

Meeting Minutes
Hightstown Borough Council
Regular Meeting
September 20, 2010 6:30 pm

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

ROLL CALL

	PRESENT	ABSENT
<i>Councilmember Bond</i>	✓	
<i>Councilmember McGinty</i>	✓	
<i>Councilmember Musing</i>		✓
<i>Councilmember Quattrone</i>	✓	
<i>Councilmember Sikorski</i>	✓	
<i>Mayor Patten</i>	✓	

Also in attendance: Debra Sopronyi, Borough Clerk; Herbert Massa, Borough Administrator; and Frederick Raffetto, Borough Attorney;

Resolution 2010-203 Executive Session

The Borough Attorney requested that Minute Maid Litigation and Attorney-Client Privilege be added to the resolution.

Council President Quattrone moved resolution 2010-203, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Resolution adopted, 4-0

Resolution 2010-203

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 September 20, 2010 at approximately 6:30 p.m. in the Council Chambers 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:

Litigation – Minute Maid

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: December 20, 2010, 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 re-convened into open session at 7:37pm.

The meeting was called to order by Mayor Patten at 7:37pm 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 advertised in the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The Flag Salute was followed by Roll call which had remained the same.

Council President Quattrone motioned to accept the agenda, Councilmember Sikorski seconded; all approved.

Approval of Minutes

Council President Quattrone moved the minutes of the March 29, 2010 budget session meeting, Councilmember Sikorski seconded; all approved. Minutes approved 4-0

Council President Quattrone moved the minutes of the May 10, 2010 budget session meeting, Councilmember Sikorski seconded; all approved. Minutes approved 4-0

Council President Quattrone moved the minutes of the May 17, 2010 executive session meeting, Councilmember Sikorski seconded; all approved. Minutes approved 4-0

Council President Quattrone moved the minutes of the May 17, 2010 open session meeting as amended, Councilmember Sikorski seconded; all approved. Minutes approved 4-0

Council President Quattrone moved the minutes of the June 21, 2010 executive session meeting, Councilmember Sikorski seconded; all approved. Minutes approved 4-0

Presentation

Ms. Joan McGee of the Stony Brook-Millstone Watershed Association presented the assessment report performed and explained the process taken; she also advised of results from Water Quality Monitoring for E. Coli Bacteria and informed that this is being closely monitored. The assessment recommended that the Borough adopt ordinances and perform an Environmental Resource Inventory. Ms. McGee ended by offering assistance to the Borough should they decide to move forward with the implementation of the recommendations. There was a question and answer period.

The Mayor opened the floor for Public Comment Period I. The following individuals spoke during the public comment period: Anna Harewood, 320 Park Avenue; Lynne Woods, 315 Park Avenue; Rob Thibault, 504 S. Main Street; Gail Doran, 201 Hutchinson Street; Gabe Morales, 317 Park Avenue.

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

Ordinance 2010-12 Public Hearing and Final Reading: Amending Section 26-9 of the Revised General Ordinances of the Borough of Hightstown Regarding Subdivision, Site Plan, Variance Checklists for Development Applications Filed Pursuant to Hightstown Development Regulations

Mr. Massa, Borough Administrator, gave a review of the ordinance.

The Mayor opened the public hearing on Ordinance 2010-12. There being no comments, the Mayor closed the Public Hearing.

Council President Quattrone moved for adoption of ordinance 2010-12, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Ordinance adopted, 4-0

ORDINANCE 2010-12

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

AMENDING SECTION 26-9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN REGARDING SUBDIVISION, SITE PLAN, VARIANCE CHECKLISTS FOR

DEVELOPMENT APPLICATIONS FILED PURSUANT TO HIGHTSTOWN DEVELOPMENT REGULATIONS

WHEREAS, the Planning Board has found it necessary to update the checklist requirements for development applications filed pursuant to Hightstown Development Regulations; and

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

Section 1.Section 26-9 of the Revised General Ordinances of the Borough of Hightstown is hereby amended as follows (Cross-outs are deletions and underlines are additions):

Section 26-9

SUBDIVISION AND SITE PLAN CHECKLISTS

Subsections:

26-9-00 ~~_____~~ **Filing.**

26-9-1 ~~_____~~ **Checklist for Subdivision Plans.**

26-9-2 ~~_____~~ **Checklist for Site Plan Approval.**

26-9-3 ~~_____~~ **Checklist for Variance Application.**

26-9-4 ~~_____~~ **Checklist for Sign Variance Application**

Subsection 26-9-00 ~~_____~~ **Filing.**

Applicants seeking subdivision, site plan and/or variance approval shall file twenty one (21) completed copies of the following checklist along with the information and documents required therein. No application will be deemed complete until all of the appropriate checklists are complied with and all fees are paid. (Ord. No. 2009-12)

Subsection 26-9-1 Checklist for Subdivision Plans.

a. ~~_____~~ Requirements.

~~_____~~ MAJOR SUBDIVISION:

~~_____~~ 1. ~~Designed, drawn, signed and sealed by NJPE, LS or AIA as appropriate.~~

~~_____~~ 2. ~~Title block as prescribed by N.J.S.A. 13:40-1.~~

~~_____~~ 3. ~~A north arrow with reference meridian.~~

~~_____~~ 4. ~~Twenty one (21) copies of all drawings and documents. Fifteen (15) sets of drawings shall be half size with graphical scale and six (6) sets of drawings shall be full size.~~

~~_____~~ 5. ~~List of waivers requested.~~

~~_____~~ 6. ~~List of variances requested from the Planning Board by section of Ordinance.~~

~~_____~~ 7. ~~Key map showing the tract in question; north arrow; zoning; tax lot numbers, tax block numbers, owners names as identified on certified list provided by Borough and all lots within 200 feet of total tract; Municipal Boundaries; signature and seal of licensed professional; names and addresses of owner, applicant and professional preparing the map; owner's certification; zoning data for each zone with all proposed data and deficiencies listed; number of proposed lots.~~

~~_____~~ 8. ~~A boundary and topographic survey of the total tract as required by N.J.A.C. 13:40-7.2 signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5. Topography within 200 feet from the subdivision boundary shall be shown. All topography shall be based on NGVD 1929 datum.~~

~~_____~~ 9. ~~Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.~~

~~_____~~ 10. ~~Subdivision plan showing existing topography; all existing and proposed lot lines, lot dimensions, locations of on-site structures with dimensions to proposed lots (if remaining after subdivision); wetland boundaries and areas;~~

flood hazard boundaries and areas; all easement boundaries and areas; all proposed streets showing name; right of way width and cartway widths; common driveway locations; proposed widened roadway widths along frontage of lot; sight triangle easements and boundaries; and a tabulation of zoning requirements showing zone(s) in which lot is located, bulk requirements of zone(s), bulk requirements proposed by application (including conditional or accessory use requirements) and density.

