



hightstown  
cultural arts  
commission

# **PUBLIC ART MASTER PLAN**



**Public Art Master Plan  
The Borough of Hightstown  
Cultural Arts Commission**

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*It has been a privilege to serve on the newly formed Hightstown Cultural Arts Commission and learn about the abundance of artistic talent, energy and desire for creative cultural experiences in our town. The Public Art Master plan is designed as a guide to help Hightstown unite our assets and aspirations in a variety of ways that involve art in its broadest sense—from the potential for site specific art that can be enjoyed as one walks, drives or cycles through Hightstown, to activities like performances and festivals that bring young and old of all cultures in our community together in a way unlike any other.*

*Art that is public is free and accessible to everyone. It is a gift to ourselves that creates a better understanding of where we live, work and visit, and instills pride in the values we cherish as residents of Hightstown. I believe I can speak for all of our inaugural Commissioners by saying that our hope is that this plan will be used frequently, referenced, and modified to address evolving needs and developments in our rapidly changing environment. Hightstown is at a critical point where the community is considering how our town will look and function for future generations. This Public Art Master plan is intended to be part of that fertile soil as we seek what we all want in Hightstown, a place that people regard as historically rich, economically vibrant, and unique in cultural identity. We hope Hightstown residents will feel free to contribute to this plan that strives to add beauty to our shared environment, engage you people and celebrate our town's diversity and creativity.*

*Ann Marie Miller, Cultural Arts Commission*

*Creating a plan to forge an artistic identity of a town is not a simple endeavor. Creating the public art master plan has been daunting, rewarding, liberating. The opportunity to steer Hightstown toward a "creative community" has stirred spirited discussion. "Multiculturalism" is both our greatest asset and our greatest challenge. The hope of the Cultural Arts Commission is that the Public Art Master Plan in conjunction with the existing events and festivals will become an asset in expanding our worldview and demonstrate the liberating potential of art.*

*At no time in this town's history has one group been able to design and shape the cultural and artistic landscape. The CAC has taken this process very seriously and created a plan to set in motion a gradual yet enriching art and cultural presence in Hightstown. This plan has the potential to bring together and celebrate our disparate identities and create a community united in the promotion, pursuit and enjoyment of art.*

*The Public Art Master Plan benefits from the efforts of many other towns as it combines Master Plans from communities across America. However, we started with the spirit of our town's creative capacity. We feel we have curated a program grounded in our town's strengths while highlighting the importance of education and cultural enrichment in the hopes of developing a discourse around an expanded worldview.*

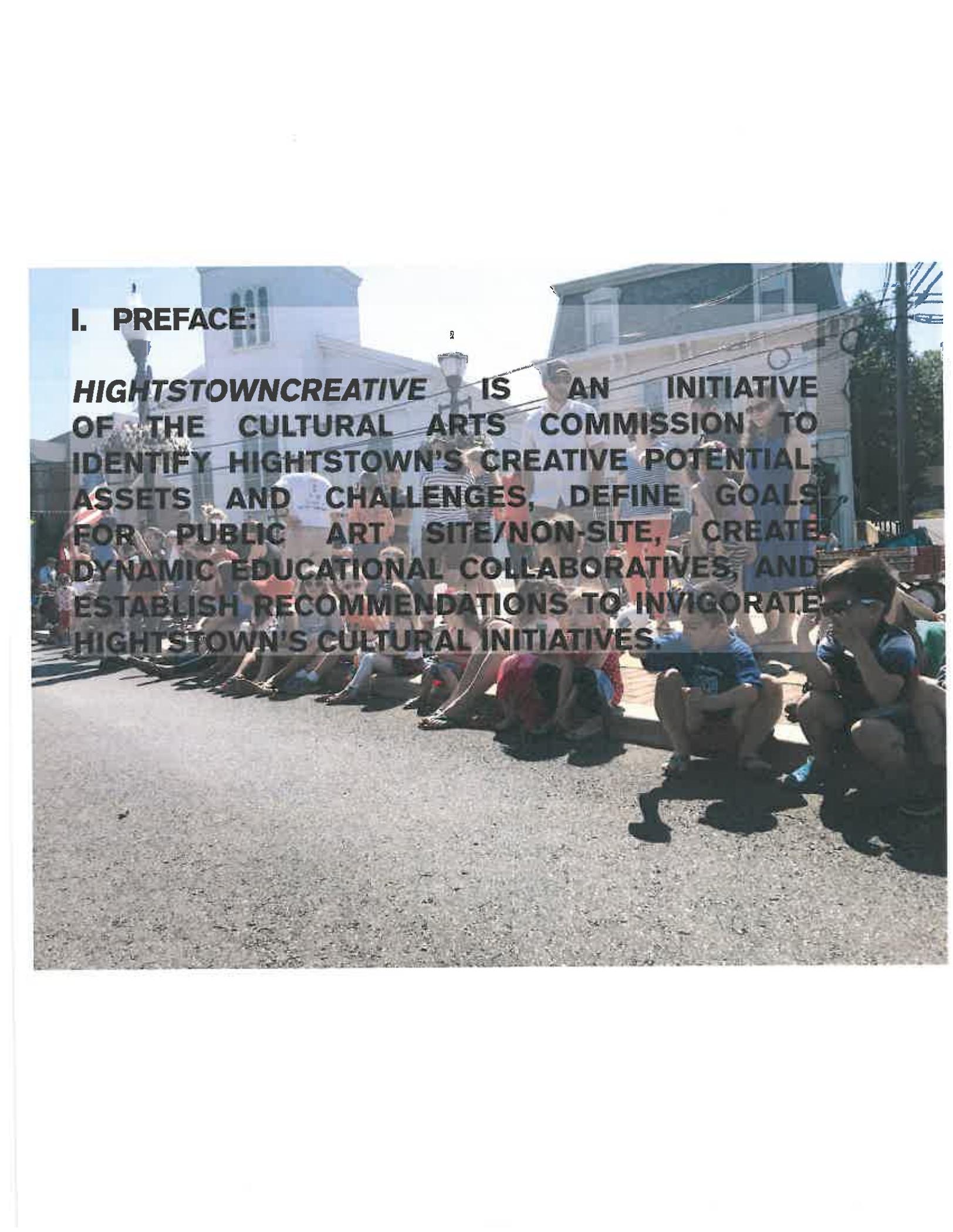
*As an artist, critic, educator and arts administrator I am especially proud to have been able to serve my town in this manner. It is the hope of the CAC that through these initiatives, with support from the civic leadership and the community, we can direct our potential into a fruitful and creative community.*

*Adam Welch, Cultural Arts Commission*



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**I. PREFACE:**

**HIGHTSTOWN CREATIVE IS AN INITIATIVE OF THE CULTURAL ARTS COMMISSION TO IDENTIFY HIGHTSTOWN'S CREATIVE POTENTIAL, ASSETS AND CHALLENGES, DEFINE GOALS FOR PUBLIC ART SITE/NON-SITE, CREATE DYNAMIC EDUCATIONAL COLLABORATIVES, AND ESTABLISH RECOMMENDATIONS TO INVIGORATE HIGHTSTOWN'S CULTURAL INITIATIVES.**

## PURPOSE VALUES VISION

### PURPOSE

The Hightstown Cultural Arts Commission (CAC) is charged with the development of artistic and cultural appreciation as an important consideration in the progress and growth of our society generally and Hightstown specifically. The CAC's pursuit through the presentation of cultural/artistic events and programs, and establishment of art installation sites and venues is declared to be a significant goal benefiting Hightstown residents.

The Borough Ordinance 2014-10 tasks the CAC to encourage artistic awareness, participation and expression, promote the employment of artists and those skilled in the crafts. This document and its policies and procedures for the acquisition, placement, care, and management of works of art for the Borough Art Collection endeavors to achieve the full representation of the arts. All artworks owned or presented, shown or contracted by the Borough, now or future, will be adopted through the procedures and guidelines established by the CAC and approved by the Council.

### VALUES

The CAC is committed to providing access to arts and culture through work created by artists for places accessible to and used by the public in multifaceted ways—from site specific installations to performances and educational experiences.

### VISION

HightstownCreative is the result of research, SITE assessment and community engagement undertaken to chart a course for Hightstown's art and cultural development.

**THE MISSION OF THE CAC IS TO IDENTIFY AND PROMOTE HIGHTSTOWN'S CREATIVE POTENTIAL, SET GOALS FOR PUBLIC ART AND CULTURE, CREATE EDUCATIONAL INITIATIVES, COMMUNITY PARTNERSHIPS, AND COLLABORATIONS REFLECTIVE OF OUR TOWN'S CULTURAL DIVERSITY.**

## CREATIVE PLACEMAKING

Identify Hightstown's creative potential, assets and challenges, define goals for public art and culture, create dynamic educational initiatives, community partnerships, collaborations and to make recommendations to invigorate Hightstown's cultural initiatives.

Outline strategies for borough-wide implementation to create Hightstown as a focus for arts, culture, community, and creativity in the region. To create Hightstown as a "Creative Economy," to integrate art into the concept of the Borough's quality of life.

Recommend the acquisition and placement of art in public places. Including best practices related to the selection and placement of art, the pooling and appropriation of available funding for public art held to the highest possible allocation (the State's \$1.85 average per capita spending) the creation and monitoring of an Art Enrichment Fund, an Art Maintenance Fund, the conservation of artwork, and the process for the development of the cultural arts within the Borough.

Endeavor to paint a broad picture of arts and culture that includes performance, dance, music, murals, intervention, as well as public art.

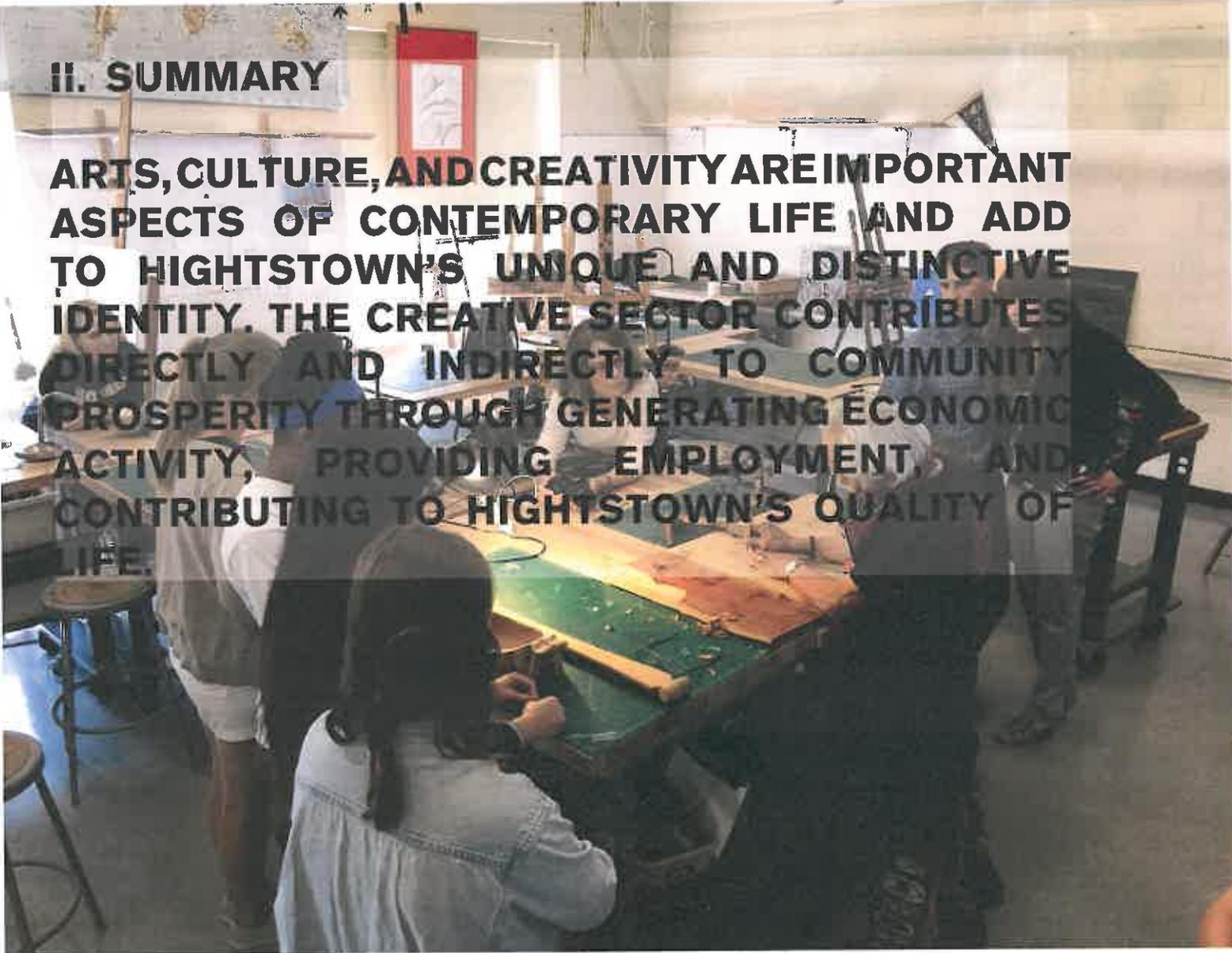
Recognize that arts and cultural participation is a community value and integral to daily life.

Develop and implement an education component that serves to enhance the community's understanding and enjoyment of works of art and the creative process from which they were derived. Includes providing information on all artwork. Initiate public relations systems to develop a greater awareness of Hightstown's art and cultural community and sponsor educational outreach programs in the area schools. Create cultural maps relating to site-specific works and arts and cultural venues within the Borough.

