

Meeting Minutes
Hightstown Borough Council
August 5, 2019
7:30 p.m.

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

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Egan</i>		✓
<i>Councilmember Jackson</i>		✓
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Musing</i>	✓	
<i>Councilmember Stults</i>		✓
<i>Mayor Quattrone</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk; Debra Sopronyi Borough Clerk/Administrator; Deputy CFO, Monika Patel; CFO, George Lang and Fred Raffetto, Borough Attorney.

The Flag Salute followed roll call.

Mayor Quattrone called for moment of silence for the shootings that took place this weekend.

APPROVAL OF AGENDA

Mayor Quattrone requested that Resolutions 2019-151 and 2019-152 be added to the Consent Agenda. Councilmember Bluth requested that the Cultural Arts Commission presentation be added to the agenda.

Amended Agenda moved by Councilmember Bluth; Seconded by Councilmember Musing.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Agenda approved as amended 3-0.

APPROVAL OF MINUTES

June 17, 2019 – Executive Session

Moved by Councilmember Bluth; Seconded by Council President Misiura.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Minutes approved 3-0.

June 17, 2019 – Public Session

Moved by Councilmember Musing; Seconded by Councilmember Bluth.

Moved by Bluth; Seconded by Council President Misiura.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Minutes approved 3-0.

July 1, 2019 – Special Meeting

Moved by Councilmember Bluth; Seconded by Council President Misiura.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Minutes approved 3-0.

July 15, 2019 – Executive Session

Moved by Councilmember Bluth; Seconded by Councilmember Musing.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Minutes approved 3-0.

PRESENTATIONS

Cultural Arts Commission – Mural

Adam Welch presented a second draft of the mural that will be painted on the RISE Building downtown. The artist is planning to begin work on August 12th or 13th. Mr. Welch also stated that there will be a day for the public to participate in the painting.

Council President Misiura thanked the CAC for following the process and doing everything by the book. The artist listened to the public. Thanked them for an excellent job.

Councilmember Musing stated that this is terrific and likes the public painting day.

Councilmember Bluth stated that she loves the mural and what the CAC is doing. Hightstown needs to appreciate everything that the CAC does for our town.

Public Hearing – CDBG Grant Application for ADA Compliance Measures

Randy Gottesman, CGP&H explained the CDBG Grant and read the following:

- “The purpose of this meeting is to discuss the Community Development Block Grant Small Cities Program funded under the Housing and Community Development Act of 1974, as amended and as

administered through the New Jersey Department of Community Affairs.

- The general purpose of the act is to meet urgent community development and housing needs, eliminate and prevent slums and blight and expand economic opportunities principally for persons of low and moderate income.
- The Borough of Hightstown is eligible to apply to the Small Cities Program under both the Public Facilities Fund and the Housing Rehabilitation Fund categories. The maximum grant awards are \$400,000 (for public facilities) & \$200,000 (for housing rehabilitation).
- The Borough intends to file a Small Cities Public Facilities grant application for \$400,000 to address ADA-issues at the former YMCA building located at 230 Mercer Street to permit use as future municipal/police complex. The required match is 20% and is determined by the Borough's Municipal Revitalization Index (MRI). Hightstown's MRI is 201.
- The specific objectives of the State's Small Cities Program can be found in the agenda you received, in section III. The specific objective which applies to the proposed application is: F. To improve the availability and adequacy of essential public facilities and remedy serious deficiencies in areas that principally serve senior citizens and low and moderate-income people.
- In order for the Borough to possibly receive these funds, it is necessary to first prepare an application which provides information on needs and objectives, describes the proposed activity and explains how the selected project will benefit low- and moderate-income residents. The application deadline is September 13, 2019. If approved, funding will be available in early 2020.
- Information about the evaluation criteria and a description of all eligible activities can also be found in the agenda, in sections VI and VII. The specific eligible activity in this application is: 5. Special projects directed to the removal of architectural barriers which restrict accessibility of the elderly and disabled."

Councilmember Musing stated that he thinks this is a good request. Asked if there is enough time to put an application together. Mr. Gottesman responded yes and that he has already been working on this. Mr. Musing asked if there will be additional costs associated with the grant. Mr. Gottesman stated that there will not be an increase in the implementation costs.

Mayor Quattrone opened the public hearing for the CDBG Grant Application and the following individuals spoke:

Scott Caster, 12 Clover Lane - Asked what the requested amount will be. Mr. Gottesman restated that the amount requested is \$400,000. Mr. Caster then asked if there are enough ADA renovations to use \$400,000. Council President Misiura stated that the YMCA needs an elevator, rest rooms, hardware on the doors, barrier free access and parking spaces. He believes that we can most definitely use the full amount. Mr. Caster then asked if we could apply for additional grant money in future years. Mr. Gottesman responded yes, that is permissible.

Councilmember Bluth moved to close the public hearing; Council President Misiura seconded.

Roll Call Vote: Councilmembers Bluth, Musing and Misiura voted yes.

Public hearing closed 3-0.

PUBLIC COMMENT I

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

Keith LePrevost, 213 Greely Street – Spoke regarding the Tree Official’s invoice to JCP&L, tree ordinance and the Tree Official’s role.

Frank Rivera, Broad Street – Spoke regarding sidewalks raised because of Borough trees. This is a tripping hazard. He is liable for the injury should one occur? Would like to take down the tree; David Zaiser, Tree Official recommends that the tree stays. What can he do?

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

ORDINANCES

Ordinance 2019-12 Final Reading and Public Hearing – An Ordinance Amending and Supplementing Chapter 5, Entitled “Animal Control”, of the Revised General Ordinances of the Borough of Hightstown, New Jersey

Mayor Quattrone opened the Public Hearing for Ordinance 2019-12 and the following individuals spoke:

There being no one coming forward, Mayor Quattrone closed the Public Hearing.