- ~~11. Grading and Drainage Plan detailing all provisions for collecting and discharging storm water runoff shall be made. A composite grading and drainage plan of the entire development identifying the individual NGVD 1929 elevations at all high and low points, breaks in grade, corners of tentative house locations on each lot and lot corners shall be shown. Existing and proposed contours with intervals of one foot.~~
- ~~12. A plan and centerline profile for all proposed roadways showing existing and proposed elevations; storm and sanitary sewer piping, storm water inlet locations, inverts, slopes, horizontal offset dimensions, grate or rim elevations; curb lines and locations; proposed contours; water mains and valves.~~
- ~~13. Profiles for all diversion swales, waterways, storm sewer pipe and any other conduit not shown on roadway plan and profile sheets shall be provided.~~
- ~~14. Stormwater Management Submission, including the following in accordance with Section 25-9 of the *Revised General Ordinances of the Borough of Hightstown*:~~
 - ~~a. Topographic base map~~
 - ~~b. Environmental Impact Assessment, pursuant to Section 26-8 of the *Revised General Ordinances of the Borough of Hightstown*~~
 - ~~c. Project Description and Site Plan~~
 - ~~d. Land Use Planning & Source Control Plan~~
 - ~~e. Stormwater Management Facilities Map~~
 - ~~f. Hydrologic and Hydraulic Calculations~~
 - ~~g. Maintenance & Repair Plan~~
- ~~15. Plan and centerline profiles for widening of all existing roadways.~~
- ~~16. Half cross sections along the side of all existing roadways to be widened.~~
- ~~17. Typical construction details. Details shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared end section; underdrain; curb; curb end treatment, depressed curb; sidewalk; handicap ramp; street signs; warning and regulatory signs; sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; sanitary main; manholes and laterals; water main, valves and house services; and other details deemed appropriate by the Borough Engineer.~~
- ~~18. A landscaping plan showing the site, all existing and proposed topography, existing on site tree groupings and off site tree groupings within 200 feet; typical planting details; landscaping notations and details showing detailed locations of proposed plant materials; and enlarged details for individual units, landscaped islands, and landscaped berms. All trees and tree groups shown shall be classified as to greater size and species. The landscape plan shall be signed and sealed by a New Jersey Certified Landscape Architect.~~
- ~~19. Proposed lighting. Fixtures shall be placed at all intersections and at permanently located cul de sacs. Details shall include the proposed fixture type, height, color, wattage and type of light.~~
- ~~20. Architectural plans showing, as a minimum, the first floor plan and front, rear and side elevations of all proposed principal buildings and structures and all accessory buildings and structures, and their materials and treatment.~~

~~21. Community Impact Statement, pursuant to Ordinance Section 26-7.~~

~~22. Environmental Impact Assessment pursuant to Ordinance Section 26-8.~~

~~23. A traffic report and analysis including but not limited to existing and background peak hour traffic volumes and distribution patterns; peak hour on-site generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of adequacy of proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analyses of need for number of loading bays; existing and proposed levels of service and volume/capacity ratios; adequacy of proposed sight distances; analyses of need for roadway striping, signage of reflectorization; need for signalization and a summary recommendation and conclusions for the analysis.~~

~~24. Contribution Disclosure Statement, pursuant to Subsection 26-9.5 of the Revised General Ordinances of the Borough of Hightstown.~~

~~25. Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. Certified list of property owners obtained from Borough Tax Assessor and Affidavit along with certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page) shall be submitted to Planning Board Secretary at least forty-eight (48) hours prior to hearing.~~

MINOR SUBDIVISION:

~~1. Designed, drawn, signed and sealed by NJPE, LS or AIA as appropriate.~~

~~2. Name, title and address of applicant, owner and person preparing application.~~

~~3. Place for signature of owner with owner's consent statement.~~

~~4. Twenty-one (21) copies of all drawings and documents. Fifteen (15) sets of drawings shall be half-size with graphical scale and six (6) sets of drawings shall be full-size.~~

~~5. Place for signature of Chairman and Secretary of Planning Board.~~

~~6. Place for signature of Borough Engineer.~~

~~7. Tax map lot and block numbers.~~

~~8. Date, scale and north arrow with reference meridian (scale must be not less than 1" = 50 feet).~~

~~9. Key map showing the tract in question; all tax lots and blocks within two hundred (200) feet; municipal boundaries; streams, waterways and public roadways within two hundred (200) feet.~~

~~10. A boundary survey of the total tract signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5.~~

~~11. Plan of existing and proposed lot lines showing bearings and dimensions of all lots including the lands remaining to nearest 1/100th foot and areas to nearest 1/100th acre; all setbacks with typical dimensions; and dimensions to all existing structures; wetlands boundaries; 100-year flood hazard limit line.~~

~~12. Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures.~~

~~13. List of tax blocks and lots with owners within 200 feet of lot being subdivided as shown on certified list provided by Borough.~~

~~14. Location and general specific classification of all existing on-site tree masses.~~

~~15. Identification of existing on-site physical features including soils, geology, stream and water courses, rock outcrops and 100-year flood hazard area.~~

- ~~_____ 16. Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.~~
- ~~_____ 17. All rights of way, easements and lands to be dedicated to the municipality or reserved for specific uses shall be shown and dimensioned with areas to the nearest 1/100th acre.~~
- ~~_____ 18. Provisions for collecting and discharging storm water runoff. A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify finished floor elevations, all high and low points and breaks in grade and tentative elevation at the corners of house locations on each lot.~~
- ~~_____ 19. All existing and proposed utility service lines and laterals on-site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, connections and underground electric and phone service.~~

~~b. Additional Instructions and Notes for Applicants:~~

- ~~1. Plans will be reviewed by the Borough Engineer, Zoning Officer, Planning Consultants and other interested parties.~~
- ~~2. In addition, the Mercer County Planning Board will review the plat and make comments.~~
- ~~3. The applicant must submit proof that no taxes or assessments for local improvements are due or delinquent on the property for which subdivision application is made.~~
- ~~4. The applicant shall give public notice by publication in the official newspaper of the Borough at least ten (10) days prior to the date of the hearing.~~
- ~~5. Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page), shall be submitted to the Planning Board Secretary at least forty eight (48) hours prior to the hearing.~~
- ~~6. Notice shall be sent to the following:~~
 - ~~(a) Adjoining municipality if the property is located within two hundred (200) feet.~~
 - ~~(b) The County Planning Board if the property is adjacent to a County road.~~
 - ~~(c) The Commissioner of Transportation, if the property is adjacent to a State highway.~~
- ~~7. Proof of service must be submitted to the Planning Board Secretary prior to the hearing.~~
- ~~8. The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. No application shall be declared incomplete for lack of such additional information. (Ord. No. 2005-15; Ord. No. 2006-28; Ord. No. 2009-12)~~

~~Subsection 26-9-2 Checklist for Site Plan Approval.~~

~~a. Requirements:~~

- ~~_____ 1. Designed, drawn, signed and sealed by NJPE, LS or AIA as appropriate.~~
- ~~_____ 2. Name, title and address of applicant, owner and person preparing application.~~
- ~~_____ 3. Place for signature of chairman and secretary of Planning Board.~~
- ~~_____ 4. Place for signature of Borough Engineer.~~
- ~~_____ 5. Twenty one (21) copies of all drawings and documents. Fifteen (15) sets of drawings shall be half-size with graphical scale and six (6) sets of drawings shall be full size.~~
- ~~_____ 6. List of waivers requested.~~
- ~~_____ 7. List of variances requested from the Planning Board by section of Ordinance.~~

- ~~8. Tax map lot and block numbers.~~
- ~~9. Date, scale and north arrow with reference meridian.~~
- ~~10. Key map of the site with reference to surrounding areas and to existing street locations, containing existing buildings and lot lines within two hundred (200) feet of the site.~~
- ~~11. Boundary and topographic survey of the total tract as required by N.J.A.C. 13:40-7.2, signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5. Topography within 200 feet of the boundary shall be shown and a reference datum indicated.~~
- ~~12. Zone district in which property in question falls, zone district of adjoining properties and all property within a two hundred (200) foot radius of the property in question.~~
- ~~13. Names of owners of all contiguous land and adjacent property within two hundred (200) feet as per certified list obtained from the Borough.~~
- ~~14. Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data existing and proposed. All variance conditions are to be noted as such.~~
- ~~15. The entire property in question even though only a portion of said property is involved in the site plan.~~
- ~~15A. The outside dimensions of existing and/or proposed principal buildings(s) and all accessory structures.~~
- ~~16. Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.~~
- ~~17. Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc.~~
- ~~18. All driveways, streets, buildings and lot lines within two hundred (200) feet of site.~~
- ~~19. All existing and proposed curbs and sidewalks.~~
- ~~20. All existing and proposed utility lines within and adjacent to the subject property and full explanation of source of water supply and means of sewage disposal.~~
- ~~21. Rights of way, easements and all lands to be dedicated to the municipality or reserved for specific uses.~~
- ~~22. A grading plan with existing and proposed contours at one foot intervals and finished first floor elevations. Additional spot elevations may be required to determine slopes in "critical" areas as deemed appropriate by the Borough Engineer.~~
- ~~23. Plans and centerline profiles shall be provided for widening of all existing roadways.~~
- ~~24. Half cross sections, 50 feet on center, shall be provided along the side of all widened existing roadways.~~
- ~~25. Dimensions of lot, setbacks, front yard, side yards and rear yard; size, kind and location of fences.~~
- ~~26. Drainage plan showing location of existing and proposed manholes, inlets, pipes, inverts, rims, grates, swales, berms, and other storm drainage facilities, including roof leaders. All pipe slopes, lengths and materials are to be identified.~~
- ~~27. Storm drainage profiles for all diversion swales, waterways, storm sewer pipe and any other conduit not shown on roadway plan and profile sheets shall be provided.~~
- ~~28. Stormwater Management Submission, including the following in accordance with Section 25-9 of the Revised General Ordinances of the Borough of Hightstown:~~