Advise and make recommendations to the Planning Board regarding the inclusion of matters relating to public art and sites of possible cultural activity relating to venues for performance or dramatic arts, within the Borough's Master Plan, or as to any other matters as requested by the Planning Board.

## II. SUMMARY

ARTS, CULTURE, AND CREATIVITY ARE IMPORTANT ASPECTS OF CONTEMPORARY LIFE AND ADD TO HIGHTSTOWN'S UNIQUE AND DISTINCTIVE IDENTITY. THE CREATIVE SECTOR CONTRIBUTES DIRECTLY AND INDIRECTLY TO COMMUNITY PROSPERITY THROUGH GENERATING ECONOMIC ACTIVITY, PROVIDING EMPLOYMENT, AND CONTRIBUTING TO HIGHTSTOWN'S QUALITY OF LIFE.



## HIGHTSTOWN CREATIVE PROCESS

**THIS IS THE FIRST TIME IN HIGHTSTOWN'S CULTURAL** legacy that civil government have sought to develop the Arts, thanks to the initiative of Rick Pratt, the Borough Council, and former Mayor Steve Kirson, for creating the commission. In July 2014, the Borough Council decided to establish a group of experts to define best practices for the cultivation of Public Art specifically and a district for Arts and Culture generally.

The Council recognized that they could not support arts, culture, and creative industries without the development of significant cultural strategies to sustain the creative culture of Hightstown. The CAC was formed with the intention that there are nine members and up to four alternates that meet the following criteria. Three members who are artists or affiliated with art organizations, but not necessarily residents of Hightstown. Three members who are residents of Hightstown and hold an appreciation for the arts. Four alternate members with two composed of youth members between 15-18 years old and students at either Hightstown-East Windsor Regional High School or the Peddie School. One member of the Parks & Recreation Commission and one representative of the Borough Council.

With monthly public meetings the CAC put in place measures to affect change and create interest in the creative industry of the Borough. However, without significant investment from both Council and residents no real progress can be made.

## ART WORKS: ARTS AND CULTURAL PRODUCTION

In 2011, the impact of the Arts and Culture on the U.S. Economy accounted for 3.2 percent or \$504 Billion of the Gross Domestic Product.

The Gross output of the Arts and Cultural Production (ACP) was \$916 billion. Of the leading contributing industries were Advertising, Arts Education, Cable production and distribution, Motion picture and video goods and services, independent artist and performing arts, book, newspaper and periodical publishing, radio and television broadcasting and design and selected architectural services.

In 2011, the production of arts and cultural goods and services employed 2 million workers and generated \$289.5 billion in employee compensation.<sup>1</sup>

The state's nonprofit arts industry generates more than \$1.5 billion annually with nearly 25,000 arts-related business employ more than 87,000 people.<sup>2</sup>

Combined with related spending by visitors to cultural events (meals, lodging, parking) the art and cultural industry generates over \$40 million annually in state income and sales tax.<sup>3</sup>

Attendance at art events generates income for local businesses. An average arts attendee spends \$24.60 per event not including the cost for admission of which 31.8 percent of attendees travel from outside the county in which the event took place and 68.2 percent were local with nonlocal audiences spending an average \$39.96 compared to the local spending \$17.42.<sup>4</sup>

<sup>1</sup> [arts.gov/news/2013/us-bureau-economic-analysis-and-national-endowment-arts-release-preliminary-report-impact](http://arts.gov/news/2013/us-bureau-economic-analysis-and-national-endowment-arts-release-preliminary-report-impact)  
<sup>2</sup> ArtPride NJ, "The Arts Mean Business," 2009 Economic Activity Study: <https://artpridenj.com/wp-content/uploads/2012/03/09economic-activity-report.pdf>  
<sup>3</sup> [artpridenj.com/resources/arts-mean-business/](http://artpridenj.com/resources/arts-mean-business/)  
<sup>4</sup> [americansforthearts.org/by-program-reports-and-data/research-in-studies-publications/arts-economic-prosperity-iv/national](http://americansforthearts.org/by-program-reports-and-data/research-in-studies-publications/arts-economic-prosperity-iv/national)

**ARTS, CULTURE AND CREATIVITY**

**ARCHITECTURE**

**ARTS EDUCATION**

**COMMUNITY ARTS**

**CRAFTS**

**CULINARY ARTS**

**DANCE**

**DESIGN AND GRAPHIC DESIGN**

**HERITAGE**

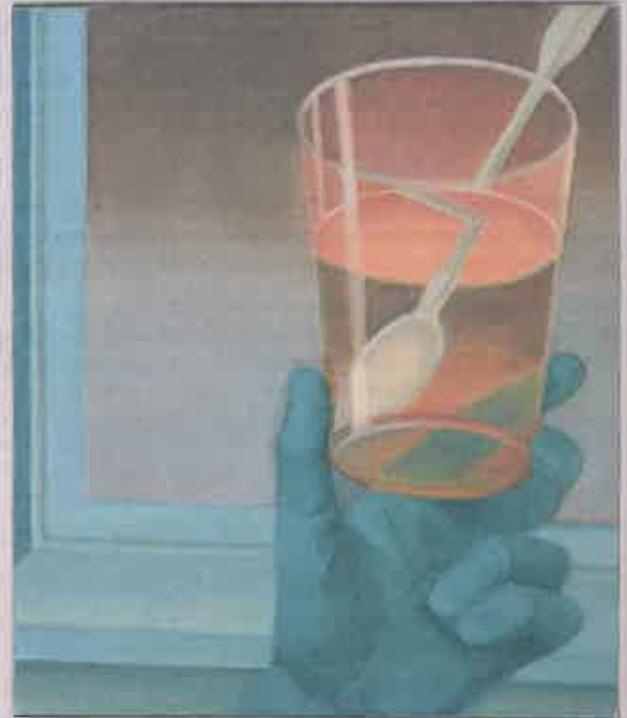
**LANDSCAPE ARCHITECTURE**

**MUSIC**

**PHOTOGRAPHY**

**THEATRE**

**VISUAL ARTS**



## HISTORY OF DEVELOPMENT

### Tabula Rasa

HightstownCreative, Hightstown's Public Art Master Plan, began in late September 2014 with Resolution 2014-133 and the appointment of the CAC to create, facilitate, oversee and manage the process. Since no formal structure was in place within the Borough to establish an artist registry, it was decided to conduct a survey, create a Facebook page, and begin the Art Master Plan.

The Borough realized the necessity of increasing access and exposure of Arts and Culture as essentially linked with its vitality and economic future. Subsequently passing an ordinance that formed the CAC to help with the task and to formulate a Public Art Master Plan that will assist the Planning Board and the local government to make educated decisions regarding its efforts in that direction. This Commission was in part formed by need within the government, but also to create a stable arts culture in the town to encourage economic development.

The CAC having no funding and no structure in place decided a two pronged approach was most suited to initiate activity involving developing a master plan and begin research to and gauge community interest.

## ARTS AND CULTURAL PRODUCTION

13-member Cultural Arts Commission

Monthly Community Meetings

Town Internet Survey

Facebook Page

Research and review of Master Plans

Consensus building and decision making among community

Integration with ongoing planning efforts with established events

Grants Writing - Theatre in the Park Program

Promote artists events and attend.

Design of Commission Logo

Launch of Monthly e-newsletter

Collaboration with municipal agencies and commissions

Harvest Fair

Downtown Hightstown

Planning Board

## COMMUNITY ENGAGEMENT COLLABORATION

Hightstown—located in the center of New Jersey—is a Borough in Mercer County. Reputedly founded by John and Mary Hight in 1721, they settled in this area, having purchased 3,000 acres of land from the British crown. On the north side of Rocky Brook, currently the site of the Hightstown firehouse, they erected a log cabin. Later they built a mill, blacksmith shop, and at least two other buildings nearby. The borough is an independent municipality surrounded entirely by East Windsor Township. Hightstown is at the central-most point of New Jersey and is roughly equidistant from Philadelphia and New York City. Hightstown was incorporated as a borough by an Act of the New Jersey Legislature on March 5, 1853, within portions of East Windsor Township. The borough became fully independent c. 1894. Additional portions of East Windsor Township were annexed in 1913, 1915 and 1927. It was named for the Hight family.

As of the 2010 United States Census, the borough's population was 5,494 people, 1,976 households, and 1,352 families residing in the borough. The population density was 4,536.0 per square mile. There were 2,108 housing units at an average density of 1,740.4 per square mile. The racial makeup of the borough was 69.44% (3,815) White, 8.05% (442) Black or African American, 0.56% (31) Native American, 4.08% (224) Asian, 0.15% (8) Pacific Islander, 13.56% (745) from other races, and 4.17% (229) from two or more races. Hispanics or Latinos of any race were 30.29% (1,664) of the population. There were 1,976 households, of which 32.0% had children under the age of 18 living with them, 51.2% were married couples living together, 11.2% had a female householder with no husband present, and 31.6% were non-families. 24.6% of all households were made up of individuals, and 6.7% had someone living alone who was 65 years of age or older. The average household size was 2.73 and the average family size was 3.23. In the borough, 23.9% of the population were under the age of 18, 8.6% from 18 to 24, 31.1% from 25 to 44, 26.7% from 45 to 64, and 9.6% who were 65 years of age or older. The median age was 36.9 years. For every 100 females there were 99.5 males.

The Census Bureau's 2006-2010 American Community Survey showed that median household income was \$66,250 and the median family income was \$72,583. Males had a median income of \$49,861

versus \$42,361 for females. The per capita income for the borough was \$32,976. About 8.2% of families and 8.7% of the population were below the poverty line, including 17.2% of those under age 18 and 1.1% of those age 65 or over.

Hightstown is governed under the Borough form of New Jersey municipal government. The governing body consists of a Mayor and a Borough Council comprising six council members, with all positions elected at-large on a partisan basis as part of the November general election. A Mayor is elected directly by the voters to a four-year term of office. The Borough Council consists of six members elected to serve three-year terms on a staggered basis, with two seats coming up for election each year in a three-year cycle. The Borough form of government used by Hightstown, the most common system used in the state, is a "weak mayor / strong council" government in which council members act as the legislative body with the mayor presiding at meetings and voting only in the event of a tie. The mayor makes committee and liaison assignments for council members, and most appointments are made by the mayor with the advice and consent of the council. Hightstown is located in the 12th Congressional District and is part of New Jersey's 14th state legislative district. Prior to the 2011 reapportionment following the 2010 Census, Hightstown had been in the 12th state legislative district. Prior to the 2010 Census, Hightstown had been part of the 4th Congressional District, a change made by the New Jersey Redistricting Commission that took effect in January 2013, based on the results of the November 2012 general elections. As of March 23, 2011, there were a total of 2,891 registered voters in Hightstown, of which 1,105 (38.2%) were registered as Democrats, 542 (18.7%) were registered as Republicans and 1,241 (42.9%) were registered as Unaffiliated. There were 3 voters registered to other parties.

Students in public school for pre-Kindergarten through twelfth grade attend the East Windsor Regional School District, a comprehensive public school district serving students from East Windsor Township and Hightstown Borough. Public school students in seventh through twelfth grades from Roosevelt Borough (a community in Monmouth County that had a 2010 Census population of 882) are sent to the

district's schools as part of a sending/receiving relationship with the Roosevelt Public School District. As of the 2011-12 school year, the district's six schools had an enrollment of 5,054 students and 373.5 classroom teachers (on an FTE basis), for a student-teacher ratio of 13.53:1. Schools in the district (with 2011-12 enrollment data from the National Center for Education Statistics.) are Walter C. Black Elementary School (525 students; in grades K-5), Perry L. Drew Elementary School (558; K-5), Ethel McKnight Elementary School (636; K-5), Grace N. Rogers Elementary School (699; PreK-5), Melvin H. Kreps Middle School grades 6 - 8 with 1,293 students and Hightstown High School with 1,403 students in grades 9 - 12. Hightstown is also home to the Peddie School, a coeducational, independent high school founded in 1864.

Hightstown is located at the cross-roads of several major roads. The main highway through the borough is Route 33 (which is also multiplexed with County Route 539 and County Route 571). U.S. Route 130 just barely passes through the northwest corner, but is usually accessible by Route 33, CR 571 and CR 539. The Hightstown Bypass is north of the borough. Hightstown is also immediately adjacent to Exit 8 of the New Jersey Turnpike (Interstate 95) in East Windsor.

As of 2010, the borough had a total of 16.74 miles of roadways, of which 12.70 miles were maintained by the municipality, 2.74 miles by Mercer County and 1.30 miles by the New Jersey Department of Transportation.

The freeway, which opened to the public in November 1999, was ultimately given the designation of Route 133 and runs from CR 571 to Route 33. It only has two interchanges and has traffic signals at both ends. Without a proper connection to the New Jersey Turnpike, the bypass has not lived up to its original expectations and congestion through Hightstown still largely remains. However with the expansion project of the Turnpike, Exit 8 was relocated from its original location (immediately at the border of Hightstown) further into East Windsor near Twin Rivers that connects directly to the end point of Route 133 with a grade-separated interchange along Route 33 that was

completed in September 2013. This connection was to encourage Turnpike traffic to use the bypass by giving a more direct route to other parts of the region, such as Princeton, and having to avoid downtown Hightstown.

Public transportation is provided by the Route 130 Connection shuttle, as well as the Princeton Junction Shuttle. There is also direct service to New York, as well as other New Jersey communities on the Suburban Coach route 300 to the Port Authority Bus Terminal, Grand Central Terminal and other destinations in Midtown Manhattan and the 600 route to Downtown Manhattan / Wall Street.

Hightstown has a total area of 1.242 square miles, of which, 1.211 square miles of it is land and 0.031 square miles of it (2.52%) is water. Climate—the record low was -16 °F (-27 °C) on January 28, 1935. The record high was 105 °F (41 °C) on July 9, 1936.