Moved for adoption by Councilmember Bluth; Seconded by Councilmember Musing.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Ordinance adopted 3-0.

Ordinance 2019-12

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

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 5, ENTITLED “ANIMAL CONTROL”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY

WHEREAS, the Hightstown Borough Health Officer desires to amend the schedule of cat licensing in the Borough to coincide with the licensing of dogs; and

WHEREAS, the Mayor and Borough Council find this change would be more efficient for the administration process.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Hightstown, in

the County of Mercer, and State of New Jersey, as follows:

Section 1. That Chapter 5, entitled "Animal Control", is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Section 5-1 Dogs

Subsection 5-1.2 License Required; Fees.

- a. Licenses and official metal registration tags shall be required for the following dogs of licensing age:
 - 1. Any dog owned or kept within the Borough by a resident of the Borough as of January 1 of any calendar year.
 - 2. Any dog acquired by any person during the course of any calendar year and kept within the Borough for more than ten (10) days after acquisition.
 - 3. Any dog attaining licensing age during the course of the calendar year.
 - 4. Any unlicensed dog brought into the Borough by any person and kept within the Borough for more than ten (10) days.
 - 5. Any dog licensed by another State brought into the Borough by any person and kept within the Borough for more than ninety (90) days.
- b. Application for License.
 - 1. Each application for a license under this section shall be signed by the owner or keeper of the dog and shall give the following information:
 - (a) A general description of the dog sought to be licensed, including breed, sex, age, color and markings, and whether such dog is of a long- or short-haired variety.
 - (b) The name, street and post office address of the owner and of the person who shall keep or harbor such dog.
 - (c) Evidence of rabies vaccination in accordance with subsection 5-1.4.
 - 2. No license to own, keep or harbor a dog shall be issued to or in the name of a minor.
- c. Annual License; Date of Application. Applications for licenses for dogs which are required to be licensed by the provisions of paragraph a. shall be made prior to January 31 of each calendar year to the Borough Clerk or other official designated by the Mayor and Council. In all other cases, the application for a license shall be made within ten (10) days of the day upon which the dog in question first becomes subject to the provisions of this section.
- d. License Record. The information on all applications under this subsection and the registration number issued to each licensed dog shall be preserved for a period of three (3) years by the Borough Clerk. In addition, the Clerk shall forward similar information to the State Department of Health each month on forms furnished by the Department.
- e. Fees. The person applying for a license shall pay a fee of ten dollars and eighty cents (\$10.80) for each dog license, shall also pay one dollar and twenty cents (\$1.20) for the registration tag (Pilot Clinic fee) for each dog and an additional fee of three (\$3.00) dollars for any dog of reproductive age which has not had its reproductive capacity permanently altered through sterilization. Any dog owner claiming to be exempt from the payment of the additional

fee of three (\$3.00) dollars shall provide a copy of a veterinarian's certificate, or a notarized statement by the owner, of the animal's neutering. The fees of one dollars and twenty cents (\$1.20) and additional fee of three (\$3.00) dollars, when collected, shall be forwarded to the State Treasurer as provided by law. The same fee shall be charged for the annual renewal of each license and registration tag. If application shall not be made within the time limit set forth hereinabove, there shall also be a late charge per license, as follows. If application is made:

1. During February: five (\$5.00) dollars.
2. During March: ten (\$10.00) dollars.
3. After March 31: fifteen (\$15.00) dollars.

f. Expiration Date. Each dog license and registration tag shall expire on December 31 of the calendar year in which it was issued.

g. Exceptions.

1. Dogs used as guides for blind persons and commonly known as "Seeing Eye" dogs shall be licensed and registered as other dogs, except that the owner or keeper shall not be required to pay any fee.

2. Any dog owned in New Jersey and duly licensed for the current licensing year and bearing the proper registration tag for a New Jersey municipality shall be exempt from the license and the tag provisions of this subsection.

h. Limitation on Number of Dogs. No more than two (2) dogs of licensing age shall be owned by or kept by any one (1) family group. "Family group," as used herein, shall mean all persons occupying one (1) dwelling unit. Any person owning or keeping more than two (2) licensed dogs on the effective date of this section may retain the dogs so long as that person remains the owner or keeper of the dogs.

i. The fee to replace a lost dog registration tag shall be one (\$1.00) dollar. (1991 Code § 57-2; New; Ord. No. 2007-30)

Section 5-2 Cats

Subsection 5-2.3 Licensing Requirements.

a. Cats shall have license number displayed. Any person who shall own, keep or harbor a cat of licensing age shall annually apply for and procure from the Borough Clerk or other official designated by the Mayor and Council thereof to license cats in the municipality in which he/she resides a license and official registration tag with license number or a registration sleeve for each cat so owned, kept or harbored and shall place upon such cat a collar or other device with the license number securely fastened or displayed thereon. Acceptable methods of displaying the license number shall include but are not limited to breakaway or elastic collars. License tags or sleeves are not transferable.

b. Sanitation of Quarters. The quarters where cats are kept shall be kept clean and sanitary under standards generally accepted for the housing, feeding and care of cats by the American Veterinary Medical Association.

c. Time for Applying for License. The owner of any newly acquired cat of licensing age or of any cat which attains licensing age shall make application to the Borough Clerk for a license tag or sleeve for such cat within ten (10) days after such acquisition or age attainment. This requirement will not apply to a nonresident keeping a cat within the Borough for no longer than ninety (90) days.

d. Cats Brought into the Borough.

1. Any person who shall bring or cause to be brought into the Borough any cat licensed in another State for the current year and bearing a registration tag or sleeve and shall keep the same or permit the same to be kept within the Borough for a period of more than ninety (90) days shall immediately apply for a license and registration tag or sleeve for each such cat.