~~a. Topographic base map~~

~~_____ b. Environmental Impact Assessment, pursuant to Section 26-8 of the Revised General Ordinances of the Borough of Hightstown~~

~~_____ c. Project Description and Site Plan~~

~~_____ d. Land Use Planning & Source Control Plan~~

~~_____ e. Stormwater Management Facilities Map~~

~~_____ f. Hydrologic and Hydraulic Calculations~~

~~_____ g. Maintenance & Repair Plan~~

~~_____ 29. Location, dimensions and details of all signs.~~

~~_____ 30. Typical construction details shall be provided. Details to be shown shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared end section; underdrain; curb; curb end treatment, depressed curb; sidewalk; handicap ramp; street signs; warning and regulatory signs; sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; and all retaining wall details; and other details deemed appropriate by the Borough Engineer.~~

~~_____ 31. A landscaping plan showing the site, all existing and proposed topography, existing on-site tree groupings and off-site tree groupings within 200 feet; typical planting details; detailed locations of proposed plant materials; and enlarged details for individual multi-family units, landscaped islands, and landscaped berms. All trees and tree groups shown shall be classified as to general size and species. Proposed materials with a fall planting hazard are to be noted as such.~~

~~_____ 32. Plans of off-street parking, parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress.~~

~~_____ 33. Details of all proposed outdoor lighting including site lighting stanchion locations including the 0.5 foot candle boundary limit in plan form, details showing type of light(s), height of light(s), style of light(s), typical footing detail; typical illumination pattern (to Scale); color and wattage of lights; all lighting details may be included on the landscaping plan.~~

~~_____ 34. Architectural plans showing, as a minimum, the first floor plan and front, rear and side elevations of all proposed principal buildings and structures and all accessory buildings and structures, and their materials and treatment.~~

~~_____ 35. Submission of Community Impact Statement, pursuant to Section 26-7.~~

~~_____ 36. Submission of Environmental Impact Assessment, pursuant to Section 26-8.~~

~~_____ 37. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown.~~

~~b. The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. No application shall be declared incomplete for lack of such additional information. (Ord. No. 2005-15; Ord. No. 2006-28; Ord. No. 2009-12)~~

Subsection 26-9-3 Checklist for Variance Application.

Applicants seeking variance relief shall file twenty-one (21) completed copies of the following checklist along with the information and documents required therein:

~~_____ 1. Twenty-one (21) copies of completed application.~~

~~_____ 2. Twenty-one (21) copies of survey showing location of existing and proposed structures on subject.~~

- ~~_____ 3. Twenty one (21) copies of plans of the proposed structure which describe its appearance and prove its compliance with building codes.~~
- ~~_____ 4. Letter from Borough Tax Collector indicating that taxes are paid to date.~~
- ~~_____ 5. Affidavit of Publication of Notice of Hearing in Hightstown Gazette or Trenton Times at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).~~
- ~~_____ 6. Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. Certified list of property owners obtained from Borough Tax Assessor and Affidavit along with certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page) shall be submitted to Planning Board Secretary at least forty-eight (48) hours prior to hearing.~~
- ~~_____ 7. Payment of applicable fees and escrow accounts.~~
- ~~_____ 8. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown. (Ord. No. 2006-28; Ord. No. 2009-12)~~

Subsection 26-9-4 Checklist for Sign Variance Application

Applicants seeking sign variance relief shall file eighteen (18) completed copies of the following checklist along with the information and documents required therein:

- ~~_____ 1. Eighteen (18) copies of completed application.~~
- ~~_____ 2. Eighteen (18) copies of photo or sketch with dimension of sign(s) desired.~~
- ~~_____ 3. Letter from Borough Tax Collector indicating that taxes are paid to date.~~
- ~~_____ 4. Affidavit of Publication of Notice of Hearing in Hightstown Gazette or Trenton Times at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).~~
- ~~_____ 5. Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. Certified list of property owners obtained from Borough Tax Assessor and Affidavit along with certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page) shall be submitted to Planning Board Secretary at least forty-eight (48) hours prior to hearing.~~
- ~~_____ 6. Payment of applicable fees.~~
- ~~_____ 7. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown. (Ord. No. 2006-28; Ord. No. 2009-12)~~

SUBDIVISION, SITE PLAN, VARIANCE AND SIGN VARIANCE CHECKLISTS FOR DEVELOPMENT APPLICATIONS FILED PURSUANT TO HIGHTSTOWN DEVELOPMENT REGULATIONS

Subsections:

- 26-9-00 Filing and Completeness of All Applications.**
- 26-9-1 Checklist for Subdivisions.**
- 26-9-2 Checklist for Site Plans.**
- 26-9-3 Checklist for Variances.**
- 26-9-4 Checklist for Sign Variances.**

Subsection 26-9-00 Filing and Completeness of All Applications.

Applicants seeking subdivision, site plan and/or variance approvals shall file with the Planning Board Secretary twenty-one (21) completed copies of a completed application and the applicable Checklist with all plans, information and documents required

therein. Applicants must organize and collate all information presented into twenty-one (21) individual packages and all plans shall be folded with the Title Block showing. No application will be accepted and/or deemed complete and placed on a Planning Board Agenda until the appropriate checklist is completed in full, all fees and escrow (if applicable) are paid, a completed W-9 provided, and plans and documents presented in collated form. Notices of hearings shall not be published or served until the application is deemed to be complete and a date scheduled for Public Hearing. All N.J. corporations and business entities, except sole proprietorships, must be represented by a N.J. Licensed Attorney in appearances before the Planning Board involving the practice of law, as defined by the N.J. Supreme Court, where witnesses are examined, legal authority is cited and laws and ordinances are interpreted.

All complete applications must be submitted no less than thirty-one (31) calendar days prior to the next available Planning Board Meeting date or will not be considered until the following Meeting date. However, the scheduling of a complete application on a Planning Board Agenda shall depend on the Board's business and shall be at the discretion of the Board Chair.

N.J.S.A. 40:55D-48.1 and 48.2 require that corporations or partnerships applying to the Planning Board for permission to subdivide land into six (6) or more lots, a variance to construct a multiple dwelling of twenty-five (25) or more units, or to use a site for commercial purposes, must disclose the names and address of all stockholders or individual partners owning at least ten percent (10%) stock or a ten percent (10%) or greater interest in the partnership.

Subsection 26-9-1 Checklist for Subdivisions.

a. Requirements for Preliminary Major Subdivision.