#### Notable People from Hightstown

Kay B. Barrett (1902-1955) Hollywood talent scout who acquired the movie rights to the book *Gone with the Wind*.

Hilly Kristal (1931-2007) founder and owner of the New York City music club CBGB.

Larry Kelley (1915-2000) football player who won the Heisman Trophy in 1936.

Randal Pinkett (b. 1971) business consultant who in 2005 was the winner of season four of the reality television show, *The Apprentice*.

Martin Waldron (1925–1981) winner of the 1964 Pulitzer Prize for reporting on unchecked spending on the Florida Turnpike.

Paul Watkins (b. 1964), novelist.

John Archibald Wheeler (1911–2008), physicist.

Nick Williams (born 1990), wide receiver who has played in the NFL for the Washington Redskins.

John Woodruff (1915-2007), Gold Medalist at 800 meters at the 1936 Summer Olympics in Berlin.

([http://en.wikipedia.org/wiki/Hightstown,\\_New\\_Jersey](http://en.wikipedia.org/wiki/Hightstown,_New_Jersey))



## BOROUGH AND COMMUNITY ROLES

### **Pride Progress Peddle**

Borough Council initiated the CAC to define and recommend the roles and responsibilities of government with respect to cultural development. This was a giant first step for a small town with limited funding. It is important that as much community engagement as possible happen in support of the Borough's current endeavors in order to build the necessary momentum to sustain these initiatives. It is incumbent upon Council that they engage and support these initiatives. Without Civic leadership investment and support it is likely that others will not follow suit.

Establish Public Art Master Plan

Create a Borough Art Collection

Create Arts Enrichment Fund

Create an Arts Maintenance Fund

Create 1% for the Arts on Capital Improvement Projects

Support Arts Events

Support Businesses that Support Art Events

Provide Free Access to Municipally owned Facilities

## COMMUNITY STRENGTHS

### **Location, Location, Location**

Myriad individuals and organizations in the creative sector, private sector, and broader community play equally important roles in forwarding Hightstown's Public Art Master Plan.

Art Station Studio

Two Elementary Schools

Two High schools

Shops supporting local artists

Restaurant Gallery

Local Artists

No Public Art or Artistic Presence

Two Photography Studios

Proximity to Art Supply Store

Proximity to Public Transit

Proximity to Princeton, New York and Philadelphia

Summer Concert Series

Farmers Market

Theatre in the Park

Community Cultural Festivals

## HIGHTSTOWN STRATEGIC CHALLENGES OPPORTUNITIES

A Public Art Master Plan should be grounded in the unique character of its SITE, community and history. Arts & Culture are necessary fixtures of contemporary life and add to Hightstown's unique and distinctive identity. Arts and culture contribute directly and indirectly to community prosperity through economic generation, employment, and most importantly, the quality of life for Hightstown residents. Hightstown's arts, culture, and creative sector, and all of their associated activities and products, drive creativity. There are numerous individuals throughout the borough working in the arts and creative industries that have the potential to create new cultural, intellectual, and economic opportunities. Additionally, jobs and revenue are generated through the distribution of creative works and those that perform services in proximity to cultural activities – galleries, home stores, coffee shops, restaurants, etc.

Tourism centered on arts events, festivals and galleries can bring additional business to the Borough. In looking for an opportunity to have a destination experience in a small town, Hightstown has the potential to offer many diverse and rich experiences.

HightstownCreative defines the roles and responsibilities of Government with respect to cultural development, cultural artifacts, and cultural responsibility. The CAC needs for the Borough and the Community to play an active role in our initiatives and help us make HightstownCreative a reality for the betterment of our community.

Domains of cultural vitality are defined by three ideas: Presence, Participation and Support. Does Hightstown have the presence of opportunities for "Creative Placemaking": cultural participation and support for cultural participation? If we are to succeed in creating a "Creative Economy" we need to extend our partnerships beyond fundraising and foundations.

Hightstown is a small community and we will need to enlist every possible participant to include our library, parks, businesses, and wherever art and cultural activities can happen on a more sustained level in addition to our parades, farmers markets and festivals.

Art projects should be geared toward the promotion of excellence in art, developing a sense of our town's cultural diversity and more importantly our future. Work should not be limited to monuments, historical pieces, or contemporary sculpture and not privilege one over the other based on leadership bias. Despite the impressive and visible nature of large monumental public art projects we cannot lose sight of the importance of promoting all cultural arts activities.

Arts and Culture contribute to Hightstown's quality of life by providing activities, opportunities and creative industry, but few celebrate or acknowledge the community's growing diversity. During the planning process, it was noted that the community is in need of creating dynamic collaborative relationships that reflect its cultural diversity and collaborations will help ensure the Public Art Master Plan will amplify the town's unique and creative capacity.

Hightstown has sustained a modest 6.7% population growth over the last decade, due in part to its proximity to both New York City and Philadelphia, in addition to the Borough's reputation as a tolerant community and considerably lower housing costs than the neighboring communities of Princeton, West Windsor and Cranbury. However, civic leadership cannot rely on that to sustain growth and support arts and culture. Though the success of such campaigns undertaken by local organizations, the Rocky Brook Garden Club, the now defunct GHEWIP (Greater Hightstown/East Windsor Improvement Project) and Downtown Hightstown's projects, including the Flower Baskets, the Holiday Lights, The Holiday Window Painting, the Triathlon, the Harvest Fair, the Farmers Markets, the total support is sparse involving little investment from the town and its citizens. As taxes increase and the town becomes less affordable, it will become critical for leadership to respond creatively to maintain Hightstown's vitality.



*Shibui II*, by Sue Howard, Courtesy the Artist

## LOCAL CONCERNS

During the planning process the CAC expressed these concerns about the Public Art Master Plan, town and the feasibility of our undertaking.

Hightstown is widely diverse, how do we incorporate all of the community?

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What infrastructure will support the promotion of activities?

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Will municipal government and the citizenry offer the necessary support to maintain these programs?

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Will the definition of Art be inclusive of all art forms including dance, theatre, culinary?

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Financial resources for the town are small and the community is not as affluent as most, how will it secure the resources needed to make cultural programs and activities sustainable?

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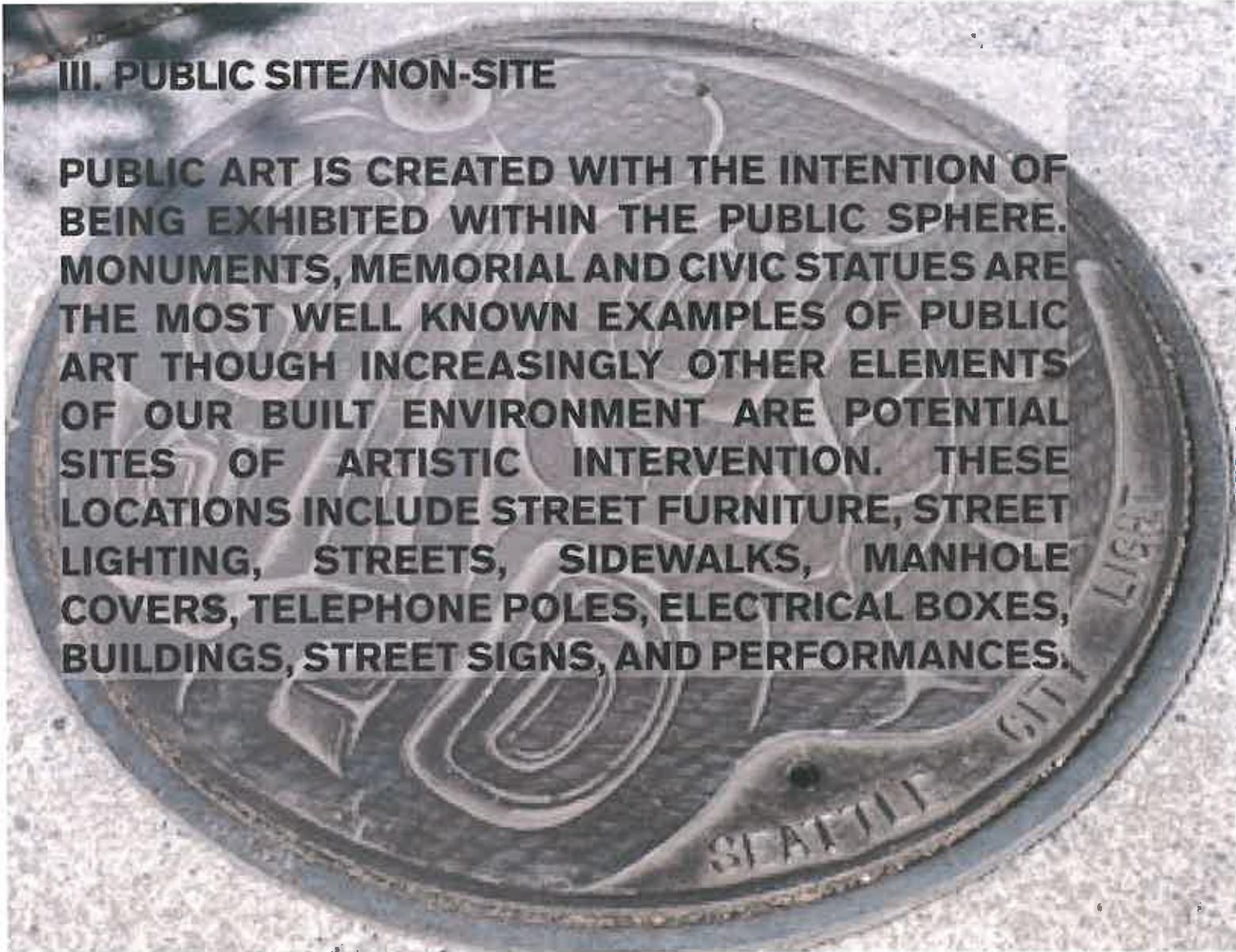
With limited parking, is there a municipal planning infrastructure to support larger cultural events?

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Will an image of Hightstown as a "Cool Town" be enough to make us a destination especially with little other industries to support tourism, coffee shops, movie theaters, bars, etc.

### **III. PUBLIC SITE/NON-SITE**

**PUBLIC ART IS CREATED WITH THE INTENTION OF BEING EXHIBITED WITHIN THE PUBLIC SPHERE. MONUMENTS, MEMORIAL AND CIVIC STATUES ARE THE MOST WELL KNOWN EXAMPLES OF PUBLIC ART THOUGH INCREASINGLY OTHER ELEMENTS OF OUR BUILT ENVIRONMENT ARE POTENTIAL SITES OF ARTISTIC INTERVENTION. THESE LOCATIONS INCLUDE STREET FURNITURE, STREET LIGHTING, STREETS, SIDEWALKS, MANHOLE COVERS, TELEPHONE POLES, ELECTRICAL BOXES, BUILDINGS, STREET SIGNS, AND PERFORMANCES.**



## PUBLIC SITE/NON-SITE

Public SITE/NON-SITE addresses the CAC's desire to represent all aspects of our town's cultural activity and create an approach that encompasses all arts. Drawing from the artist and critic Robert Smithson's writing through title and inspiration, "A Provisional Theory of Non-Sites" that addresses a work he created here in New Jersey, Public SITE/NON-SITE is an idea that art is not only a thing but in the words of philosopher Martin Heidegger, is the thingness of the thing. Art exists at the SITE, but is also found in the NON-SITE, it exists in the outdoor sculpture and the performance in the park.

HightstownCreative recommends the promotion of site-specific public art, in an effort to highlight Hightstown's unique and distinctive identity. HightstownCreative was "branded" to capture the richness and artistic capacity of our community. The Public Art Master Plan consists of two distinct though interrelated parts: "Standard Operating Procedure" and a "Plan for the Geographic Placement of Public Art".

**The Standard Operating Procedure** describes the "who, what, where, how and when" of the Public SITE/NON-SITE for the development of the Cultural Arts. These procedures create the foundation of how we will go about creating an environment conducive to the free and open exchange of ideas while seeking to protect the interest of the community, Borough, and the artist(s) involved.

**The Plan for the Geographic Placement of Public Art** has been developed after extensive discussions regarding the most effective public art program considering the Borough as a whole. This plan develops a comprehensive look at our geographic assets and creates a priority of possible SITES for art and enrichment. In the Maps section are possible locations for Public Art though these will remain as "priority sites" until such time as we receive sufficient funding to proceed.

## PUBLIC SITE

Artist-Designed Hatchcovers (manhole covers)<sup>1</sup>

Painted Telephone Poles<sup>2</sup>

Electric Box Project<sup>3</sup>

Sculpture in Lake

Public Sculpture

Summer Stage

Painted Cross Walks

Line Greenway with Placards of Photography and Poetry

Digital Projection: City of Lights

Convert trash cans to pedestals

Murals

Yarn Bombs

Chalk Art

Pop Up Galleries

Exhibition Spaces

1. [seattle.gov/light/neighborhoods/nh4\\_art.htm](http://seattle.gov/light/neighborhoods/nh4_art.htm)

2. [diycultures.org/2011/09/12/diy-public-art-project-flaming-cactus/](http://diycultures.org/2011/09/12/diy-public-art-project-flaming-cactus/)

3. [www.publicartboston.com/content/paintbox](http://www.publicartboston.com/content/paintbox)

## QUALS OF THE ART COLLECTION

Artwork acquired and maintained within the collection should reflect the highest aesthetic standards.

Objects accepted into the collection must be of known authorship and be accepted based on their value as works of art.

Artwork considered "Permanent" accepted into the collection should be able to be permanently exhibited in an appropriate site, and be able to be maintained by the CAC for public display according to the guidelines herein.