2. Any person who shall bring or cause to be brought into the Borough any unlicensed cat and shall keep the same or permit the same to be kept within the Borough for a period of more than ten (10) days shall immediately apply for a license and registration tag or sleeve for each such cat.

e. Application; Contents; Preservation of Information.

1. The application shall state the breed, sex, age, color and markings of the cat for which license and registration are sought and whether it is of a long- or short-haired variety, also the name, street and post office address of the owner and the person who shall keep or harbor such cat. The information on the application and the registration number issued for the cat shall be preserved for a period of three (3) years by the Borough Clerk or other official designated to license cats in the Borough.

2. Applications for licenses for cats which are required to be licensed by the provisions of this section shall be made prior to January 31 each year to the Borough Clerk or other official designated by the Mayor and Council. In all other cases, the application for license shall be made within ten (10) days of the day upon which the cat in question first becomes subject to the provisions of this section, as set forth more specifically in paragraphs c. and d.

f. License Forms and Tags. License forms and official tags or sleeves shall be furnished by the Borough and shall be numbered serially and shall bear the year of issuance and the name of the Borough.

g. Evidence of Inoculation with Rabies Vaccine or Certification of Exemption; Requirement for License. No Borough Clerk or other official designated by the Mayor and Council to license cats shall grant any such license and official registration tag or sleeve for any cat unless the owner thereof provides evidence that the cat to be licensed and registered has been inoculated with a rabies vaccine of a type approved by and administered in accordance with the recommendations of the United States Department of Agriculture and the United States Department of Human Services or has been certified exempt as provided by subsection 5-2.2. The rabies inoculation shall be administered by a duly licensed veterinarian or by such other veterinarian permitted by law to do the same.

h. License Fee Schedule. A license shall be issued after payment of a fee of fourteen (\$14.00) dollars for each cat not neutered and ten (\$10.00) dollars for each neutered cat. Those family groups which presently possess more than two (2) cats, in accordance with subsection 5-2.3b., shall not be required to pay total annual fees in excess of thirty (\$30.00) dollars for the licensing of all of the cats, exclusive of any delinquent fees which may apply in accordance with this subsection. Person who fail to obtain a license as required within the time period specified in this subsection will be subject to a delinquent fee per license as follows. If application is made:

(a) During February: Five (\$5.00) dollars.

(b) During March: Ten (\$10.00) dollars.

(c) After March 31: Fifteen (\$15.00) dollars.

i. Fees; Renewals; Expiration Date of License.

1. Expiration Date. Each cat license and registration tag shall expire on December 31 of the calendar year in which it was issued.

2. Licenses from another municipality shall be accepted. The person applying for the license and registration tag and/or sleeve shall pay the fee fixed or authorized. The fee for the renewal of a license and

registration tag or sleeve shall be the same as for the original, and the license, registration tag or sleeve and renewal thereof shall expire on December 31 of the calendar in which it was issued.

3. Only one (1) license and registration tag or sleeve shall be required in the licensing year for any cat in the Borough. Any valid New Jersey license tag or sleeve issued by a New Jersey municipality shall be accepted by the Borough.

j. Loss of License. If a license tag or sleeve has been misplaced or lost, the Borough Clerk may issue a duplicate license and/or registration sleeve for that particular cat at a fee of one (\$1.00) dollar.

k. Proof of Licensing. Proof of licensing shall be produced by any person owning, keeping, maintaining or harboring a cat, upon the request of any Health Official, Police Officer, Animal Control Officer or other authorized person.

l. Interfering with Persons Performing Duties Under This Section. No person shall hinder, molest or interfere with anyone authorized or empowered to perform any duty under this section.

m. Disposition of Fees Collected. License fees and other moneys collected or received under the provisions of this section shall be forwarded to the Treasurer of the Borough and, to the extent permitted by law, shall be placed in a special account separate from any of the other accounts of the Borough and shall be used for the following purposes only: collecting, keeping and disposing of cats liable to seizure; for local prevention and control of rabies; providing antirabies treatment under the direction of the Board of Health for any person known or suspected to have been exposed to rabies; and for administering the provisions of this section. Any unexpected balance remaining in such special account shall be retained until the end of the third fiscal year following and may be used for any of the purposes set forth in this section. At the end of the third fiscal year following and at the end of each fiscal year thereafter there shall be transferred from such special account to the general funds of the Borough any amount then in such account which is in excess of the total amount paid into the special account during the last two (2) fiscal years next preceding. (1991 Code § 87-14; New; Ord. No. 2004-15; Ord. No. 2007-30)

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. 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.

RESOLUTIONS

Resolution 2019-136 Payment of Bills

Moved by Councilmember Musing; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution adopted 3-0.

Resolution 2019-136

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER*

STATE OF NEW JERSEY

AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$486,680.90 from the following accounts:

Current		\$325,865.06
W/S Operating		87,663.24
General Capital		34,021.75
Water/Sewer Capital		4,128.00
Grant		390.00
Trust		1,668.78
Housing Trust		0.00
Animal Control		29.40
Law Enforcement Trust		24,303.00
Housing Rehab Loans		0.00
Unemployment Trust		2,242.32
Escrow		<u>6,369.35</u>
Total		<u>\$486,680.90</u>

Resolution 2019-137 Authorizing a Shared Services Agreement Between Hightstown Borough and Robbinsville Township for Municipal Court Administrator Services

Moved by Council President Misiura; Seconded by councilmember Bluth.

Discussion ensued. Councilmember Bluth stated that she does not have enough information and this should be discussed again during Executive Session. She asked that the Borough Administrator provide supporting documentation on how the hourly rate was established. CFO, George Lang, stated that the budget will need to be amended to move funds from salaries to contracts. It was agreed that this contract needs to be approved as soon as possible so a special meeting is necessary. Deputy Clerk, Peggy Riggio, will secure a location and time for a special meeting.

Councilmember Bluth moved to table the Resolution; Council President Misiura seconded.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution tabled 3-0.