1. Designed, drawn, signed and sealed by a New Jersey licensed P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.
2. Title Block as prescribed by N.J.S.A. 13:40-8.
3. A north arrow with reference meridian.
4. Twenty-one (21) copies of a complete application and all drawings and documents. Fifteen (15) sets of drawings shall be half-size with graphical scale and six (6) sets of drawings shall be full-size.
5. List of all waivers requested.
6. List of all variances requested from the Planning Board by section of Ordinance.
7. Key map showing the tract in question; north arrow; zoning; tax lot numbers, tax block numbers, owners names as identified on certified list provided by Borough and all lots within 200 feet of total tract; Municipal Boundaries; signature and seal of licensed professional; names and addresses of owner, applicant and professional preparing the map; owner's certification of title and consent to file application; zoning data for each zone with all proposed data and deficiencies listed; number of proposed lots.
8. A boundary and topographic survey of the total tract as required by N.J.A.C. 13:40-7.2 signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5. Topography within 200 feet from the subdivision boundary shall be shown. All topography shall be based on NGVD 1929 datum.
9. Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.
10. Subdivision plan showing existing topography; all existing and proposed lot lines, lot dimensions, locations of on-site structures with dimensions to proposed lots (if remaining after subdivision); wetland boundaries and areas; flood hazard boundaries and areas; all easement boundaries and areas; all proposed streets showing name; right-of-way width and cartway widths; common driveway locations; proposed widened roadway widths along frontage of lot; sight triangle easements and boundaries; and a tabulation of zoning requirements showing zone(s) in which lot is located, bulk requirements of zone(s), bulk requirements proposed by application (including conditional or accessory use requirements) and density.
11. Grading and Drainage Plan detailing all provisions for collecting and discharging storm water runoff shall be made. A composite grading and drainage plan of the entire development identifying the individual NGVD 1929

elevations at all high and low points, breaks in grade, corners of tentative house locations on each lot and lot corners shall be shown. Existing and proposed contours with intervals of one foot.

12. A plan and centerline profile for all proposed roadways showing existing and proposed elevations; storm and sanitary sewer piping, storm water inlet locations, inverts, slopes, horizontal offset dimensions, grate or rim elevations; curb lines and locations; proposed contours; water mains and valves.

13. Profiles for all diversion swales, waterways, storm sewer pipe and any other conduit not shown on roadway plan and profile sheets shall be provided.

14. Stormwater Management Submission, including the following in accordance with Section 25-9 of the *Revised General Ordinances of the Borough of Hightstown*:

a. Topographic base map

b. Environmental Impact Assessment, pursuant to Section 26-8 of the *Revised General Ordinances of the Borough of Hightstown*

c. Project Description and Site Plan

d. Land Use Planning & Source Control Plan

e. Stormwater Management Facilities Map

f. Hydrologic and Hydraulic Calculations

g. Maintenance & Repair Plan

15. Plan and centerline profiles for widening of all existing roadways.

16. Half cross sections along the side of all existing roadways to be widened.

17. Typical construction details. Details shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared-end section; underdrain; curb; curb end treatment, depressed curb; sidewalk; handicap ramp; street signs; warning and regulatory signs; sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; sanitary main; manholes and laterals; water main, valves and house services; and other details deemed appropriate by the Borough Engineer.

18. A landscaping plan showing the site, all existing and proposed topography, existing on-site tree groupings and off-site tree groupings within 200 feet; typical planting details; landscaping notations and details showing detailed locations of proposed plant materials; and enlarged details for individual units, landscaped islands, and landscaped berms. All trees and tree groups shown shall be classified as to greater size and species. The landscape plan shall be signed and sealed by a New Jersey Certified Landscape Architect.

19. Proposed lighting. Fixtures shall be placed at all intersections and at permanently located cul-de-sacs. Details shall include the proposed fixture type, height, color, wattage and type of light.

20. Architectural plans showing, as a minimum, the first floor plan and front, rear and side elevations of all proposed principal buildings and structures and all accessory buildings and structures, and their materials and treatment.

21. Community Impact Statement, pursuant to Ordinance Section 26-7.

22. Environmental Impact Assessment pursuant to Ordinance Section 26-8.

23. A traffic report and analysis including but not limited to existing and background peak hour traffic volumes and distribution patterns; peak hour on-site generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of adequacy of proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analyses of need for number of loading bays; existing and proposed levels of service and volume/capacity

ratios; adequacy of proposed sight distances; analyses of need for roadway striping, signage of reflectorization; need for signalization and a summary recommendation and conclusions for the analysis.

24. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown.

25. Owner's Certification or Affidavit of Title prepared by an N.J. Attorney at Law or N.J. Title Company with Commitment to Insure and Consent to file the Application.

26. A draft public notice.

27. Places for signatures of Chairman, Secretary and Borough Engineer.

28. Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

29. Disclosure of ownership, if required, pursuant to N.J.S.A. 40:55D-48.1 and 48.2.

30. Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

b. Additional Instructions and Notes for All Applicants (Major Subdivision).

1. Plans may be reviewed by the Borough Engineer, Zoning Officer, Planning Consultants and other interested parties.

2. In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

3. The applicant shall give public notice by publication in the official newspaper of the Borough at least ten (10) days prior to the date of the hearing.

4. _____

(a) Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page), shall be submitted to the Planning Board Secretary at least forty-eight (48) hours prior to the hearing.

(b) Affidavit of Publication of Notice of Hearing in the official newspaper of the Borough at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).

5. Notice shall be sent to the following:

(a) Adjoining municipality (Clerk) if the property is located within two hundred (200') feet.

(b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.

(c) The Commissioner of Transportation, if the property is adjacent to a State Highway.

(d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.

6. The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

c. Requirements for Minor Subdivision.

1. Designed, drawn, signed and sealed by a New Jersey licensed .P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.
2. Title Block as prescribed by N.J.S.A. 13:40-8.
3. Place for signature of owner with owner's Certification of Title and Consent to file the application ~~statement~~, and name and address of applicant.
4. Twenty-one (21) copies of a complete application and all drawings and documents. Fifteen (15) sets of drawings shall be half-size with graphical scale and six (6) sets of drawings shall be full-size.
5. Place for signature of Chairman and Secretary of Planning Board.
6. Place for signature of Borough Engineer.
7. Tax map lot and block numbers.
8. Date, scale and north arrow with reference meridian (scale must be not less than 1" = 50 feet).
9. Key map showing the tract in question; all tax lots and blocks within two hundred (200) feet; municipal boundaries; streams, waterways and public roadways within two hundred (200) feet.
10. A boundary survey of the total tract signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5.
11. Plan of existing and proposed lot lines showing bearings and dimensions of all lots including the lands remaining to nearest 1/100th foot and areas to nearest 1/100th acre; all setbacks with typical dimensions; and dimensions to all existing structures; wetlands boundaries; 100 year flood hazard limit line.
12. Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures.
13. List of tax blocks and lots with owners within 200 feet of lot being subdivided as shown on certified list provided by Borough.
14. Location and general specific classification of all existing on-site tree masses.
15. Identification of existing on-site physical features including soils, geology, stream and water courses, rock out-crops and 100 year flood hazard area.
16. Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.
17. All rights-of-way, easements and lands to be dedicated to the municipality or reserved for specific uses shall be shown and dimensioned with areas to the nearest 1/100th acre.
18. Provisions for collecting and discharging storm water runoff. A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify finished floor elevations, all high and low points and breaks in grade and tentative elevation at the corners of house locations on each lot.
19. All existing and proposed utility service lines and laterals on-site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, connections and underground electric and phone service.
20. Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

- 21. A draft public notice.
- 22. List of all waivers and variances requested.
- 23. Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

d. Additional Instructions and Notes for All Applicants (Minor Subdivision).

- 1. Plans may be reviewed by the Borough Engineer, Zoning Officer, Planning Consultants and other interested parties.
- 2. In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.
- 3. The applicant shall give public notice by publication in the official newspaper of the Borough at least ten (10) days prior to the date of the hearing.
- 4. _____

(a) Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page), shall be submitted to the Planning Board Secretary at least forty-eight (48) hours prior to the hearing.

(b) Affidavit of Publication of Notice of Hearing in the official newspaper of the Borough at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).

5. Notice shall be sent to the following:

- (a) Adjoining municipality (Clerk) if the property is located within two hundred (200') feet.
- (b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.
- (c) The Commissioner of Transportation, if the property is adjacent to a State Highway.
- (d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.

6. The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

Subsection 26-9-2 Checklist for Site Plans.

a. Requirements.

- 1. Designed, drawn, signed and sealed by a New Jersey licensed P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.
- 2. Title Block as prescribed by N.J.A.C. 13:40-8.
- 3. Name, title and address of applicant, owner and person preparing application.
- 4. Place for signature of Chairman and Secretary of Planning Board.
- 5. Place for signature of Borough Engineer.
- 6. Twenty-one (21) copies of a complete application and all drawings and documents. Fifteen (15) sets of drawings shall be half-size with graphical scale and six (6) sets of drawings shall be full-size.