The Borough's collection should be diverse in its representation of artists and artistic styles and be reflective of the our cultural diversity.

The Borough's collection should emphasize local artists, but should seek to include work of nationally known artists so that local culture may be seen within a larger context.

## CAC ART REVIEW PROCESS

An idea for a project is brought to the CAC

Identify location and scope within the SITE

Commissioners waive their right to vote to avoid a conflict of interest

Facilitate a request for proposals

Review of proposals by the CAC

Narrow the proposals to 3 finalists

Selected finalists are notified to develop a site specific proposal for the area and present the renderings to the CAC

Interview artists and model presentations given by the finalist

Schedule SITE visits and a public forum

CAC selects designs from finalist to award commission

Timetable established for the completion and installation of the work

Contract signed with artist and payment schedule established

Contracts made with any other parties (such as engineers, landscape designers, site preparers, etc.,) and payment schedule established

Construction of artwork begins and progress payment made

Final payment after Collections Survey and Technical Maintenance Conservation Information Form is received

Dedication

Conservation and follow up

## **PUBLIC PARTICIPATION**

All Public is invited to attend and participate in Monthly Meetings and Planning Sessions.

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Educational Initiatives that offer access to the arts through outreach programs in schools.

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Public participation in the plan and the meetings of the CAC

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CAC shall attend one Open Council meeting to give a brief presentation about the Art Project at the beginning of the planning phase.

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In the event that the Project proposed to be high profile a panel will be convened. The Community shall be notified that Selection Panel meetings are open to the public and that interested persons are welcome to attend and may speak during public comment.

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Up to 3 Community representative(s) shall serve on the selection panel barring there is no conflict of interest.

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Proposals shall be publicly displayed on the Borough website and may be displayed at or near the project site depending upon the nature of the project.

## **PUBLIC EDUCATION**

Schedule unveiling/opening ceremony/reception for the Work/ Performance.

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Submit press-release to the local, regional and state news agencies regarding the project.

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Provide information on all artwork projects.

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Initiate public education programs to develop a greater awareness of the Public Art Master Plan, programming and events.

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Co-sponsor educational outreach in the area schools to include public art components.

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Maintain documentation for the Borough and CAC websites.

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Create and supply literature and Maps of Borough's Art Projects.

## PUBLIC ART MASTER PLAN

### STANDING OPERATING PROCEDURE

1. Prepare a quarterly Borough Art Plan (BAP) for the Borough Council, discussing project progress, designating specific project sites, events, funding allocation, and recommend approaches for all art projects for the upcoming FISCAL year.
2. Recommend budgets and the amount of expenditures to be allocated for maintenance and conservation of existing works and for the administration of future projects.
3. The CAC will work in concert with the Borough's Chief Financial Officer to establish and maintain an Art Enrichment Fund to be used to establish, conserve, promote and maintain the guidelines set forth in this Public Art Master Plan.
4. Create a Plan for the Geographic Placement of Public Art.
5. Identify the placement or development of potential venues for future development such as pavilions, theaters, art centers.
6. Public SITE/NON-SITE inventories will be compiled for current and future projects.
  - A. When compiling a Public SITE/NON-SITE inventory for the Public Art Master Plan for artworks that are temporary, permanent or relating to the performing arts, the CAC will take into consideration
    - i. Public access and visibility including compliance with ADA
    - ii. Geographic Diversity: for the SITES and for the community
    - iii. Gateways into, out of, and through the Borough
    - iv. Environmental conditions and on-going conservation and maintenance
    - v. Art and architectural integration
    - vi. Design and construction schedule
    - vii. Function and significance: neighborhood identity, commemorative/historical/cultural, or interactive.
    - viii. Areas where more visitor traffic is desirable
7. Develop an Arts Education program that is community oriented, involves local public and private schools, and provides lifelong learning opportunities for pre K, aging populations and disabled persons.

### Project Budget

1. The project budget is any expense which is directly related to arts programming, artist selection and artwork design, fabrication and installation of the artwork, including but not limited to the following:
  - A. Artist's fee for instruction, consultation, design, execution and installation of the artwork(s) as described in the artist's budget, including any and all labor, materials, bonding, insurance, permits, or any other costs directly related to the implementation of the art project.
    - i. Frames, mattes, pedestals, and devices necessary for the security, preservation and display of the artwork.
    - ii. Competition and selection panel expenses, including postage, photocopies and printing.
    - iii. Project-related photography.
    - iv. Identification plaque installed per CAC recommendations. (see Definitions; Plaque)
    - v. Fire retardant and/or graffiti resistant treatments or other sealers or coatings as required.
    - vi. Fine Art Insurance.
    - vii. Plumbing, electrical and mechanical devices or equipment which are an integral part of the artwork.
    - viii. Consultant fees for other costs relative to the art project, such as architectural fees, engineering, cost estimates, lighting design, and other services as identified and as approved by the CAC.
    - ix. Any other expenses as deemed appropriate by the CAC for the design, fabrication, transportation, installation and public accessibility of the artwork.
2. Exclusions: In general, the portion of capital appropriation reserved for Art Enrichment may not be expended for:
  - A. Art objects that are mass produced.  
However, limited editions signed by the artist of original prints, cast sculpture, photographs, etc., may be included.
  - B. Expenses related to the ongoing operation of the artwork such as electrical, water or mechanical service required to activate the work and utility costs.

### **Art Project/Program Plan**

At the commencement of each art project or program, the CAC shall develop an Art Project/Program Plan which shall identify the art opportunities, project scope, budget, selection process, level of community involvement, timeline, and take into account an assessment of the resources required to commission and maintain the proposed artworks or complete the program which could be commissioned or procured under the plan.

The Art Project and Program Plan shall be presented to the Borough Council for approval and shall serve as guidelines for the implementation of the Art Project.

1. Selection Methods: Artists and artwork may be selected in the following manner.
  - A. Open Competition
  - B. Limited Competition
  - C. Direct Purchase
  - D. Direct Request/Invitation
2. Artist Recruitment
  - A. Project description.
  - B. Project parameters and scope-of-work
  - C. Application procedure and submittal requirements
  - D. Application deadline and project deadline
  - E. Selection procedure
  - F. Criteria for selection of artist and/or artwork
  - G. Budget
3. The Recruitment Plan: The CAC shall advertise to a broad and diverse group of artists that shall include, but not be limited to the following efforts:
  - A. Announced via e-mail.
  - B. Press release sent to the daily, weekly and monthly papers.
  - C. Direct solicitation of qualified candidates.
  - D. Commission recommendations.
  - E. Posting the opportunity on the CAC Facebook Page.
  - F. Posting the opportunity on the Borough Website.

### **Review Procedures of Artwork Proposals**

In order to ensure that artists propose feasible and durable artwork, the CAC shall review the development of artwork proposals in this multi-step process.

1. Concept Review: Within four weeks of being selected, finalists (or artist selected on the basis of qualifications) shall meet with the CAC, Planning Board representative and Council Representative to present and discuss the project concept with renderings. At this meeting the representatives shall inform the artist of any concerns they have relative to the proposed project's design including:
  - A. aesthetics
  - B. feasibility
  - C. maintainability of the artwork
2. The CAC shall review all finalists' proposals before the proposal materials are publicly discussed or displayed. The CAC will inform the artist if there are concerns related to the aesthetics or feasibility of the proposal, or if the graphic depiction poorly represents the proposal so that the artist may revise or clarify his/her proposal to address these concerns prior to public display.
3. Contractual Agreements: The CAC will contract with artist(s) using the Borough contract developed by the CAC and Borough attorney specifically for this purpose. (Borough Artist Contract see appendix page 94)
4. Artist's Fee Policy: It is the policy of the CAC to pay professional fees for all creative work requested from artists. The CAC requires a consistent policy for awarding equitable artist fees for art projects. Because the particular circumstances for each project vary, the CAC must consider a number of factors in determining whether or not an artist's proposed fee is appropriate. Factors Affecting the Amount of an Artist's Fee: Projects may be designed and executed by the Artist him/herself, or the Artist may be the designer and the project is fabricated by others. In either case, the CAC may consider the following factors in determining the artist fees awarded for each project:
  - A. The scope of work and length of artist involvement
  - B. The project budget

- C. The artist's experience
  - D. The fee for similar scopes of work on comparable projects
  - E. Documented value for similar examples of the Artist's work
5. **Project Completion:** At the completion of each project, the following procedures will be followed to facilitate the transfer of the project responsibility from the CAC to the Borough Art Collection.
- A. As a condition of final payment to the artist, the artist must complete a Public Art Collection Art Conservation Condition Report Form (see Appendix Page 92-93), which documents fabrication methods, artistic intent, and maintenance requirements.
  - B. Upon project completion, the CAC will turn over the project files to the Borough Clerk and ask that the Borough Council accept the artwork into the collection and provide a copy of the Resolution accepting the artwork into the collection to the Borough Clerk.

**Selection of Works of Art: Permanent or Otherwise**

1. Collaboration between an artist and other design professional at the beginning of each project should be pursued whenever possible. (i.e. SITE development)
2. If the SITE inventory has indicated a potential for art and architectural integration then the CAC should select the artist at the same time as the design professionals for the SITE to insure success in the collaboration.
3. Seek out partnerships to insure the greatest success of the project.
4. Seek out venues/organizations to house, sponsor, promote, or partner with.
5. Support Local Artists and Performers.

**Criteria for Selecting Artists or Performances**

1. Artists will be selected on the basis of their qualifications, as demonstrated by the quality of their past work and appropriateness of their artistic expression, professional experience, or specific proposal, and the ability of the Artist to successfully complete the project within the project/program timeline, as determined by the CAC.

2. The CAC encourages artists of diverse racial, sexual, and cultural identities to apply for art project commissions sponsored by this program.
3. Commission of a work of art specific to its site is usually preferable to selection of an already completed work.
4. Selected works of art must be one of a kind. Works created as one of an edition are prohibited except in specific circumstance. Reproductions are prohibited. This does not apply to performing arts or temporary works.
5. Selected work must be of the highest quality possible for the designated budget.
6. Works that are decorative, ornamental, or contain functional elements of architecture or landscape design may be considered if they are designed by an artist in collaboration with an architect or landscaped architect where the artist has had the most significant input into the resulting work or where the artist-designed work is an integral aspect of the structure or SITE.
7. Selected artwork may be commemorative in nature.
8. Local artists should be considered for all commissions. However, no selection process should designate that only local artist may be considered unless a compelling reason exists to do so. The best artwork for the SITE should always be the first consideration. Open competition announcements should be made in the local media and through direct mailing to local artist and visual arts organizations or a mailing list maintained by the CAC, on the CAC Facebook Page, Borough Website, CAC website, this assuring local artist opportunity for all projects.
9. Eligible artwork: For the purposes of these guidelines, all forms of original creations (or limited editions) of visual art are eligible for acquisition through the Public Art Master Plan.
10. Eligible Artists: all practicing artists living in the United States are eligible to apply for Borough art commissions.
11. Geographic Eligibility: There are no restrictions on geographic eligibility. Certain projects may require the artist to attend meetings in Hightstown.

12. Ineligible Applicants
  - A. Elected officials or members of their family are not eligible for consideration for public art commissions.
  - B. City staff are not eligible for consideration for art commissions
  - C. Artists who, at the time of application, already have an active contract with the Commission are ineligible.
13. Consideration should be given to a culturally diverse pool of artists. The CAC is committed to acquiring artworks and presenting programs that reflect diversity in style, scale, media, and artistic sources as well as diverse cultural communities and perspectives. The CAC also encourages exploratory types of work as well as established art forms.
14. All materials for selected works of site-specific art shall consider its permanence, require minimal maintenance, and be resistant as much as possible to vandalism and abuse. Additionally, any temporary work should not require conservation.
15. Selected art shall be appropriate for the SITE considering the cultural and physical environment in which they are placed.
16. Inherent Artistic Quality: The assessed aesthetic merit of the piece as a work of art.
17. Context of Artwork within the Borough Art Collection: Proposed artwork should be evaluated within the context of the larger collection, and whether it is judged to strengthen the collection.
18. Context of Artwork with SITE: Works of art must be compatible in scale, material, form, and content with their surroundings. Consideration should be given to the architectural, historical, geographical and social/cultural context of the site.
19. Media: All forms of visual art may be considered.
20. Permanence: Due consideration shall be given to the structural and surface soundness, and to inherent resistance to theft, vandalism and weathering.
21. Ability to Maintain: Significant consideration shall be given to the cost and amount of ongoing maintenance and/or repair anticipated, and to the Borough's ability to provide adequate maintenance in the Art Maintenance Fund to pay for it.

22. Public Safety and Accessibility: Each work shall be evaluated to ensure that it does not present a hazard to public safety and complies with all applicable building codes and accessibility requirements.
23. Feasibility: Proposed objects shall be evaluated relative to its feasibility and convincing evidence of the artist's ability to successfully complete the work as proposed. Factors to be considered include, but are not limited to: project budget, timeline, artist's experience, soundness of materials, borough council approval requirements, and level of community support.