Resolution 2019-137

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

**AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN
HIGHTSTOWN BOROUGH AND ROBBINSVILLE TOWNSHIP
FOR MUNICIPAL COURT ADMINISTRATOR SERVICES**

WHEREAS, Hightstown is in need of a Municipal Court Administrator and a Deputy Municipal Court Administrator in order to effectively administer, manage and oversee the operations of the Hightstown Borough Municipal Court (the “services”), in accordance with all statutory requirements and pursuant to the direction and oversight of the Assignment Judge of Mercer County; and

WHEREAS, Robbinsville currently employs two (2) individuals who serve in the positions of Municipal Court Administrator and Deputy Municipal Court Administrator, respectively (the “Robbinsville employees”), for the Robbinsville Township Municipal Court; and

WHEREAS, the Robbinsville employees possess specialized skills, knowledge and expertise in the area of Municipal Court administration, and these individuals are each duly certified by the State of New Jersey; and

WHEREAS, the Parties recognize that shared service agreements may yield certain economies and efficiencies to the residents of the Parties in the delivery of the services; and

WHEREAS, the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 *et seq.*, authorizes local units of this State to enter into a contract with any other local unit or units for the joint provision within their several jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, Robbinsville is willing to provide the services to Hightstown, through the use of the Robbinsville employees, pursuant to the terms and conditions set forth in the attached Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Hightstown Borough Council hereby authorizes the Mayor to execute, and the Clerk to attest, the attached Shared Services Agreement with Robbinsville Township relating to the above.

Resolution 2019-138 Authorizing Change Order #2 and Payment #3 – JTG Construction (Improvements to First Avenue)

Moved by Councilmember Musing; Seconded by Council President.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution adopted 3-0.

Resolution 2019-138

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

**AUTHORIZING CHANGE ORDER #2 & PAYMENT #3– JTG CONSTRUCTION
(IMPROVEMENTS TO FIRST AVENUE)**

WHEREAS, on December 3, 2018, the Borough Council awarded a contract for Improvements to First Avenue in Hightstown Borough to JTG Construction of Newark, New Jersey at the price of \$328,356.00; and

WHEREAS, the contractor has submitted change order #2 supplemental pay item for removal of a large tree in the amount of \$2,800.00, extra hot mix asphalt surface course in the amount of \$3,407.00 and a reduction of \$44,601.03 to adjust to as-build quantities which decreases the total contract by \$38,394.03, (-9.51%) to \$297,141.18; and

WHEREAS, the contractor has submitted payment #3 in the amount of \$10,220.83 partial payment through June 2019 for pavement striping and installation of signage; and

WHEREAS, the Borough Engineer has recommended approval of Change order #2; and

WHEREAS, the Borough Engineer has recommended approval of payment #3 in the amount of \$10,220.83; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that change order #2 and payment #3 of \$10,220.83 to JTG Construction of Newark, New Jersey is hereby approved as detailed herein.

Resolution 2019-139 Authoring Payment to Remington Vernick for Inspections and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge Project

Moved by Councilmember Musing; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution adopted 3-0.

Resolution 2019-139

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER*

STATE OF NEW JERSEY

**AUTHORIZING PAYMENT TO REMINGTON VERNICK FOR INSPECTION AND
CONTRACT ADMINISTRATION SERVICES ASSOCIATED WITH THE PEDDIE
LAKE DAM PEDESTRIAN BRIDGE PROJECT**

WHEREAS, on December 18, 2017, the Borough Council awarded a contract for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge to Remington Vernick Engineers, of Haddonfield, New Jersey at a cost not exceed \$184,921.28; and

WHEREAS, the engineer has submitted a payment request for inspection and contract administration services through June 30, 2019, in the total amount of \$18,543.57; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request to Remington Vernick Engineers of Haddonfield, New Jersey in the amount of \$18,543.57, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2019-140 Awarding a Contract for Sanitary Manhole Repairs

Moved by Councilmember Bluth; Seconded by Council President Misiura.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution adopted 3-0.

Resolution 2019-140

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

AWARDING A CONTRACT FOR SANITARY MANHOLE REPAIRS

WHEREAS, Three (3) proposal were received for Sanitary Manhole Repairs in the Borough; and,

WHEREAS, the proposals have been reviewed by the Borough Engineer, and it is her recommendation that the contract for the Sanitary Manhole Repairs be awarded to the lowest proposal submitted by Pioneer General Contract of Bradley Beach, New Jersey in the amount \$22,600.00; and,

WHEREAS, the Finance Officer has certified the availability of funds for this expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the Sanitary Manhole Repairs be awarded to Pioneer General Contract of Bradley Beach, New Jersey in the amount \$22,600.00.

**Resolution 2019-141 Authorizing Release of Escrow Funds – R. Black Global (Block 30, Lot 2 and Block 21,
Lot 2 – 1 Bank Street**

Moved by Council President Misiura; Seconded by Councilmember Musing.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution adopted 3-0.

Resolution 2019-141

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

**AUTHORIZING RELEASE OF ESCROW FUNDS – R. BLACK GLOBAL (BLOCK 30;
LOT 2/BLOCK 21; LOT 2 – 1 BANK STREET)**

WHEREAS, R. Black Global deposited escrow funds for a project at Block 30, Lot 2 and Block 21, Lot 2 commonly known as 1 Bank Street; and

WHEREAS, R. Black Global has requested that the escrow funds on deposit with the Borough for Block 30, Lot 2 and Block 21, Lot 2 be released; and

WHEREAS, The Borough has determined that there are no outstanding invoices for this project; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Finance Officer is authorized and directed to release the escrow funds on deposit with the Borough for the project at Block 30, Lot 2 and Block 21, Lot 2 to R. Black Global, 900 Broadway, Suite 202, New York, NY 10003

A certified copy of this Resolution shall be provided to the following:

- a. R. Black Global
- b. Hightstown Borough Finance Officer
- c. George Chin, Hightstown Borough Construction Official
- d. Sandy Belan, Planning Board Secretary

Resolution 2019-150 Authorizing Change Order #1 and Payment #3 Final – The Earle Asphalt Company (First Avenue and Forman Street Water Main Extension)

Moved by Councilmember Musing; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolution adopted 3-0.