7. List of all waivers requested.
8. List of all variances requested from the Planning Board by Section of Ordinance.
9. Tax map lot and block numbers.
10. Date, scale and north arrow with reference meridian.
11. Key map of the site with reference to surrounding areas and to existing street locations, containing existing buildings and lot lines within two hundred (200) feet of the site.
12. Boundary and topographic survey of the total tract as required by N.J.A.C. 13:40-7.2, signed and sealed by the preparing N.J. Licensed Land Surveyor in accordance with N.J.A.C. 13:40-5. Topography within 200 feet of the boundary shall be shown and a reference datum indicated.
13. Zone district in which property in question falls, zone district of adjoining properties and all property within a two hundred (200) foot radius of the property in question.
14. Names of owners of all contiguous land and adjacent property within two hundred (200) feet as per certified list obtained from the Borough.
15. Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data existing and proposed. All variance conditions are to be noted as such.
16. The entire property in question even though only a portion of said property is involved in the site plan.
- 16A. The outside dimensions of existing and/or proposed principal buildings(s) and all accessory structures.
17. Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.
18. Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc.
19. All driveways, streets, buildings and lot lines within two hundred (200) feet of site.
20. All existing and proposed curbs and sidewalks.
21. All existing and proposed utility lines within and adjacent to the subject property and full explanation of source of water supply and means of sewage disposal.
22. Rights-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses.
23. A grading plan with existing and proposed contours at one-foot intervals and finished first floor elevations. Additional spot elevations may be required to determine slopes in "critical" areas as deemed appropriate by the Borough Engineer.
24. Plans and centerline profiles shall be provided for widening of all existing roadways.
25. Half cross sections, 50 feet on center, shall be provided along the side of all widened existing roadways.
26. Dimensions of lot, setbacks, front yard, side yards and rear yard; size, kind and location of fences.
27. Drainage plan showing location of existing and proposed manholes, inlets, pipes, inverts, rims, grates, swales, berms, and other storm drainage facilities, including roof leaders. All pipe slopes, lengths and materials are to be identified.
28. Storm drainage profiles for all diversion swales, waterways, storm sewer pipe and any other conduit not shown on roadway plan and profile sheets shall be provided.

29. Stormwater Management Submission, including the following in accordance with Section 25-9 of the Revised General Ordinances of the Borough of Hightstown:

a. Topographic base map

b. Environmental Impact Assessment, pursuant to Section 26-8 of the Revised General Ordinances of the Borough of Hightstown

c. Project Description and Site Plan

d. Land Use Planning & Source Control Plan

e. Stormwater Management Facilities Map

f. Hydrologic and Hydraulic Calculations

g. Maintenance & Repair Plan

30. Location, dimensions and details of all signs.

31. Typical construction details shall be provided. Details to be shown shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared-end section; underdrain; curb; curb end treatment, depressed curb; sidewalk; handicap ramp; street signs; warning and regulatory signs; sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; and all retaining wall details; and other details deemed appropriate by the Borough Engineer.

32. A landscaping plan showing the site, all existing and proposed topography, existing on-site tree groupings and off-site tree groupings within 200 feet; typical planting details; detailed locations of proposed plant materials; and enlarged details for individual multi-family units, landscaped islands, and landscaped berms. All trees and tree groups shown shall be classified as to general size and species. Proposed materials with a fall planting hazard are to be noted as such.

33. Plans of off-street parking, parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress.

34. Details of all proposed outdoor lighting including site lighting stanchion locations including the 0.5 foot-candle boundary limit in plan form, details showing type of light(s), height of light(s), style of light(s), typical footing detail; typical illumination pattern (to Scale); color and wattage of lights; all lighting details my be included on the landscaping plan.

35. Architectural plans showing, as a minimum, the first floor plan and front, rear and side elevations of all proposed principal buildings and structures and all accessory buildings and structures, and their materials and treatment.

36. Submission of Community Impact Statement, pursuant to Section 26-7.

37. Submission of Environmental Impact Assessment, pursuant to Section 26-8.

38. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown.

39. Owner's Certification or Affidavit of Title prepared by an N.J. Attorney at Law or N.J. Title Company with Commitment to Insure and Consent to file the application.

40. A draft public notice.

41. Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

42. Disclosure of ownership, if required, pursuant to N.J.S.A. 40:55D-48.1 and 48.2.

_____ 43. Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

b. Additional Instructions and Notes for All Applicants (Site Plan).

1. Plans may be reviewed by the Borough Engineer, Zoning Officer, Planning Consultants and other interested parties.

2. In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

3. The applicant shall give public notice by publication in the official newspaper of the Borough at least ten (10) days prior to the date of the hearing.

4. _____

(a) Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page), shall be submitted to the Planning Board Secretary at least forty-eight (48) hours prior to the hearing.

(b) Affidavit of Publication of Notice of Hearing in the official newspaper of the Borough at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).

5. Notice shall be sent to the following:

(a) Adjoining municipality (Clerk) if the property is located within two hundred (200') feet.

(b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.

(c) The Commissioner of Transportation, if the property is adjacent to a State Highway.

(d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.

6. The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

Subsection 26-9-3 Checklist for Variances.

a. Applicants seeking variance relief shall file twenty-one (21) completed copies of the following checklist along with the information and documents required therein

_____ 1. Twenty-one (21) copies of a complete application.

_____ 2. Twenty-one (21) copies of survey showing location of existing and proposed structures on subject.

_____ 3. Twenty-one (21) copies of plans of the proposed structure which describe its appearance and prove its compliance with building codes.

_____ 4. Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

_____ 5. Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

_____ 6. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown.

7. A draft public notice.
8. Owner's Certification or Affidavit of Title prepared by an N.J. Attorney at Law or N.J. Title Company with Commitment to Insure and Consent to file the application.
9. Disclosure of ownership, if required, pursuant to N.J.S.A. 40:55D-48.1 and 48.2.
10. List of all variances ~~waivers~~ requested.

b. Additional Instructions and Notes for All Applicants (Variance).

1. Plans may be reviewed by the Borough Engineer, Zoning Officer, Planning Consultants and other interested parties.
2. In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.
3. The applicant shall give public notice by publication in the official newspaper of the Borough at least ten (10) days prior to the date of the hearing.
4. _____

(a) Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page), shall be submitted to the Planning Board Secretary at least forty-eight (48) hours prior to the hearing.

(b) Affidavit of Publication of Notice of Hearing in the official newspaper of the Borough at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).

5. Notice shall be sent to the following:

- (a) Adjoining municipality (Clerk) if the property is located within two hundred (200') feet.
- (b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.
- (c) The Commissioner of Transportation, if the property is adjacent to a State Highway.
- (d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.

6. The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such information.

Subsection 26-9-4 Checklist for Sign Variances.

a. Applicants seeking sign variance relief shall file twenty-one (21) completed copies of the following checklist along with the information and documents required therein:

1. Twenty-one (21) copies of a complete application.
2. Twenty-one (21) copies of photo or sketch with dimension of sign(s) desired.
3. Proof that no taxes, assessments or sewer and water charges are due or delinquent on the subject property.
4. Completion of W-9 form to accompany payment of all fees.

5. Contribution Disclosure Statement, pursuant to Subsection 26-9-5 of the Revised General Ordinances of the Borough of Hightstown.

6. A draft public notice.

7. Owner's Certification or Affidavit of Title prepared by an N.J. Attorney at Law or N.J. Title Company with Commitment to Insure, and Consent to file application.

8. List of all variances ~~waivers~~ requested.

b. Additional Instructions and Notes for All Applicants (Sign Variance).

1. In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

2. The applicant shall give public notice by publication in the official newspaper of the Borough at least ten (10) days prior to the date of the hearing.

3.