#### **Installation and Performance of Works of Art**

1. The artist is responsible for all aspects of the installation of the work of art and is accountable to the CAC unless otherwise stated in the Contract.
2. The Performer(s) are responsible for all aspects of the performance.
3. The CAC will work with the artist(s)/performer(s) and the Borough (or Borough Department) to coordinate all aspects of installation/performance.
4. The artist must verify that the artwork is theirs and that it is original and free of liens.
5. The artist's responsibility for design, structural or fabrication flaws should end one year after acceptance of the work by the CAC and the Borough, after which time the CAC and Borough will hold the artist harmless against all claims.
6. After acceptance, maintenance and repair of the work will become the responsibility of the CAC and Borough, which should follow instructions provided by the artist and approved of by the CAC.
7. The artist should have the opportunity to make or supervise repairs or restorations at a reasonable fee during the artist's lifetime.
8. The artist must submit a completed Public Art Collection Art Conservation Condition Report Form (see Appendix Page 92-93) prior to the final payment/installation/performance

**Panel Selection for Site-Specific Art and Eligibility Requirements for High Profile Public Art Sites with a Budget in excess of \$5000**

1. Screening by CAC:
  - A. The CAC may pre-screen and evaluate applicants, relative to the appropriateness of the artist's work to the project/ program site and qualifications outlined in the Art Project/ Program Plan.
2. CAC Approval of Panelists:
  - A. Members of the Selection Panel are approved by the CAC. The Commission will make a good faith effort to appoint panels that have a balance of gender and ethnic representation. In general, panelists will be drawn from Hightstown, but occasionally, the CAC may have an out-of-town panelist to provide an outside perspective.
3. Besides the CAC, the panel will consist of at least three (3) other non-CAC members.
4. Conflict of Interest: Persons who would directly benefit from the selection of a particular artist or artwork are ineligible as panelists (i.e. gallery owners, brokers, artist representatives, etc.). Perspective panelists may be asked to fill out a conflict of interest form prior to be approved for service on a Selection Panel.

**Role of Selection Panel on Site-Specific Art works**

All Selection Panel recommendations will be submitted to the CAC for approval.

1. Review application materials of the pre-screened candidates presented by the CAC.
2. The Selection Panel will be asked to review applicants and either
  - A. select a single artist for the commission
  - B. or select a group of finalists who will be asked to make a specific site proposal
  - C. or be scheduled for an interview session with the panel prior to the panel making a final recommendation.
3. If the Selection Panel selects finalists for further review, the same panel will reconvene for this review.

**Recourse**

At any stage, the selection of an artist or project proposal may be interrupted by a majority vote of the CAC. If this occurs, the following options are available.

1. Panel:
  - A. Ask artist for clarification or redesign of proposal
  - B. Select another artist
  - C. Make no selection
2. CAC Committee:
  - A. Reject panel's recommendations
  - B. Develop new program
  - C. Convene new panel
  - D. Abandon project and/or rescind previous approvals

**Conservation and Maintenance of the Borough Art Collection**

In order to maintain the integrity of the art on display, it is necessary to develop a conservation program which respects the artist's original intent and that maintains the best appearance for the town.

1. The CAC will provide for the additional responsibilities for the care of the Borough's Art Collection.
2. Cataloging, Care and Maintenance of Art Media; sculptures, statues, murals, paintings and other art media belonging to the Borough or in its charge during temporary installation, shall be under the jurisdiction of the CAC.
3. Authorization of the Sale or Exchange of Works of Art by a 2/3 vote, wherein the CAC will recommend to the Borough to sell or exchange works of art under its jurisdiction under the terms described here under Deaccessioning.
4. Chair of the CAC, shall coordinate the care and maintenance of the Collection, including:
  - A. Developing and maintaining an inventory of the Collection maintenance needs
  - B. Identifying funds for maintenance and conservation needs and applying for grants
  - C. Contracting for and managing maintenance and conservation contracts
  - D. Maintaining an inventory of the Borough's collection

5. The Borough will be responsible for routine landscape work such as mowing and weeding.
6. Artwork needing conservation should be reported to the CAC, who will visit the site to make a preliminary assessment. Should the situation warrant it, a qualified professional will visit the site and make recommendations for conservation. The CAC must approve all expenditures for conservation and maintenance. Approval of conservation budget and the contract is signed by the CAC Chair on vote and discussion from the entire commission.
  - A. Conservation methods should comply with prior contractual obligations, if practical.
  - B. To the extent, it is practical; the artist should be consulted prior to any conservation.
  - C. In cases where it is necessary to hire an outside contractor, the CAC will enter into an agreement with the contractor. The contract will specify:
    - i. Exactly what is to be done
    - ii. Who will be doing the work
    - iii. The amount to be paid for the services and a schedule
    - iv. The date by which the work is to be completed
    - v. Photographs before and after treatment
    - vi. Written documentation of the work that was done
    - vii. Final payment upon approval of work by CAC
- B. Temporary works shall not be conserved.
  - A. "Temporary" refers not to the material with which a piece is constructed but to the intent of the CAC and the artists when the piece was installed.
    - i. The original agreement must indicate a date for removal by the artist or the CAC.
    - ii. If the piece is not removed by that date, CAC reserves the right to remove and dispose of the piece without additional compensation to the artist. This is not synonymous with "deaccessioning" and the deaccessioning policy does not apply.
    - iii. If a piece becomes a hazard before its scheduled date of removal, the artist will be notified before the piece is removed and it will be discussed what approach for disposal is appropriate.
  - B. Ownership for a temporary piece remains with the artist.

### **Removal Alteration Destruction Deaccessioning Sale or Exchange of Artwork**

The CAC will make recommendations to the Borough to acquire works of art of the highest quality. Acquisition by the Borough implies a commitment to the preservation, protection and display of the artwork for the public benefit. Acquisition implies permanency within the collection, as long as the work maintains its physical integrity, identity and authenticity. When any of these conditions no longer prevail, the CAC may consider removal from public display or deaccession or determine that it would be advantageous to the Borough, a work of art under its jurisdiction may be sold or exchanged as follows:

1. Exchange: The CAC may exchange a work of art on such terms as the CAC, by a 2/3 vote of the members of the Commission determines appropriate.
2. Private Sale: If the work is offered at public auction and no bids are received, or if the bids are rejected, or if the CAC determines, by a 2/3 vote of the members that the work may be sold through private sale.
3. Proceeds from Sale of Artwork: All proceeds from any sale or auction, less any payment due the artist under the American Royalties Too Act of 2014 (see appendix page 104-106), shall be credited to the Art Enrichment Fund, and the monies contributed to the fund from the sale, exchange or exhibition of a work of art under the jurisdiction of the CAC shall be expended exclusively for the purpose of acquiring or maintaining works of art in the collection.
  - A. Adequate Records: An adequate record of the conditions and circumstances under which objects are deaccessioned and disposed of should be made and retained as part of the Art Collections Management records.
  - B. The CAC shall abide by the American Royalties Too Act of 2014 (S.2045 -113th Congress) with respect for the expansion of copyright owners' exclusive rights, in the case of a work of visual art, to include the right to collect or authorize the collection of a royalty if the work is sold by a person other than the artists for at least \$5,000 in auction. The limit amount of such a royalty to the lesser of: (1) 5% of the purchase price; or (2) \$35,000, subject to cost-of-living adjustments. If

the artist cannot be found, the American Royalties Too Act will revert to the CAC in accordance with state law.

4. **Alteration, Modification, or Destruction of Artwork:** It is the primary responsibility of the CAC to preserve and protect the art collection under its management for the people of the Borough. However, under certain conditions, and in accordance with the constraints of the Visual Artists Rights Act of 1990 (17 U.S.C. 106A and 113 (d), known as VARA (see appendix page 107-108), or in the case where the Artist has waived his/her rights under VARA, in accordance with the Borough's contractual agreement with the artist, the Commission may authorize actions that would alter, modify or destroy an artwork.
5. **Deaccessioning:** In general, works of art will not be deaccessioned within 5 years of acquisition. The CAC shall deaccession and dispose of works of art in its collections only in the public interest or as a means of improving the collection.
6. As the Borough's Art Collection ages, it should be periodically assess to determine individual works continued intrinsic value to the collection as well as their appropriateness in their current location. The economic reality of conserving and maintaining a growing collection at increasing costs makes such an assessment prudent in order to best maintain works that decrease in value if neglected. A work of art may be considered for removal from public display and/or deaccessioning if one or more of the following conditions apply:
  - A. The work does not fit within the CAC's mission, goals, or guidelines for the Borough Art Collection.
  - B. The work presents a threat to public safety.
  - C. Condition or security of the work cannot be guaranteed, or the CAC cannot properly care for or store the work.
  - D. The work requires excessive or unreasonable maintenance, or has faults in design or workmanship.
  - E. The condition of the work requires restoration in gross excess of its aesthetic value, or is in such a deteriorated state that restoration would prove either unfeasible or impractical.
  - F. No suitable site for the work is available, or significant changes in the use or character of design of the site affect the integrity of the work.
  - G. The work interferes with the operations of the Borough.

- H. Significant adverse public reaction over an extended period of time (5 years or more).
  - I. The work is judged to have little or no aesthetic and/or historical or cultural value.
  - J. The CAC wishes to replace a work with a more appropriate work by the same artist.
  - K. The work can be sold to finance, or can be traded for, a work of greater importance.
  - L. Written request from the artist has been received to remove the work from public display and all funds returned.
  - M. The work is fraudulent or not authentic.
7. **Consideration of Alternatives for Disposition of a Work of Art:** In considering various alternatives for the disposition of deaccessioned objects, the CAC should be concerned that:
    - A. The manner of disposition is in the best interests of the CAC and the public it serves.
    - B. Preference should be given to retaining works that are a part of the historical or cultural heritage of Hightstown.
    - C. Consideration should be given to placing the art objects, through gift, exchange, or sale, in another tax-exempt public institution wherein they may serve the purpose for which they were initially acquired by the CAC.
    - D. Objects may not be given or sold privately to Borough employees, officers, members of the governing authority, or to their representatives.
  8. **CAC Report:** The Commission shall prepare a report which includes an evaluation and recommendation along with the following information:
    - A. **Rationale:** An analysis of the reasons for deaccessioning and its impact on the Collection and the artist, and an evaluation of the artwork.
    - B. **Community Opinion:** If pertinent, public feedback on the dispensation of work in question.
    - C. **History:**
      - i. Provide written correspondence, press and other evidence of public debate.
      - ii. Original Acquisition method and purchase price
      - iii. Options for Disposition.
      - iv. Replacement Costs.

9. The recommendation to deaccession a work of art will be considered by the CAC as part of the Committee's regular or special meeting. The Committee shall make its recommendation to the Borough Council.
10. Options: If, for any of the above reasons, the Borough finds it necessary to pursue plans that would modify, remove, destroy or in any way alter an artwork, and the CAC approves such action, then the CAC shall make a reasonable effort to notify the artist of the Borough's intent and outline possible options, which include, but are not limited to the following:
  - A. Transfer of Title to the Artist: The artist will be given the first option of having the title to the artwork transferred to him/her. If the artist elects to pursue title transfer, he/she is responsible for the object's removal and all associated costs.
  - B. Alteration, Modification or Destruction: If alteration, modification, or destruction is of an artwork protected under the Visual Artists Rights Act of 1990 is contemplated, the Commission must secure a written waiver of the artist's rights under this section. In the case of an emergency removal that may result in destruction or irreparable damage, the CAC Chair will act in accordance with the advice of the Borough Attorney.

#### **Acquisition of Art Through Gifts**

1. Gift acceptance and placement should be in accordance with adopted policy and current use of the Public Art Master Plan and should be consistent with CAC collection goals. The location and design of the gift should be appropriate for the user and context of the proposed site.
2. The CAC and Borough Council shall comply with the terms and conditions of loans, gifts, devises, bequests or agreements donating works of art or other assets so long as acceptance of the same entails no expense for the Borough beyond ordinary care and maintenance.
3. Eligibility:
  - A. Gifts of permanent works of art that meet the criteria expressed in the Goals of the Art Collection and any additional criteria outlined under this section.
  - B. Gifts of commemorative plaques that meet the criteria expressed in this section.
4. Procedure for Making of Gift of Art or Commemorative Plaque to the Borough: The following guidelines govern the procedure by which proposed gifts of works of art or commemorative plaques are considered for acceptance by the CAC.
5. Memorial Gifts: Memorial gifts will be judged as follows.
  - A. The person or event being memorialized must be deemed significant enough to merit such an honor. The person so honored shall have been deceased for a minimum of five years. Events shall have taken place at least five years prior to consideration of a proposed memorial gift.
  - B. Represents broad community values.
  - C. The memorial has timeless qualities that will be meaningful to future generations.
  - D. The location under consideration is an appropriate setting for the memorial; in general, there should be some specific geographic justification for the memorial being located in a specific site.
6. Donor Provides Written Proposal: The prospective donor of a gift of a work of art or commemorative plaque must submit a written letter of intent to the CAC. The letter shall include information on the artist, written description of the artwork (size, materials, etc.) and photograph or drawing of the artwork, and proposed site, if any. Offers of art as gifts to the Borough must be presented in writing to the CAC. The written offer should present a complete description of each work of art including:
  - A. Title, medium, dimensions, weight, date created, signature/ inscriptions
  - B. Artist's name, birth place, date, citizenship, current address if known, gallery representation
  - C. Current owner, statement of ownership, absence of liens, copy of bill of sale
  - D. Current location of work of art
  - E. Current condition of work of art including history of the conservation of the work of art or a conservator's report
  - F. Current market value as established by an independent member of the American Association of Art Appraisers.
  - G. Completion of Collections Survey and Technical Maintenance Conservation Information Form

7. The CAC shall consult with the donor about the proposed gift prior to the proposal being submitted to the Borough Council for action. After review of the project, the CAC shall prepare a written report to the Borough Council and provide a recommendation to either accept or decline the gift.
8. Placement/Site: Follow the criteria set forth in the Public Art Master Plan.
9. Project Costs: Acceptance is contingent on receipt of payment from the owner for all costs associated with the gift, including transportation, installation, and maintenance endowment funding.
10. Acceptance of the gift shall be recommended by the CAC and approved by the Borough Council. The CAC shall notify in writing the owner or owner's representative of the decision to accept or refuse the offer. Upon acceptance, the owner(s) shall be presented a Deed of Gift full documenting the gift. The CAC shall coordinate the method of transport, receiving address and delivery of the gift.
11. The CAC may accept and shall comply with the terms and conditions of loans, gifts, devises, bequests or agreements donating works of art or other assets so long as acceptance of the same entails no expense for the Borough beyond ordinary care and maintenance.
12. Approve the design and location of all works of art before they are acquired, transferred or sold by the Borough, or are placed upon or removed from the Borough, or are altered in any way; maintain and keep an inventory of works of art owned by the Borough; and maintain the works of art owned by the Borough.
13. Removal, Relocation or De-accessioning of Gifts of Art: In accepting a gift art or commemorative plaque, the Commission shall not be bound by any agreement with the donor that restricts the Commission's ability to act in the best interests of the Borough. Nothing in the acceptance of a gift of artwork shall prevent the CAC from approving subsequent removal, relocation or deaccessioning of such gifts if it serves the Borough's best interest to do so. The CAC shall deaccession and dispose of works of art in its collection in accordance with the Commission's deaccessioning policies.

