Day will be celebrated on April 18th; people say statements that are one sided and cannot be refuted.

Councilmember Kurs – advised that it was reported that there is a lack of foot patrols at the Housing Authority and he then gave statistics on the foot patrols noting that there has been no reduction in the patrols at the Housing Authority; there was an issue with trash removal on Wilson Avenue and it was promptly resolved by Ken Lewis; there was information regarding the water department turbines but they were found not to be suitable for Hightstown, he then thanked the Borough Engineer for reviewing the data.

Council President Hansen – noted that she attended the Cultural Arts Commission meeting and they are working on a plan; the water/sewer department is working on coverage for vacations and etc. due to staffing issues; they are also discussing equipment at the plants, there are no options available for the Borough not to run its own water and sewer plants; there is a lot said that Council cannot respond to and it is tainted and one sided; the budget is schedule for introduction on April 20th.

Borough Administrator Underhill – noted that there were two public budget meetings held, but there was no public present; he, nor Council, can comment regarding personnel matters; he will follow up on the matter with Mr. Lentini; the Borough has very good staff and they are concerned with providing good public service; he will include additional information in his memo to Council on Friday.

George Lang, CFO – the budget is scheduled for introduction on April 20th, with the public hearing and adoption for the second meeting in May.

Mayor Quattrone – advised that the CFO has met with FEMA and is cleaning up loose ends; commented that there are things that keep coming to the podium that can't be discussed; he does not understand why the residents of the Borough come forward to blacken the eye of the Borough, they should be concentrating on the good in the Borough and letting people know what a great town we live in.

Resolution 2015-107 Authorizing a Meeting Which Excludes the Public

Council President Hansen moved Resolution 2015-107. Councilmember Montferrat seconded.

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

Resolution Adopted 5-0.

Resolution 2015-107

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

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on April 6, 2015 directly following the general meeting in the First Aid Building located at 168 Bank Street, Hightstown that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

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

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

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: July 6, 2015 or when the need for confidentiality no longer exists.

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

Council adjourned into Executive Session at 11:15 p.m.

Council reconvened into public at 11:25pm

Councilmember Misiura moved to adjourn at 11:25pm, Council President Hansen seconded. All Ayes.

Respectfully Submitted,

Debra L. Sopronyi
Borough Clerk

April 6, 2015

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