Resolution 2019-150

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

AUTHORIZING CHANGE ORDER #1 AND PAYMENT #3 FINAL – THE EARLE ASPHALT COMPANY (FIRST AVENUE AND FORMAN STREET WATER MAIN EXTENSION)

WHEREAS, on November 5, 2018, the Borough Council awarded a contract for the First Avenue and Forman Street Water Main Extension to Earle Asphalt Company of Farmingdale, New Jersey at the price of \$299,113.13; and

WHEREAS, the contractor has submitted change order #1 adjusting the contract to as-built quantities which reduces the final contract cost by \$24,127.78 (-8.1%) to \$274,985.35. In addition, the contract time has been extended by 45 days due to poor weather during construction; and

WHEREAS, the contractor has submitted payment request #3 Final in the amount of 50,110.89; and

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

WHEREAS, the Borough Engineer has recommended approval of payment #3 Final to Earle Asphalt Company in the amount of \$50,110.89; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Change Order #1 Payment Request #3 Final to Earle Asphalt Company of Farmingdale, New Jersey in the amount of \$113,483.68, is hereby approved as detailed herein, and the Finance Officer is authorized to issue same.

CONSENT AGENDA

Councilmember Bluth moved Resolutions 2019-142, 2019-143, 2019-144, 2019-145, 2019-146, 2019-147, 2019-148 and 2019-149 as a Consent Agenda; Councilmember Musing seconded.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Resolutions adopted 3-0.

Resolution 2019-142

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

**APPROVAL TO SUBMIT A GRANT APPLICATION AND
EXECUTE GRANT CONTRACT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR THE
IMPROVEMENTS TO RAILROAD AVENUE AND DEY
STREET PROJECT.**

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Hightstown formally approves the grant application for the above stated projects.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Improvements to Railroad Avenue and Dey Street-00086 to the New Jersey Department of Transportation on behalf of the Borough of Hightstown.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Hightstown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution 2019-143

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

**RESOLUTION AUTHORIZING THE BOROUGH OF HIGHTSTOWN
TO APPLY TO THE NEW JERSEY DEPARTMENT OF COMMUNITY
AFFAIRS (NJDC) FOR A SMALL CITIES PUBLIC FACILITIES
GRANT OF UP TO \$400,000 FOR ADA IMPROVEMENTS TO THE
FORMER YMCA BUILDING;**

WHEREAS, the Borough of Hightstown will apply for a Small Cities Community Development Public Facilities Block Grant from the New Jersey Department of Community Affairs (NJDC) for approximately \$400,000 for ADA improvements to the former YMCA Building located at 230 Mercer Street;

NOW, THEREFORE, BE IT RESOLVED

1. That the Borough of Hightstown does hereby authorize the application for such a grant; and,
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and, also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Borough of Hightstown and the New Jersey Department of Community Affairs, including the provision of a local match share in the ratio of at least two local dollars for every ten state dollars.

NOW THEREFORE, BE IT RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents in connection therewith.

Resolution 2019-144

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

APPOINTING A FAIR HOUSING OFFICER

WHEREAS, the Borough of Hightstown is applying for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereafter NJDC); and

WHEREAS, the Small Cities Public Facilities grant of up to \$400,000 will be used to make ADA improvements to the former YMCA building located at 230 Mercer Street; and

WHEREAS, the Borough of Hightstown must make efforts to affirmatively further fair housing; and

WHEREAS, the Borough of Hightstown has reviewed various actions that would be acceptable to the NJDC and the U.S. Department of Housing and Urban Development (hereafter USHUD) and

WHEREAS, the Borough of Hightstown has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that, David Bell, shall be designated as the Fair Housing Officer for the Borough of Hightstown; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Borough of Hightstown; and

BE IT FURTHER RESOLVED that the Borough of Hightstown will publish in the local newspaper of record and post at the municipal building (or county administration building) a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

Resolution 2019-145

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

**ADOPTING A CITIZEN PARTICIPATION PLAN FOR SMALL CITIES CDBG
GRANTEES**

WHEREAS, the Borough of Hightstown, will enter into a Grant Agreement with the New Jersey Department of Community Affairs for the administration of a Small Cities Community Development Block Grant; and

WHEREAS, that Grant Agreement requires the Borough of Hightstown to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the Borough of Hightstown has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

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

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Borough of Hightstown; and

The Borough of Hightstown will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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

APPROVING A GRANT MANAGEMENT PLAN FOR CDBG GRANTEES

WHEREAS, the Borough of Hightstown will apply to the New Jersey Department of Community Affairs (NJCA) for a Small Cities Public Facilities grant of up to \$400,000 to make ADA Improvements to the former YMCA Building located at 230 Mercer Street; and

WHEREAS, any Grant Agreement between the Borough of Hightstown and the NJCA will require the Borough to comply with all federal requirements with regard to grant management; and

WHEREAS, the Borough of Hightstown has reviewed the proposed Grant Management Plan prepared for its Small Cities CDBG grantee application;

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

Pending the execution of said Grant Agreement, the proposed Borough of Hightstown Grant Management Plan shall be approved by the Borough of Hightstown.

Borough of Hightstown– FY2020 Small Cities Public Facilities

Grant Management Plan

The Hightstown Public Facilities Program is required to comply with all Small Cities Procedures as identified both in the Small Cities Community Development Block Grant Handbook, as well as in the Small Cities contract between the New Jersey Department of Community Affairs (NJCA) and the Borough of Hightstown. Further, the Borough has agreed to comply with any changes made during the term of the contract by the NJCA.