(a) Affidavit of Service of Notice of Hearing on all owners of property within two Hundred (200) feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and Affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8½ x 11" bond paper, six (6) receipts to a page), shall be submitted to the Planning Board Secretary at least forty-eight (48) hours prior to the hearing.

(b) Affidavit of Publication of Notice of Hearing in the official newspaper of the Borough at least ten (10) days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least forty-eight (48) hours prior to the scheduled hearing).

4. Notice shall be sent to the following:

(a) Adjoining municipality (Clerk) if the property is located within two hundred (200') feet.

(b) The County Planning Board if the property is adjacent to a County road or affects a County drainage facility.

(c) The Commissioner of Transportation, if the property is adjacent to a State Highway.

(d) All public utilities in the Municipality registered pursuant to N.J.S.A. 40:55D-12.1.

5. In lieu of an Owner's Certification of Title and Consent as required in Subsection 26-9-4a.7. above, a Lessee or Contract Purchaser, may submit a copy of an existing Lease document or executed Contract of Sale for the subject property demonstrating ownership and the Owner's consent to file the application.

6. The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. This includes, but is not limited to, buildings and structures with State or Federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

Subsection 26-9-5 Contribution Disclosure Statement Required for all Checklists.

a. Purpose. The purpose of this Section is to enhance the Borough's commitment to openness in government and to provide further guarantees for a fair and impartial variance, waiver and exception application process, and the land use application process in general, by requiring the disclosure of political contributions made by property owners, developers and professionals as part of the application process for certain approvals under the Municipal Land Use Law. Such disclosure will effectuate the purposes of the Municipal Land Use Law to promote the morals and general welfare of the community, through ensuring additional guarantees of openness in government and a fully informed public.

b. Definitions. The following terms shall have the meanings indicated:

1. Application Checklist – The term "Application Checklist" means the list of submission requirements adopted by Ordinance and provided by the Municipal Agency to a developer pursuant to N.J.S.A. 40:55D-10.3.

2. Developer – The term “Developer” means a developer as defined by N.J.S.A. 40:55D-4, i.e. the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
3. Professional – The term “Professional” means any person or entity whose principals are required to be licensed by New Jersey Law and who supplies legal representation, expert testimony or written reports in support of an application. Professionals shall include both any individuals supplying the representation, testimony or reports and the firms or entities in which said individuals practice.
4. Contribution – The term “Contribution” means every loan, gift, subscription, advance or transfer of money or other thing of value, including any item of real property or personal property, tangible or intangible (but not including services provided without compensation by individuals volunteering a part or all of their time on behalf of a candidate, committee or organization), made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, the Borough of Hightstown, including any Mercer County Party Committee or political action committee (PAC) that is organized for the primary purpose of promoting or supporting Borough of Hightstown municipal candidates or officeholders, and any pledge, promise or other commitment or assumption of liability to make such transfer. For purposes of reports required under the provisions of the Ordinance, any such commitment or assumption shall be deemed to have been a contribution upon the date when such commitment is made or liability assumed.
5. Contribution Disclosure Statement – The term “Contribution Disclosure Statement” means a list specifying the amount, date, and the recipient of any and all contributions made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee of, or pertaining to, the Borough of Hightstown, including any Mercer County Party Committee or political action committee (PAC) that is organized for the primary purpose of promoting or supporting Borough of Hightstown municipal candidates or officeholders, made prior to filing the application with or seeking approval from the Borough, and required to be reported pursuant to N.J.S.A. 19:44A-1, et seq. The disclosure shall include all such contributions made during the time period measuring from one (1) year prior to filing the application seeking approval from the Borough through to the time of filing said application. Additionally, there shall be a continuing disclosure responsibility to require continuing disclosure of any such contributions made following the filing of the “Contribution Disclosure Statement” and during the pendency of the application and/or approval process.
6. Municipal Agency – The term “Municipal Agency” shall mean the Borough Planning Board. If the Borough shall ever re-create a separate Municipal Zoning Board in the future, then the term “Municipal Agency” shall also refer to the Borough Zoning Board.

c. General Provisions.

1. Disclosure Requirements.

- (i.) Any applicant for a variance pursuant to N.J.S.A. 40:55D-70d or a variance pursuant to N.J.S.A. 40:55D-70c in conjunction with any application for a subdivision not considered a minor subdivision pursuant to local ordinance or a site plan not considered a minor site plan pursuant to local ordinance, as well as any application for a subdivision not considered a minor subdivision pursuant to local ordinance or site plan not considered a minor site plan pursuant to local ordinance requiring waivers or exceptions pursuant to N.J.S.A. 40:55D-51, shall include in its application with and/or submit to the Municipal Agency a Contribution Disclosure Statement for all Developers involved in the said application; all associates of said Developers who would be subject to disclosure pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2; and all Professionals who apply for or provide testimony, plans, or reports in support of said application or who have an enforceable proprietary interest in the property or development which is the subject of the application or whose fee in whole or part is contingent upon the outcome of the application. Regardless of whether the owner of the property which is the subject of the application falls in any of the categories established in the preceding sentence, the applicant shall include in its application to the Municipal Agency a Contribution Disclosure Statement for said owner.
- (ii.) During the pendency of the application process until the final approval(s) associated with

the application is granted, any applicant required to comply with this ordinance shall amend its Contribution Disclosure Statement to include continuing disclosure of all contributions within the scope of the disclosure requirement of the above paragraph.

2. Inclusion of Contribution Disclosure Statements as an Element of all Application Checklists within the Borough of Hightstown.

- (i.) All Application Checklists previously adopted within the Borough of Hightstown pursuant to N.J.S.A. 40:55D-10.3, including but not limited to those referenced in Section 26-9, "Subdivision and Site Plan Checklists," of the Borough Code, are hereby revised to require that all applications for variance relief pursuant to N.J.S.A. 40:55D-70d, as well as for relief pursuant to N.J.S.A. 40:55D-70c, or for relief pursuant to N.J.S.A. 40:55D-51 in applications for site plan and subdivision approval not considered to be minor site plans or minor subdivisions pursuant to local ordinance, shall include the Contribution Disclosure Statements specified in paragraph 1 of this section.
- (ii.) The Borough's Municipal Agency shall amend its Application Checklists to include the Contribution Disclosure Statements specified in paragraph 1 of this section.
- (iii.) An application shall not be deemed complete by the administrative official or accepted for public hearing by the Municipal Agency until the required Contribution Disclosure Statements are submitted.

3. Availability of Contribution Disclosure Statements. All Contribution Disclosure Statements shall be available in the office of the administrative officer for review by any member of the public.

4. Intent of Contribution Disclosure Statements. It is the intent of this Ordinance that Contribution Disclosure Statements shall serve solely as a means to inform the public and shall not serve in any manner as evidence relevant to the decision-making criteria for granting or denying requested variances or other approvals. Such decisions shall continue to be governed strictly under the relevant criteria set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., or other relevant law. (Ord. No. 2004-27)

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

Section 3. That, in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section 4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Ordinance 2010-16 Final Reading and Public Hearing: Bond Ordinance Providing for the Summit Street Sidewalk Repair in and by the Borough of Hightstown, in the County of Mercer, New Jersey Appropriating \$180,000.00 Therefor and Authorizing the Issuance \$180,000.00 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

George Lang, Chief Finance Officer, gave an overview of the ordinance.

The Mayor opened the public hearing on Ordinance 2010-16. Mr. Scott Caster of 12 Clover Lane made comment during the Public Hearing. There being no further comments, the Mayor closed the Public Hearing.

Council President Quattrone moved for adoption of ordinance 2010-16, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Ordinance adopted, 4-0

Ordinance 2010-16

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

BOND ORDINANCE PROVIDING FOR THE SUMMIT STREET SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE

**COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$180,000
THEREFOR AND AUTHORIZING THE ISSUANCE \$180,000 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

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

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 \$180,000, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$147,000 (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.

In order to finance the cost of the improvement or purpose and in anticipation of the State Grant referred to in Section 1 hereof, negotiable bonds are hereby authorized to be issued in the principal amount \$180,000 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.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the installation of sidewalks on Summit Street from Stockton Street to Morristown Avenue and continuing east to the Greenway Walking Trail, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures 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 therefore.