#### **Acquisition of Art, Temporary or Permanent**

1. Placement or Loan of Art acceptance and placement should be in accordance with adopted policy and current use of Public Art Master Plan and should be consistent with CAC collection goals. The location and design of the item should be appropriate for the user and context of the proposed site.
2. The CAC and Borough Council shall comply with the terms and conditions of loans of works of art or other assets so long as acceptance of the same entails no expense for the Borough beyond ordinary care and maintenance.
3. Loaner Provides Written Proposal: The prospective loner of a work of art must submit a written letter of intent to the CAC. The letter shall include information on the artist, written description of the artwork (size, materials, etc.) and photograph or drawing of the artwork, and proposed site, if any. Offers of art as loaners to the Borough must be presented in writing to the CAC. The written offer should present a complete description of each work of art including:
  - A. Title, medium, dimensions, weight, date created, signature/ inscriptions
  - B. Artist's name, birth place, date, citizenship, current address if known, gallery representation
  - C. Current owner, statement of ownership, absence of liens, copy of bill of sale
  - D. Current location of work of art
  - E. Current condition of work of art including history of the conservation of the work of art or a conservator's report
  - F. Current market value as established by an independent member of the American Association of Art Appraisers.
  - G. Completion of Collections Survey and Technical Maintenance Conservation Information Form
4. The CAC shall consult with the loaner about the proposed work prior to the proposal being submitted to the Borough Council for action. After review of the project, the CAC shall prepare a written report to the Borough Council and provide a recommendation to either accept or decline the loan.
5. Placement/Site: Follow the criteria set forth in the Public Art Master Plan.

6. **Project Costs:** Acceptance is contingent on receipt of payment from the owner for all costs associated with the loan, including transportation, and installation except where previously approved otherwise per contract.
7. Acceptance of the loan shall be recommended by the CAC and approved by the Borough Council. The CAC shall notify in writing the owner or owner's representative of the decision to accept or refuse the offer. Upon acceptance, the CAC shall coordinate the method of transport, receiving address and delivery of the gift.
8. The CAC may accept and shall comply with the terms and conditions of loans of works of art or other assets so long as acceptance of the same entails no expense for the Borough beyond ordinary care and maintenance.
9. **Removal or Relocation of Art of Loan:** In accepting a loan of art, the Commission shall not be bound by any agreement with the loaner that restricts the Commission's ability to act in the best interests of the Borough. Nothing in the acceptance of a loan of artwork shall prevent the CAC from approving subsequent removal or relocation of such loans if it serves the Borough's best interest to do so. If the Loaner sees fit to retract its loan subsequent to notice that the CAC and Borough have decided to relocate the work both parties may decide to terminate the agreement.

## GEORGIANIC PLACEMENT OF PUBLIC ART OR PERFORMANCE

### Design and Location Approval for Works of Art:

1. Approve the design and location of all works of art and make recommendations to the Council before they are acquired, transferred to or sold by the Borough, or are removed from Borough property, or are altered in any way; maintain and keep an inventory of works of art owned by the Borough; and maintain the works of art owned by the Borough.
2. No work of art shall be contracted or placed or erected on property of the Borough or become the property of the Borough by purchase, gift or otherwise unless such work of art, or a design or model of the same as required by the CAC, together with the proposed location of such work of art, shall first have been submitted to and recommended by the CAC. The term "work of art" shall comprise paintings, murals, decorations, stained glass, statues, bas-relief or other sculptures; monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration. No existing art in the possession of the Borough shall be removed, relocated or altered without having been approved by the CAC.
3. Prior to selecting a SITE for an artwork, whether purchased, commissioned or donated, the CAC shall take into consideration the following factors:
  - A. Visibility
  - B. Public accessibility
  - C. Public Safety
  - D. Traffic patterns
  - E. Relationship of proposed art to existing or future architectural features, natural features and urban design
  - F. Community and interaction with proposed artwork
  - G. Future development plans for area
  - H. Landscape design
  - I. Relationship of artwork to existing art works within the vicinity
  - J. Environmental impact

## PUBLIC SITE/NOH-SITE INVENTORY

Location maps with future developments indicated per CAC and Borough Art Plan recommendations.

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Location maps with Borough owned property shaded.

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Maps and photos documenting specific sites in the Public Art Master Plan for location of art. (Designated as "priority", "future", or other designation.)

---

Community input regarding history of area, buildings, structures, or parts that are "important" to neighborhoods, locations of high public uses, or accessibility, etc.

---

Information regarding existing and potential locations for public works of art.







## IV. RECOMMENDATIONS

THESE ARE THE RECOMMENDATIONS FOR COUNCIL IN ORDER TO HIGHLIGHT HIGHTSTOWN'S UNIQUE AND DISTINCTIVE IDENTITY SO THAT HIGHTSTOWN MIGHT BECOME AN ARTS DESTINATION

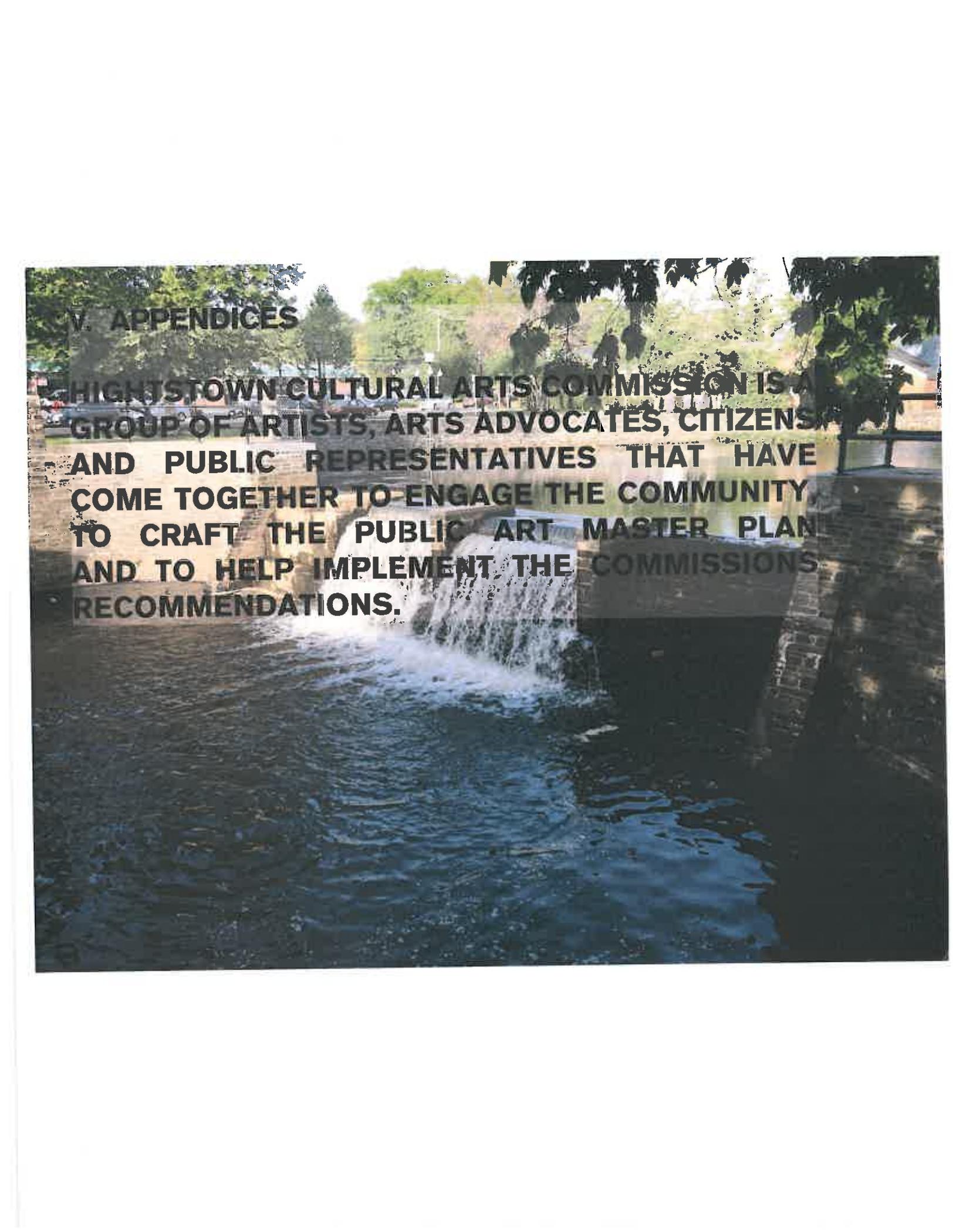


## CAC RECOMMENDATIONS

### Allocation of Funds

Arts Allocation and Commission Appropriations.

1. **1% FOR THE ARTS:** A 1% allocation be made on all Borough Capital Improvements into an Arts Enrichment Fund. In accordance with Standard Practice, allocations should represent 1% of the gross estimated construction cost. Additionally, any Capital improvement fund that is undertaken by the Borough with private funding or grants will likewise be subject to this 1% allocation. Before proposing a bond issue or making a request for an appropriation for the construction of any projects shall add thereto for the art enrichment of the proposed construction, one percent of the gross estimated construction cost. Where funding eligibility is limited by law or funding agency rules, the Art allocation shall be based upon one percent of eligible construction costs.
2. **Application.** This Section shall apply to the construction or alteration of the following:
  - A. a building
  - B. an aboveground structure
  - C. a new park
  - D. a transportation improvement project.
3. **Aggregation of Funds.** The Cultural Arts Commission shall have the authority to aggregate Art Enrichment Funds for use on an alternative Borough property for another art project. **Pooling of Funds/Use of Funds:** The CAC may decide to use the Art Enrichment Funding generated by the Borough's Capital Improvement Projects at a site other than the Capital Improvement Project generating the Funds for any of the following reasons:
  - A. The Art Enrichment allocation is insufficient to execute a project appropriate to the site.
  - B. There is a lack of public visibility or accessibility making an art project at a particular location undesirable.
4. **Maintenance and Conservation Funds.** The Cultural Arts Commission will set aside and expend up to 5% of the total Art Enrichment Allocation for each project for maintenance and conservation of artworks in the Art Collection. Funds set aside pursuant to this Section shall be invested in an interest-bearing account known as the Art Maintenance Fund. An Arts Maintenance Fund be established and that 5% of all costs associated with the art projects be set-aside into this fund to support maintenance costs over the lifetime of the artwork (not to include performing art pieces). This fund will be managed by the Borough, monitored by the CAC and only available for uses approved by the CAC.
5. That the Borough budget and contribute annually accrue into the Art Enrichment Fund \$1.85 per capita (based on state average art funding) to be used at the sole discretion of the CAC toward fulfilling the goals of the Public Art Master Plan.
- 6 Create a Borough owned art space to be used to conduct classes to host exhibitions and lectures/speaker series. This space will be maintained by the borough and used for the expressed purpose of the CAC.



## V. APPENDICES

HIGHTSTOWN CULTURAL ARTS COMMISSION IS A GROUP OF ARTISTS, ARTS ADVOCATES, CITIZENS AND PUBLIC REPRESENTATIVES THAT HAVE COME TOGETHER TO ENGAGE THE COMMUNITY, TO CRAFT THE PUBLIC ART MASTER PLAN AND TO HELP IMPLEMENT THE COMMISSIONS RECOMMENDATIONS.

## RENDERINGS MAPS FACTS FIGURES

It is essential that we are strategic in the SITE/NON-SITE selection of the Borough's Art Collection. Contemporary art practice has broadened our preconceptions of what and where art can exist, particularly works of intervention. Though an investment in very public high-traffic areas would produce the most bang-for-the-buck, the CAC cannot avoid works that might drive interest in underdeveloped areas of the Borough. With this in mind we have outlined several priority SITES and future SITES that we believe would be of interest for public art. In the pages that follow are area maps of Hightstown which have these SITES marked. Included here are some hypothetical art project renderings and placements for reference. Also included are the survey results that the CAC conducted at the beginning of the planning process and statistical data that explores the financial reality of creative communities. Also are sample forms, the borough ordinance and the US code.