The Borough has designated Debra Sopronyi, Administrator/Borough Clerk, to be the Small Cities Program Director with overall responsibility for verifying that all contractual activities are being carried out according to schedule. The Borough has designated CGP&H, specifically, Patrice Loehle, as Project Coordinator with overall responsibility for the day to day administration of the grant and liaison with the Small Cities Program staff. Fiscal management will be the responsibility of George Lang, Chief Financial Officer. The following outlines the activities to be undertaken and

the qualifications of the individuals responsible for their completion. A summary of the grant management team's names and phone numbers is also included as well as a project schedule.

Program Director (Debra Sopronyi, Administrator/Borough Clerk) will oversee program administration. Her responsibilities will include: ensure that all project activities are consistent with the grant agreement and related regulations governing the Small Cities Program, supervise the activities of the Project Coordinator, approve contractor requests for payment, keep the governing body informed on the status of all project activities and bring any necessary decision-making to their attention and oversee all grant-related activities.

Ms. Sopronyi has been employed in Local Government for over 20 years and has previous experience with CDGB Grants in towns in which she was been employed; she holds certifications as Municipal Clerk (RMC) and Qualified Purchasing Agent (QPA) with the State of New Jersey. She has been employed with the Borough for the last ten years as RMC and QPA and added the title of Administrator in 2017.

Program Coordinator (Patrice Loehle, PP, CGP&H) will serve as Program Coordinator. Her responsibilities will include: verify all contract activities from grant agreement execution to final close-out, prepare Program Progress and Financial Status Reports, Semi-Annual Contractor Reports and Final Performance Report for submittal to DCA, maintain all administrative and fiscal files, prepare record keeping files and maintain equal opportunity files, attend all monitoring visits as requested, serve as Labor Standards Compliance Officer including review weekly payrolls, conduct field interviews and follow up in situations of non-compliance and provide other services as needed or required by Small Cities regulations.

Ms. Loehle has administered multiple Small Cities Public Facilities Programs in municipalities throughout New Jersey, including Mercer County. She has also administered both CDBG and Small Cities programs for more than 20 years.

Fiscal Manager (George Lang, CFO) will submit all invoices for payment to the Borough Council for approval, issue all checks in accordance with the invoices and maintain adequate Financial Records.

Mr. Lang has over 35 years' experience with New Jersey municipal governments as a Municipal Auditor and Chief Financial Officer. He is a Certified Public Accountant, Registered Municipal Accountant and Certified Municipal Finance Officer.

Consultants (David Gerkens and Patrice Loehle, CGP&H, LLC) will provide technical services, advisement with all compliance documents including Grant Management Plan, Citizen Participation Plan, Statement of Fair Housing Needs and Civil Rights Documentation. They will also provide technical services and personnel for administering the program, Environmental Review implementation, and, provide technical advisement needed throughout the course of the project.

David Gerkens is a NJ licensed professional planner and Vice President at CGP&H. Patrice Loehle, is a NJ licensed professional planner and Senior Planner/Grant Administrator for CGP&H.

Contact Information

Debra L. Sopronyi, RMC/QPA/CMR, Administrator/Borough Clerk, Hightstown Borough, 156 Bank Street, Hightstown, NJ 08520 Phone: (609)-490-5100; Fax: (609)-371-0267

Email: clerk@hightstownborough.com

Patrice Loehle, PP, Senior Planner, CGP&H, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512;

Phone: (609) 664-2786 x.13; Fax: (609) 664-2786

Email: patrice@cgph.net

George Lang, Chief Financial Officer, Hightstown Borough, 156 Bank Street, Hightstown, NJ 08520

Phone: (609)-490-5100; Fax: (609)-371-0267

Email: cfo@hightstownborough.com

David Gerkens and Patrice Loehle, Consultants, CGP&H, 101 Interchange Plaza, Suite 301, Cranbury,

NJ 08512; Phone: (609) 664-2786 x.23; Fax: (609) 664-2786

Email: dave@cgph.net

Resolution 2019-147

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

**SUPPORT SENATE BILL S-3827 ASSEMBLY BILL A-5450 CLARIFYING
TELECOMMUNICATIONS INDUSTRY CORPORATE TAX RESPONSIBILITIES**

WHEREAS, the A-5450/S-3827 seeks to clarify telecommunications industry corporate tax responsibilities and shield taxpayers from the costs of endless tax court litigation; and

WHEREAS, a misinterpretation of P.L. 1997, c.162 (C.54:10A-3 et al.) has resulted in municipalities facing the cost of litigating Verizon's tax appeals filed for every tax year subsequent to 2009, up to and including the current year; and

WHEREAS, tax court litigation in one municipality took ten years to ensure that Verizon would pay its 2008 business personal property taxes (BPPT), and further litigation will be needed to secure BPPT payments for each subsequent year in which the exemption was claimed; and

WHEREAS, every municipality faces the same prospect of costly annual tax court filings and appeals, adding to taxpayer burden; and

WHEREAS, A-5450/S-3827 would clarify the intent to permanently apply the business personal property tax on local exchange telephone companies that were subject to the BPPT tax as of April 1, 1997.

NOW, THEREFORE, BE IT RESOLVED BY The Borough Council of the Borough of Hightstown:

1. That it does hereby support A-5450/S-3827, which will clarify the telecommunications industry corporate tax responsibilities.
2. That a copy of this resolution be sent to our District 14 representatives, the members of the Assembly Appropriations Committee and the New Jersey League of Municipalities.