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 note shall mature later than one year from its date. The 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 notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All 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 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 notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the 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 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 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 \$180,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$51,000 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 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

Ordinance 2010-17 First Reading and Introduction: Amending Section 2-55.2 of the Revised General Ordinances of the Borough of Hightstown Regarding Fees for Copies

The Borough Clerk gave a review of the ordinance.

Council President Quattrone moved for introduction of ordinance 2010-17, Councilmember Bond seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Ordinance introduced, 4-0; Final Reading and Public Hearing will be scheduled for October 4, 2010.

Ordinance 2010-17

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

**AMENDING SECTION 2-55.2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN REGARDING FEES FOR COPIES**

WHEREAS, the State of New Jersey has set forth new fees to be charged for copies obtained from Government Entities;
and

WHEREAS, the Borough Clerk finds that revisions to the Revised General Ordinances of the Borough of Hightstown are necessary for compliance with the new fees; and

WHEREAS, the Borough Clerk also recommends that the fee charged for Vital Statistic Records be updated to bring them in line with those currently being charged by municipalities.

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

Section 1.Section 2-55.2 of the Revised General Ordinances of the Borough of Hightstown is hereby amended as follows (Cross-outs are deletions and underlines are additions):

Subsection 2-55.2 Fees for Copies.

The following fees shall be charged for copies of public documents:

a. For copies of public documents on letter-size or legal-size paper, fees shall be charged in accordance with those listed in N.J.S.A. 47:1A-~~25~~(b).

b. For oversized copies of public documents, ~~one (\$1.00) dollar per page~~ the actual cost incurred in making the copy shall be charged. If the document must be copied by another source, e.g. a printer, for duplication, the actual cost paid by the Borough shall be paid by the requestor.

c. There shall be no charge for electronic transmission of documents via fax or e-mail.

~~e. d.~~ For certified copies of birth certificates, marriage certificates, death certificates, domestic partnership certificates, or depositions, ~~ten (\$10.00)~~ twenty (\$20.00) dollars per certified copy.

~~d. e.~~ Municipal Court discovery and police accident reports

1. All requests for discovery in matters pending in the Hightstown Municipal Court shall be submitted through the Municipal Prosecutor.
2. The following fees shall be payable by the requestor to the Borough of Hightstown for the discovery or accident report provided:

~~i. \$.75 per page for each of the first 10 pages photocopied~~

~~ii. \$.50 per page for each of the next 10 pages photocopied~~

~~iii. \$.25 per page for each of the pages photocopied thereafter~~

i. For documents on letter-size or legal-size paper, fees shall be charged in accordance with those listed in N.J.S.A. 47:1A-5(b)

~~iv. ii.~~ Actual postage for any discovery or accident report sent by mail

~~v. iii.~~ \$.25 for the envelope for any discovery or accident report sent by mail

~~vi. iv.~~ Photographs will be photocopied at the rates established herein. If requests are made for duplicate photographs, the actual cost of making the photographs shall be charged.

~~vii. v.~~ Duplication of video tapes constitutes an extraordinary duplication process and will be charged at the rate of \$5.00 per video tape.

~~viii. vi.~~ For any item that cannot be photocopied on the Borough's copy machine or for any item not otherwise provided for in this schedule, the actual cost incurred in making the copy shall be charged.

~~ix. vii.~~ Where the discovery must be obtained from an entity other than the Borough of Hightstown, e.g. another police department, the actual costs paid to the other entity shall be paid by the requestor.

~~x. viii.~~ There shall be no charge to persons over the age of 65 for discoveries or police accident reports.

~~e-f.~~ For duplicate tax, water and sewer bills, five (\$5.00) dollars each.

~~f. g.~~ For a certificate as to approval of subdivisions, as follows:

1. When the property described in the application is shown on the Assessment Map subdivided into Borough lots and does not exceed five thousand (5,000) square feet in area, three (\$3.00) dollars, and for each additional five thousand (5,000) square feet in area or fraction thereof, an additional fifty (\$0.50) cents.

2. When the property is shown on the Assessment Map as acreage or is so assessed and lies wholly within the limits of a single block, three (\$3.00) dollars, and if within the limits of two (2) or more blocks, an additional one (\$1.00) dollar for each block.

3. When the property described in the application is or has been subdivided and assessed as more than one (1) item, an additional fee of one (\$1.00) dollar shall be allowed for each subdivision separately assessed.

4. Five (\$5.00) dollars shall be the maximum charge for a certificate covering lands lying wholly within one (1) block as shown on the Assessment Map of the Borough, unless there is a subdivision of proprietorship indicated by the assessment.

~~g. h.~~ For a certificate as to approval of subdivision within three (3) years from the date of the original search, one (\$1.00) dollar per year.

~~h. i.~~ For official searches for municipal liens (tax searches) or for improvements authorized but not assessed, ten (\$10.00) dollars.

~~i. j.~~ For a continuation of an official search for municipal liens or for a continuation of an official search for improvements authorized but not assessed, two (\$2.00) dollars per year.

~~j. k.~~ For a duplicate tax sale certificate, one hundred (\$100.00) dollars.

~~k. l.~~ For a full copy of the Revised General Ordinances of the Borough of Hightstown, one hundred (\$100.00) dollars.

~~l. m.~~ For a full copy of the Borough's Master Plan, one hundred and ninety-five (\$195.00) dollars.

~~m. n.~~ For a copy of an audio or video tape, the actual cost of the media and duplication thereof.

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

Section 3. That, in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Section 4. That this Ordinance shall take effect on November 9, 2010 upon final passage and publication in accordance with the law.

Councilmember Bond suggested that the resolutions be moved as a consent agenda. Councilmember Mc Ginty objected and the resolutions were moved individually.

Resolution 2010-204 Authorizing the Payment of Bills

Council President Quattrone moved resolution 2010-204, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Resolution adopted, 4-0.

Resolution 2010-204

BOROUGH OF HIGHTSTOWN

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the BOROUGH OF HIGHTSTOWN, County of MERCER, that the following amendment(s) to the adopted capital budget section of the 2010 budget be made:

RECORDED VOTE
(Insert last names)

AYES

Bond
McGinty
Quattrone
Sikorski

NAYS

ABSTAIN

ABSENT

Musing

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2010					6 TO BE FUNDED IN FUTURE YEARS
				5a 2010 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
		-	-	-	-	-	-	-	-
		-	-	-	-	-	-	-	-
		-	-	-	-	-	-	-	-
TOTAL - ALL PROJECTS		620,000	-	-	2,500	-	-	617,500	-

3 YEAR CAPITAL PROGRAM -2010 - 2012

Anticipated Project Schedule and Funding Requirements

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2010	5b 2011	5c 2012	5d 2013	5e 2014	5f 2015
		-		-	-	-	-	-	-
		-		-	-	-	-	-	-
		-		-	-	-	-	-	-
TOTAL - ALL PROJECTS		1,520,000		620,000	450,000	450,000	-	-	-

3 YEAR CAPITAL PROGRAM -2010 - 2012 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS - 1

1 PROJECT TITLE	2 Estimated Total Cost	BUDGET APPROPRIATIONS		4 Capital Improvement	5 Capital Surplus	6 Grants-In-Aid And Other Funds	BONDS AND NOTES			
		3a Current Year 2010	3b Future Years				7a General	7b Self Liquidating	7c Assessment	7d School
	-		-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-	-	-
TOTAL - ALL PROJECTS	1,520,000		-	17,500		500,000	668,000	334,500	-	-

TO
CAPITAL BUDGET (Current Year Action)
2010

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR - 2010					
				5a 2010 Budget Appropriations	5b Capital improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years
Summit Street Sidewalks Improvements		-	-	-	-	-	-	-	-
(GRANT 147,000.00)	C-4	180,000	-	-	-	-	-	180,000	-
		-	-	-	-	-	-	-	-
TOTAL - ALL PROJECTS		800,000	-	-	2,500	-	-	797,500	-