### KEY:

- RED = Priority Site ●
- BLUE = Future Site ●
- PURPLE = NON-Site ●
- YELLOW = Existing Public Sculpture ●
- BROWN = Plaque ●
- GREEN = Borough Property ●
- GREY = Board Of Education East Windsor Twp ●
- LAVENDAR = Peddie Property ●





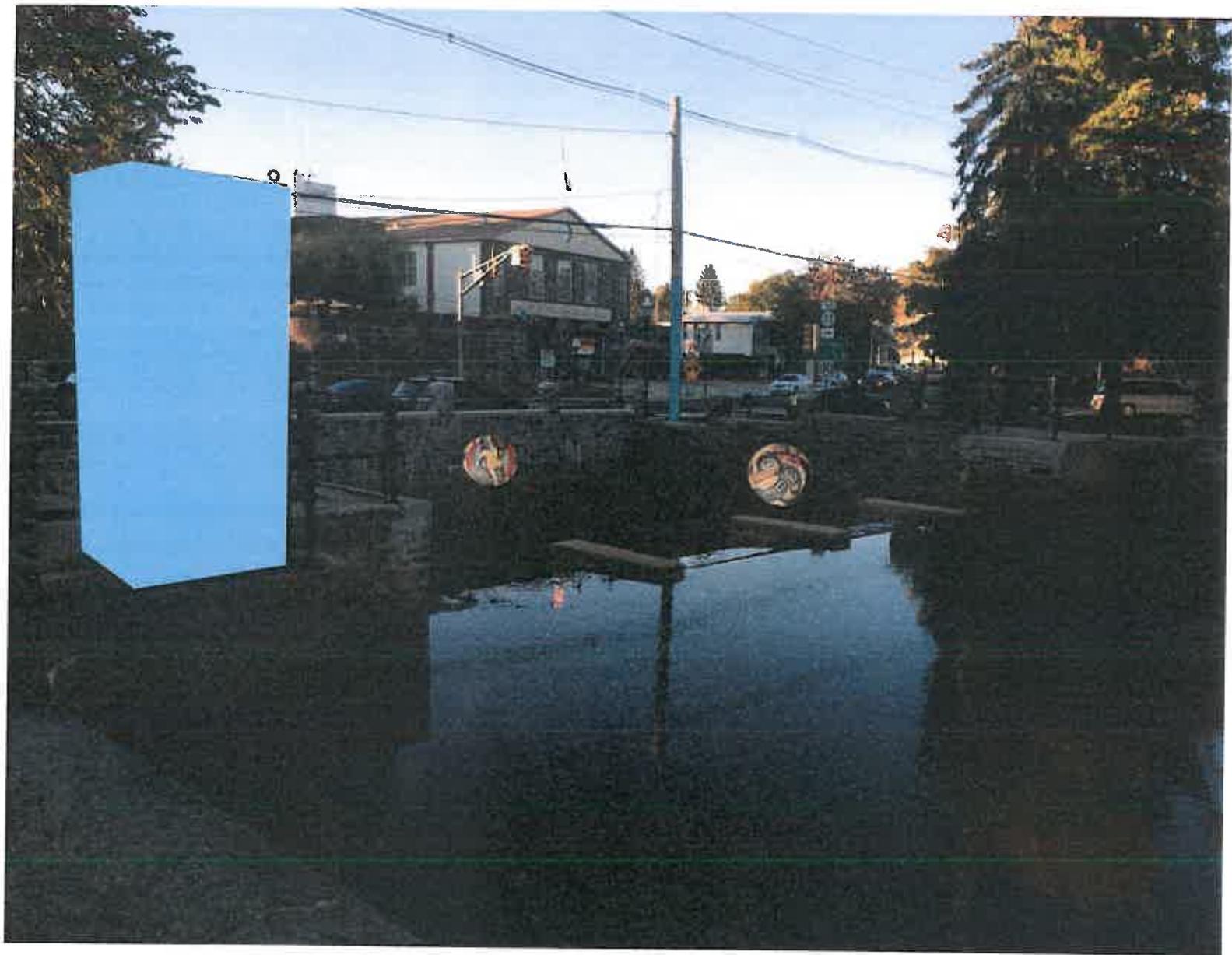




















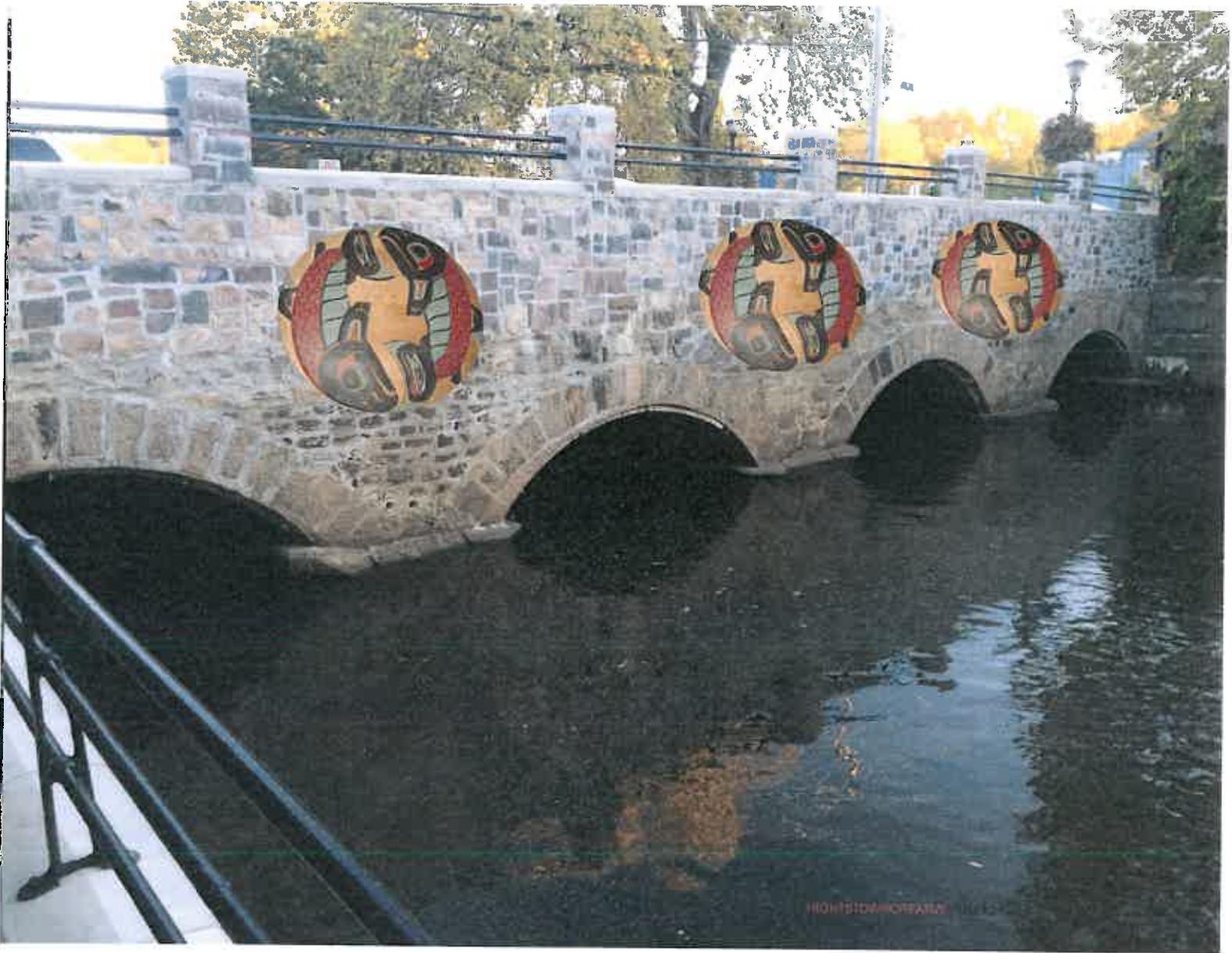










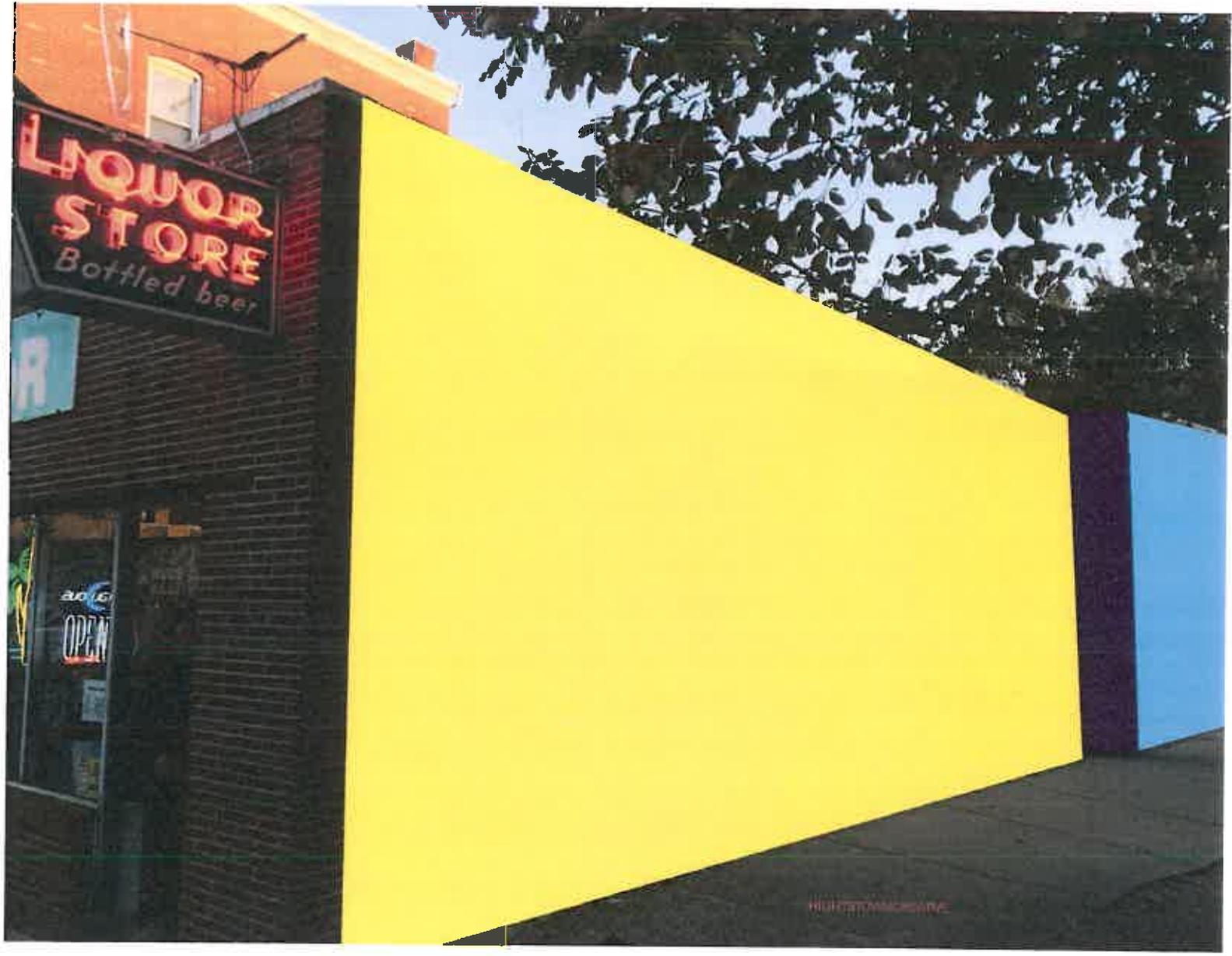


HOUSTONPHOTOGRAPHY.COM



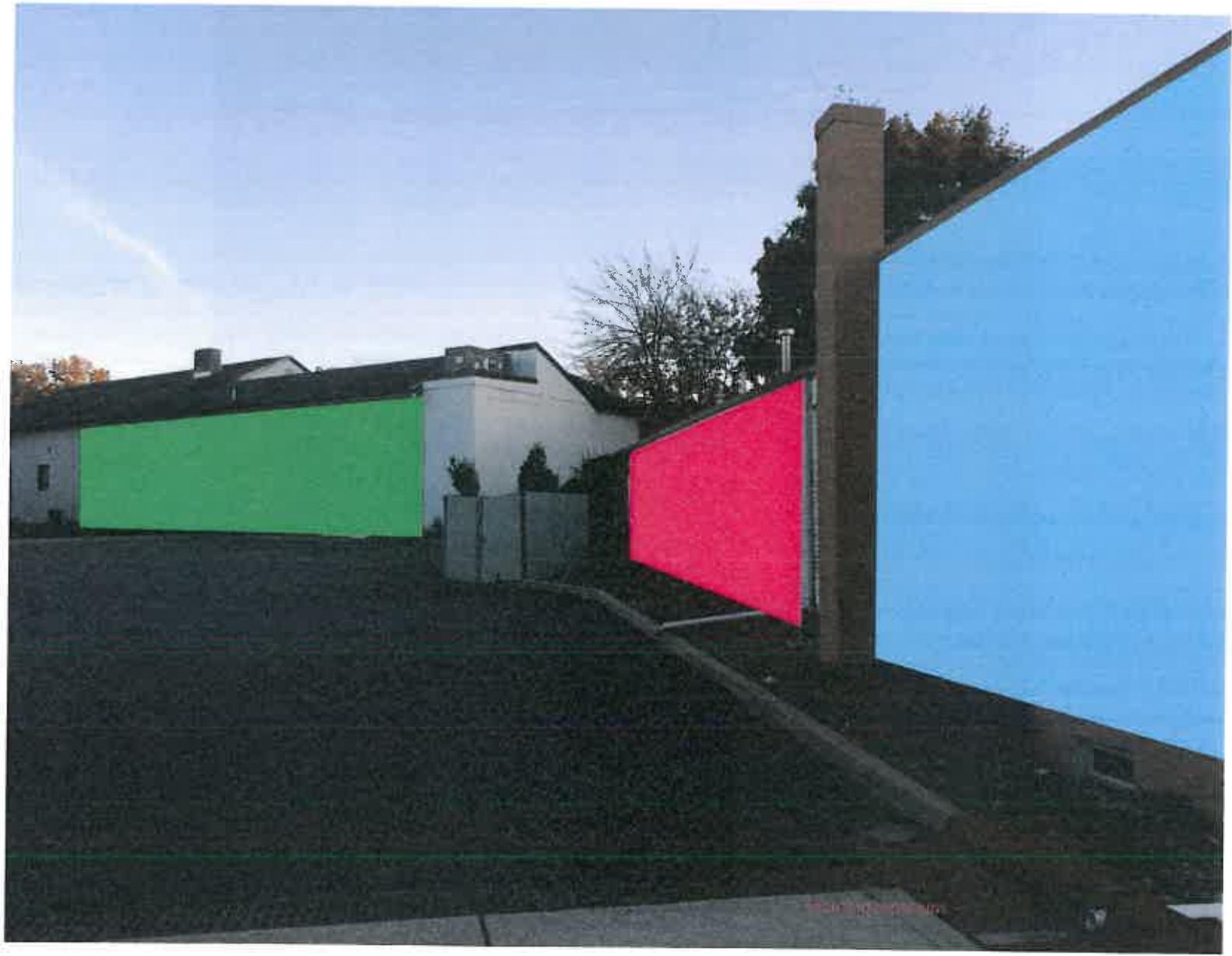




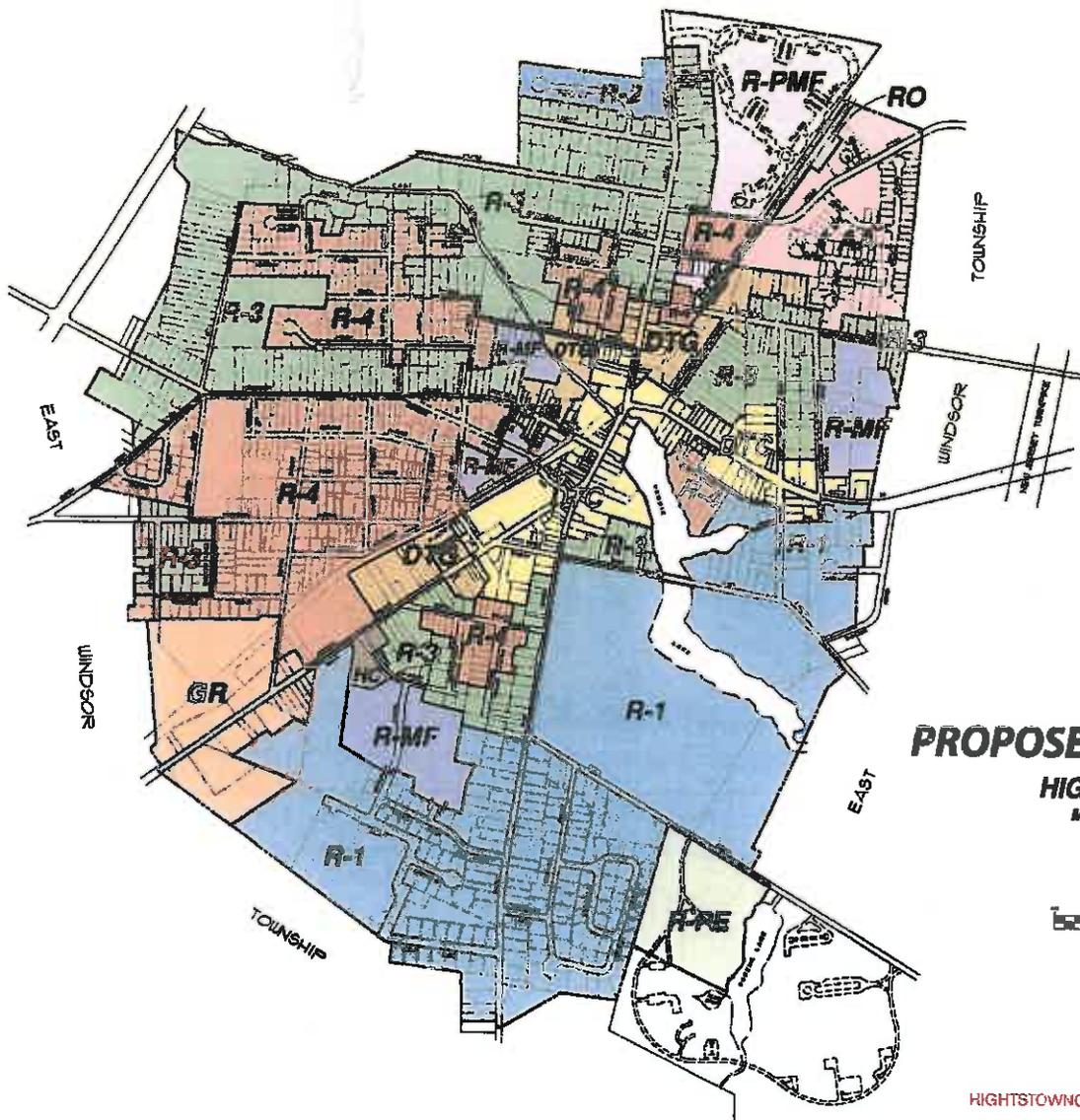