Resolution 2019-148

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

AMENDING RESOLUTION 2019-25

WHEREAS, resolution 2019-25 authorized officers of the Borough of Hightstown to sign for the payment of money from the accounts that the Borough if Hightstown; and

WHEREAS, it is necessary to amend resolution 2019-25 by removing the name of Janice Mohr-Kminek as a designated officers who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown; and

WHEREAS, it is necessary to further amend resolution 2019-25 by adding the name of Michael J. O'Connor as a designated officers who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that resolution 2019-25 shall be amended by removing Janice Mohr-Kminek, Accounts Payable, as an officer who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown and add Michael J. O'Connor, Account Payable, as an officer who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown

Resolution 2019-149

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

**SUPPORTING THE DRIVE SOBER OR GET PULLED OVER 2019 STATEWIDE
CRACKDOWN**

Whereas, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

Whereas, impaired driving crashes killed 10,874 people in the United States in 2017; and

Whereas, impaired driving crashes cost the United States almost \$44 Billion a year; and

Whereas, during the past five years New Jersey's roadways experienced 36,778 crashes and 679 fatalities involving impaired drivers; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2019 Statewide Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from August 16 through September 2, 2019; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be is resolved that the Borough of Hightstown declares it's support for the *Drive Sober or Get Pulled Over 2019 Statewide Crackdown* from August 16 through September 2, 2019 and pledges to increase awareness of the dangers of drinking and driving.

PUBLIC COMMENT PERIOD II

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

Scott Caster, 12 Clover Lane – Spoke regarding bicycles on sidewalks in front of the businesses downtown. This is an everyday issue. Council needs to deal with this.

Keith LePrevost, 213 Greely Street – Feels that it is an atrocity that the professionals, Environmental Commission nor the Shade Tree Commissioner are here to discuss the invoice to JCP&L. He feels this should be removed from the agenda until the Shade Tree Commissioner can be here to discuss.

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

DISCUSSION

FEMA Claim for Borough Hall & PD

Mayor Quattrone explained that FEMA will issue the Borough 75% of our insurance deductible (\$500,000) for the Hurricane Irene Claim. The total amount due to the Borough is \$375,000. FEMA needs a letter approving that the funds be used for the new property at 230 Mercer Street. The Borough Administrator is asking Council for permission to send said letter.

Councilmember Musing moved approving the transference of FEMA funds to 230 Mercer Street; Councilmember Bluth seconded.

Roll Call Vote: Councilmembers Bluth, Misiura and Musing voted yes.

Transference of FEMA funds to 230 Mercer Street approved 3-0.

Environmental Commission Invoice to JCP&L

Council reviewed a letter of July 28, 2019 from David Zaiser, Shade Tree Official, to JCP&L regarding trees that were removed on South Street. Mr. Zaiser included an invoice stating that JCP&L owed the Borough \$72,948 for the illegal removal of said trees. Discussion ensued. It is unclear who has authority to send such a letter. The Borough adopted resolution 2018-185 supporting aggressive tree trimming and JCP&L had been in contact with Ken Lewis, Public Works Superintendent, who was aware that the trees were to be removed. Borough Attorney, Fred Raffetto, stated that BPU has authority over the power lines and they may supersede our local ordinance. Council furthermore questioned where the Shade Tree Commissioner arrived at the astronomical figure due to the Borough. Council instructed Mr. Raffetto to look into the BPU regulations. If protocol was not followed, what is our legal recourse. Council also stated that we need to look at our ordinance more closely to see what authority is given to the Environmental Commission and the Shade Tree Commissioner. Councilmember Musing closed by stating that Council should be made aware of these situations before letters are sent, regardless of whose authority it is.

Subcommittee to Review Borough Code Chapter 28

Construction/Zoning Official, George Chin, and Borough Administrator/Clerk, Debra Sopronyi, have been discussing issues presently affecting the redevelopment and property improvements conducted within the Borough. The high costs of appearing before Planning Board is discouraging redevelopment, new businesses and new construction in town. During their discussion, it was recommended that the Mayor form a subcommittee to review Chapter 28 of the Borough Code to make the application process more “developer friendly” and cost effective for the applicant. It is recommended that the committee consist of two members

each of the Borough Council and Planning Board as well as the Zoning/Construction Official. The purpose of this subcommittee would be to evaluate the Borough Ordinance and make recommendations of revisions to the Borough Council and Planning Board. Mayor Quattrone appointed Councilmembers Bluth and Musing to this subcommittee.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Musing

HPC is getting ready to hang the banners in the historic district.

Council President Misiura

Commented that the Theatre in the Park program sponsored by the Cultural Arts Commission has really taken root. They now have two groups that are both at capacity. Planning Board meets next week.

George Lang, CFO

Tax rate was received late today. The tax bills will be mailed by the beginning of next week. There will be a 25-day grace period from the time of billing.

Peggy Riggio, Deputy Clerk

National Night Out is Tomorrow night from 6:00 pm – 8:30 pm at Association Park. An E Newsletter is replacing the quarterly paper newsletter and will be going out monthly. You can sign up on the Borough's Website.

Mayor Quattrone

He has met with an arborist from JCP&L who will help guide the Borough with the type of trees to plant as to not interfere with power lines. He would like to see the Zoning Ordinances get squared away. He is unhappy with 1 meeting per month in the summer. Would like Council to discuss going back to 2 meetings per month in July and August.