3 YEAR CAPITAL PROGRAM -2010 - 2012 Anticipated Project Schedule and Funding Requirements

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2010	5b 2011	5c 2012	5d 2013	5e 2014	5f 2015
Summit Street Sidewalks Improvements		-		-	-	-	-	-	-
(GRANT 147,000.00)	C-4	180,000		180,000	-	-	-	-	-
		-		-	-	-	-	-	-
TOTAL - ALL PROJECTS		1,700,000		800,000	450,000	450,000	-	-	-

3 YEAR CAPITAL PROGRAM -2010 - 2012 Anticipated Project Schedule and Funding Requirements

1 PROJECT TITLE	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	FUNDING AMOUNTS PER BUDGET YEAR					
				5a 2010	5b 2011	5c 2012	5d 2013	5e 2014	5f 2015
Summit Street Sidewalks Improvements		-		-	-	-	-	-	-
(GRANT 147,000.00)	C-4	180,000		180,000	-	-	-	-	-
		-		-	-	-	-	-	-
TOTAL - ALL PROJECTS		1,700,000		800,000	450,000	450,000	-	-	-

TO 3 YEAR CAPITAL PROGRAM -2010 - 2012 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT TITLE	2 Estimated Total Cost	BUDGET APPROPRIATIONS			BONDS AND NOTES					
		3a Current Year 2010	3b Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants-In-Aid and Other Funds	7a General	7b Self Liquidating	7c Assessment	7d School
Summit Street Sidewalks Improvements										
(GRANT 147,000.00)	180,000	-	-	-		-	180,000	-	-	-
	-	-	-	-		-	-	-	-	-
TOTAL - ALL PROJECTS	1,700,000	-	-	17,500		500,000	848,000	334,500	-	-

Resolution 2010-206 Appointing a Water Department Superintendent – Larry Blake

Council President Quattrone moved resolution 2010-206, Councilmember Bond seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Resolution adopted, 4-0.

Resolution 2010-206

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

APPOINTING A WATER DEPARTMENT SUPERINTENDENT – LARRY BLAKE

WHEREAS, there is a need for a Water Department Superintendent; and

WHEREAS, Larry Blake will be retiring from his position as Public Works Superintendent effective December 31, 2010; and

WHEREAS, the Borough Administrator has recommended that Larry Blake, be appointed to this position effective January 1, 2011; and,

WHEREAS, it is the desire of the Mayor and Council to appoint, Larry Blake, of Hightstown, New Jersey to serve as Water Superintendent at a salary of \$ 43.25 at an established maximum compensated hours of 20 (twenty) per week; and

WHEREAS, specific terms and conditions of employment have been set forth in a written agreement and said terms of agreement are hereby approved by the Mayor and Council; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the designation of Larry Blake, of Hightstown,, New Jersey is hereby ratified and confirmed as Water Superintendent at a salary of \$ 43.25 at an established maximum compensated hours of 20 (twenty) per week subject to the specific terms as put forth in the memorandum of agreement, effective January 1, 2011..

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to Mr. Blake, Personnel File and Finance.

Resolution 2010-207 Appointing a Public Works Department Superintendent – Kenneth Lewis

Council President Quattrone moved resolution 2010-207, Councilmember Bond seconded.

There was discussion.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Resolution adopted, 4-0.

Resolution 2010-207

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

APPOINTING A PUBLIC WORKS SUPERINTENDENT – KENNETH LEWIS

WHEREAS, Due to the retirement of Larry Blake from his position as Public Works Superintendent, effective December 31, 2010 there is a need to appoint a Public Works Superintendent effective January 1, 2011; and

WHEREAS, Kenneth Lewis has served the Borough for the past twenty-three years; and

WHEREAS, Mr. Lewis has served in the capacity of Foreman and Assistant Superintendent for the Borough of Hightstown; and

WHEREAS, Kenneth Lewis is a Certified Public Works Manager (CPWM) and holds Potable Water Distribution and Treatment Licenses (W2 and T2); and

WHEREAS, the Borough Administrator has recommended that Kenneth Lewis, be appointed to the position of Public Works Superintendent effective January 1, 2011; and

WHEREAS, it is the desire of the Mayor and Council to appoint, Kenneth Lewis, of Hightstown, New Jersey to serve as Public Works Superintendent at a salary of \$74,640.00 for 2011; and

WHEREAS, specific terms and conditions of employment have been set forth in a written agreement and said terms of agreement are hereby approved by the Mayor and Council; and,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the designation of Kenneth Lewis, of Hightstown, New Jersey is hereby ratified and confirmed as Public Works Superintendent at a salary of \$74,640.00 for 2011 subject to the specific terms as put forth in the memorandum of agreement, effective January 1, 2011..

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to Mr. Lewis, Personnel File and Finance.

Resolution 2010-208 Authorizing a Water Connection for East Windsor Department of Public Works

Councilmember Bond gave an explanation of the resolution.

Council President Quattrone moved resolution 2010-208, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Resolution adopted, 4-0.

Resolution 2010-208

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

AUTHORIZING A WATER CONNECTION TO THE HIGHTSTOWN BOROUGH WATER LINE FOR THE EAST WINDSOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, the East Windsor Department of Public Works located at East Ward and Etra Roads in East Windsor is in need of connecting to the Hightstown Borough water lines; and

WHEREAS, said connection is needed in relation to the New Jersey Turnpike widening project; and

WHEREAS, all connection fees will be paid in accordance with the Revised General Ordinances of the Borough of Hightstown Section 19-2.4; and

WHEREAS, Larry Blake, Superintendent of Public Works recommends that the Council authorize said connection.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Hightstown hereby authorizes the East Windsor Department of Public Works to connect to Hightstown Borough water lines as stated herein.

Resolution 2010-209 Authorizing the Issuance of Raffle License RL221 - Peddie School

Council President Quattrone moved resolution 2010-209, Councilmember Sikorski seconded.

Roll Call Vote: Council members Bond, McGinty, Quattrone and Sikorski yes.

Resolution adopted, 4-0.

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

**AUTHORIZING ISSUANCE OF RAFFLE LICENSE #RL-221 TO
PEDDIE SCHOOL**

WHEREAS, the Peddie School wishes to hold an off-premise 50/50 raffle at the Peddie School on April 30, 2011, between the hours of 5pm and 10pm; and

WHEREAS, the group has submitted application number RA-221 for this raffle, together with the required fees; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk is authorized to issue Raffle License No. RL-221 to Peddie School for off-premise 50/50 raffle to be held at Peddie School on April 30, 2011.

The Mayor then opened Public Comment Period II. The following residents spoke during the public comment period: Lynne Woods, 315 Park Avenue; Torry Watkins, 68 Meadow Drive; Scott Caster, 12 Clover Lane; and Rob Thibault, 504 S. Main Street.

Council/Mayor/Administrative Comments

Councilmember McGinty – discussed addressing housing concerns and enforcement. She then commented on the process proposed to select a Councilmember to replace Mr. Theokas on the Council and expressed her view that the replacement should be selected prior to any important decisions being voted on by Council.

Councilmember Bond – reviewed the process taken for the appointments of the Water and Public Works Department Superintendents; and discussed the issue of personnel shortage in the Housing Inspection Department.

Councilmember Sikorski – congratulated the Borough Clerk on her one-year anniversary with the Borough and reviewed the Council vacancy procedures that were used in the past.

Council President Quattrone – requested that all communication relating to possible rooming house violations be given to Council. He then commended the First Aid for the great job they do and reminded everyone that becoming a volunteer is very rewarding.

Mayor Patten – stated that every action of Council is a snapshot in time and that they are committed to doing what is best for Hightstown. He then thanked Council for their comments and gave a review of the upcoming events, including the Community Fair, Triathlon and the 175th Anniversary of Hightstown Engine Co. #1.

Council President Quattrone moved to adjourn the meeting at 9:30 pm and Councilmember Sikorski seconded; the Motion was approved unanimously.

Respectfully Submitted,

Debra L. Sopronyi

Borough Clerk