ADJOURNMENT

Councilmember Musing moved to adjourn at 8:50 p.m. Councilmember Bluth seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk

Borough of Hightstown

PUBLIC HEARING

SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

August 5, 2019

AGENDA

1. Welcome and Introduction
2. Description of Small Cities Program and Eligible Activities
3. Proposed Small Cities Public Facilities Application
4. Public Participation

- I. THE PURPOSE OF THIS HEARING** is to discuss the Community Development Block Grant Small Cities Program funded under the Housing and Community Development Act of 1974, as amended and as administered through the New Jersey Department of Community Affairs.
- II THE GENERAL PURPOSE OF THE ACT IS** to meet urgent community development and housing needs, eliminate and prevent slums and blight and expand economic opportunities principally for persons of low and moderate income.
- III THE SPECIFIC OBJECTIVES OF THE STATE'S SMALL CITIES PROGRAM ARE THE FOLLOWING:**
- A. To support and encourage more effective and efficient patterns of community development, redevelopment, and capital funding that reflect the New Jersey State Development and Redevelopment Plan.
 - B. To support and encourage neighborhood revitalization efforts identified in locally developed plans and strategies intended to develop affordable housing.
 - C. To encourage innovative proposals that combine job creation, housing improvement and/or other eligible activities for renewing designated revitalization areas and that foster cooperative agreements among units of local government.
 - D. To encourage the development of facilities needed to support welfare to work programs such as job training and child and elder care.
 - E. To support housing rehabilitation programs that will increase the supply of safe, decent, and affordable housing.
 - F. To improve the availability and adequacy of essential public facilities and remedy serious deficiencies in areas that principally serve senior citizens and low and moderate-income people.
 - G. To support community and economic development activities that expand business enterprises and increase job opportunities for the unemployed and for people of low or moderate income, and thereby, increase municipal tax revenues.
 - H. To ensure that communities have the capacity to implement community development programs and maintain community development improvements.
 - I. To support community development projects of particular urgency where existing conditions pose a serious and immediate threat to the health or welfare of the community, and where other financial resources are unavailable.

IV THE BOROUGH OF HIGHTSTOWN is eligible to apply to the Small Cities Program under both the Public Facilities Fund and the Housing Rehabilitation Fund categories. The maximum grant awards are \$200,000 (for housing rehabilitation) and \$400,000 (for public facilities).

V IN ORDER FOR THE BOROUGH to possibly receive these funds, it is necessary to first prepare an application which provides information on needs and objectives, describes the proposed activities and explains how the selected program will benefit low and moderate income residents.

VI EVALUATION CRITERIA. All Community Development applications will be compared and ranked in terms of specific criteria, and a final selection will be made from the best applications. Two key criteria pertinent to Small Cities projects are program impact and community need.

Program Impact. The impact of low and moderate income persons as a percent of all persons benefitted; and the absolute number of low and moderate income persons benefitted; the extent and severity of documented project area needs; and the extent to which the strategy proposed by the applicant, including the activities for which Small Cities funding is requested, will positively affect the needs identified.

Community Need. This factor has already been calculated for each eligible municipality and county and is based on the Statewide Municipal Revitalization Index (MRI).

VII ELIGIBLE ACTIVITIES

Activities assisted under the State Small Cities Block Grant Program may include only:

1. Acquisition of real property which is:
Blighted
Appropriate for rehabilitation
Appropriate for preservation as a historic

site
Used for provision of public works
Used for other public purposes

2. Acquisition, construction, reconstruction or installation of public works facilities (except for buildings and site and other improvements for the general conduct of government).
3. Code enforcement in deteriorated or deteriorating areas in which such enforcement may arrest the area's decline.
4. Clearance, demolition, removal and rehabilitation of buildings.
5. Special projects directed to the removal of architectural barriers which restrict accessibility of the elderly and handicapped.
6. Payments to housing owners for losses of rental income incurred in holding units for relocated individuals and families displaced by activities under this program.
7. Disposition of real property acquired pursuant to the program.
8. Provision of public services if such services have not been provided by the local government during the twelve-month period immediately preceding implementation of the program.
9. Payment of the non-federal share required in connection with a Federal grant-in-aid program undertaken as part of this program.
10. Payment of the cost of completing a project funded under Title I of the Housing Act of 1949.
11. Relocation payments for displaced individuals, families, businesses, organization and farm operations.
12. Activities necessary to develop:
A comprehensive community development plan; and
A policy planning management capacity to enable the recipient to more effectively

administer the program.

13. Payment of reasonable administrative costs.
14. Activities carried out by public or private non-profit organizations including:
 - Planning
 - Acquisition of real property
 - Acquisition, construction, reconstruction, rehabilitation or installation of:
 - a. Public facilities, (except for buildings for the general conduct of government), site improvements and utilities
 - b. Commercial or industrial buildings or structures
15. Assistance to non-profit organizations serving non-entitlement areas, local development corporations or entities organized under the Small Business Investment Act of 1985 to carry out a neighborhood revitalization or community economic development or energy conservation projects, including the development of shared housing opportunities for the elderly (other than by construction of new facilities).
16. Activities necessary to the development of comprehensive community-wide energy use strategy.
17. Assistance to private, for profit entities, when the assistance is appropriate to carry out an economic development project.
18. Rehabilitation or development of housing assisted under Section 17 of the United States Housing Act of 1937.
19. Assistance to facilitate the substantial reconstruction of housing owned and occupied by low- and moderate-income persons.
20. Technical assistance to increase the capacity of public or non-profit entities to carry out eligible neighborhood revitalization or economic development activities.
21. Housing services designed to assist

homeowners, tenants and others participating or seeking to participate in eligible housing activities.

22. Assistance to institutions of higher education capable of implementing eligible activities.
23. Assistance to public and private organizations (for-profit as well as non-profit) to facilitate the development, stabilization, and expansion of micro enterprises.
24. Activities necessary to repair and operate housing units acquire through tax foreclosure to prevent abandonment and deterioration.
25. Assistance to facilitate and expand homeownership by subsidizing interest rates, financing acquisition, guaranteeing mortgages, paying for up to 50% of down payments, or paying reasonable closing costs for income-eligible people.

VIII THE BOROUGH OF HIGHTSTOWN INTENDS TO PREPARE A SMALL CITIES APPLICATION based upon the foregoing information which meets all of the State's criteria. The Borough of Hightstown plans to file a Small Cities Public Facilities grant application for approximately \$400,000 for ADA improvements to the former YMCA Building located at 230 Mercer Street.