HELD/STIMMIG/DAVE





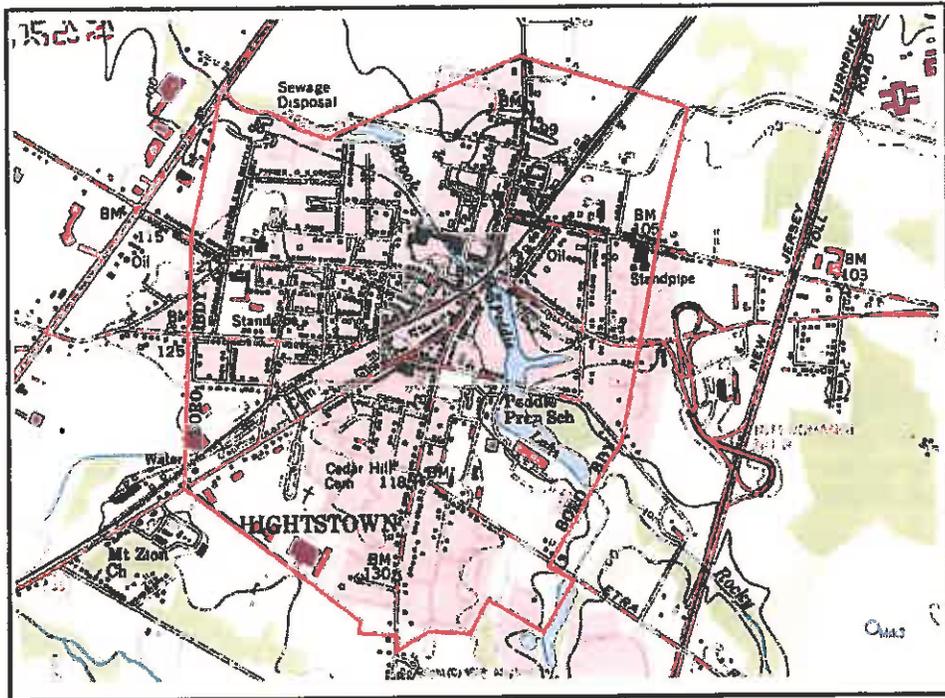




**PROPOSED ZONING MAP**  
**HIGHTSTOWN BOROUGH**  
 MERCER COUNTY, NEW JERSEY  
 2014-A



**BOROUGH OF HIGHTSTOWN  
USGS QUADRANGLE MAP - HIGHTSTOWN  
U.S. DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY**



**Figure 2: Borough Boundary on USGS Quadrangles  
Page 17**

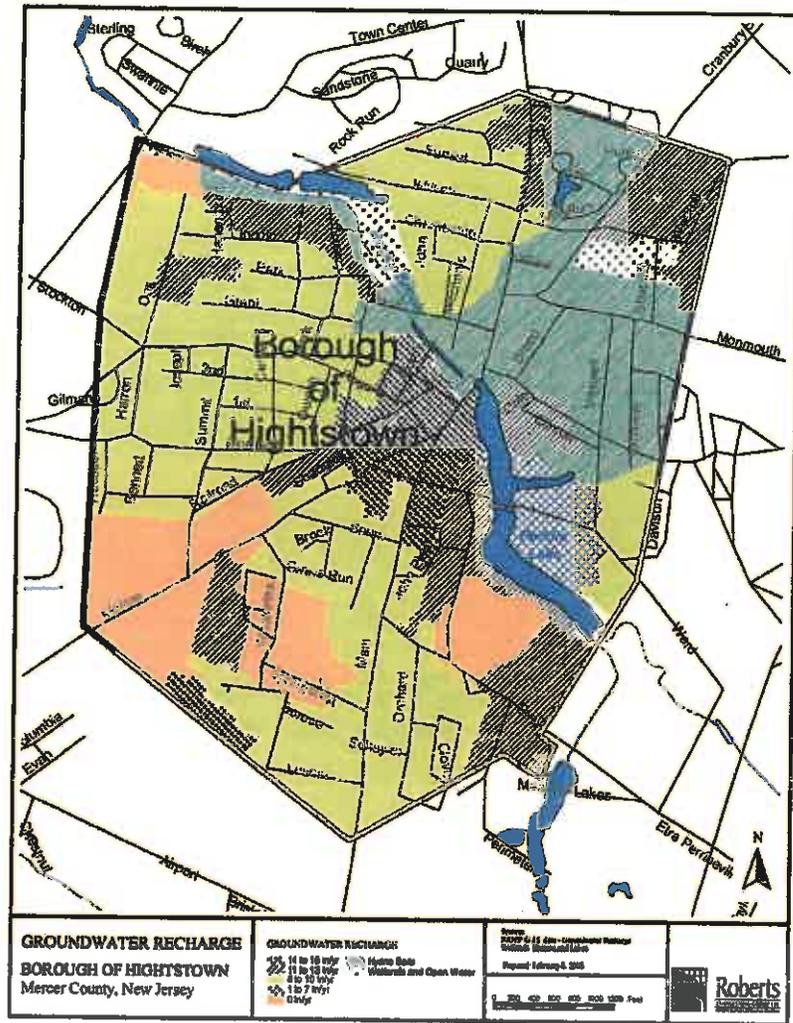


Figure 3: Groundwater Recharge Areas in the Borough  
Page 18

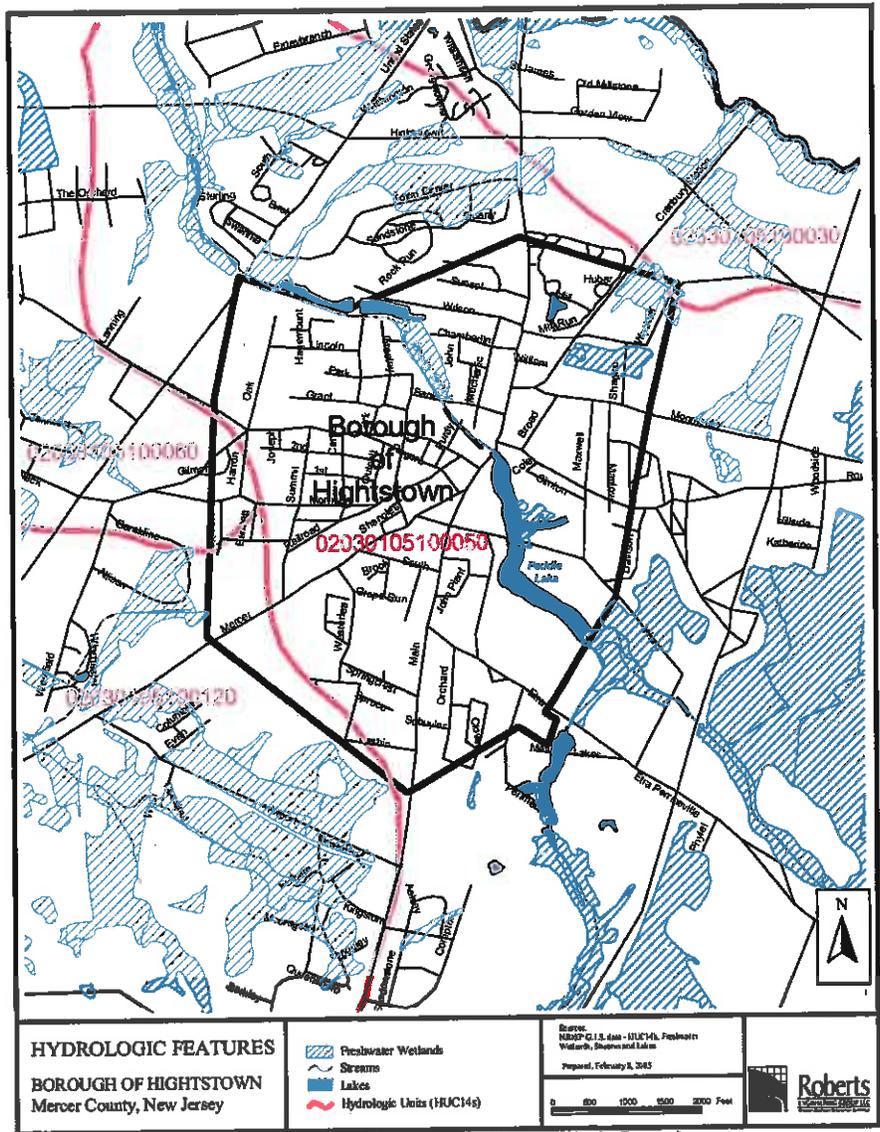
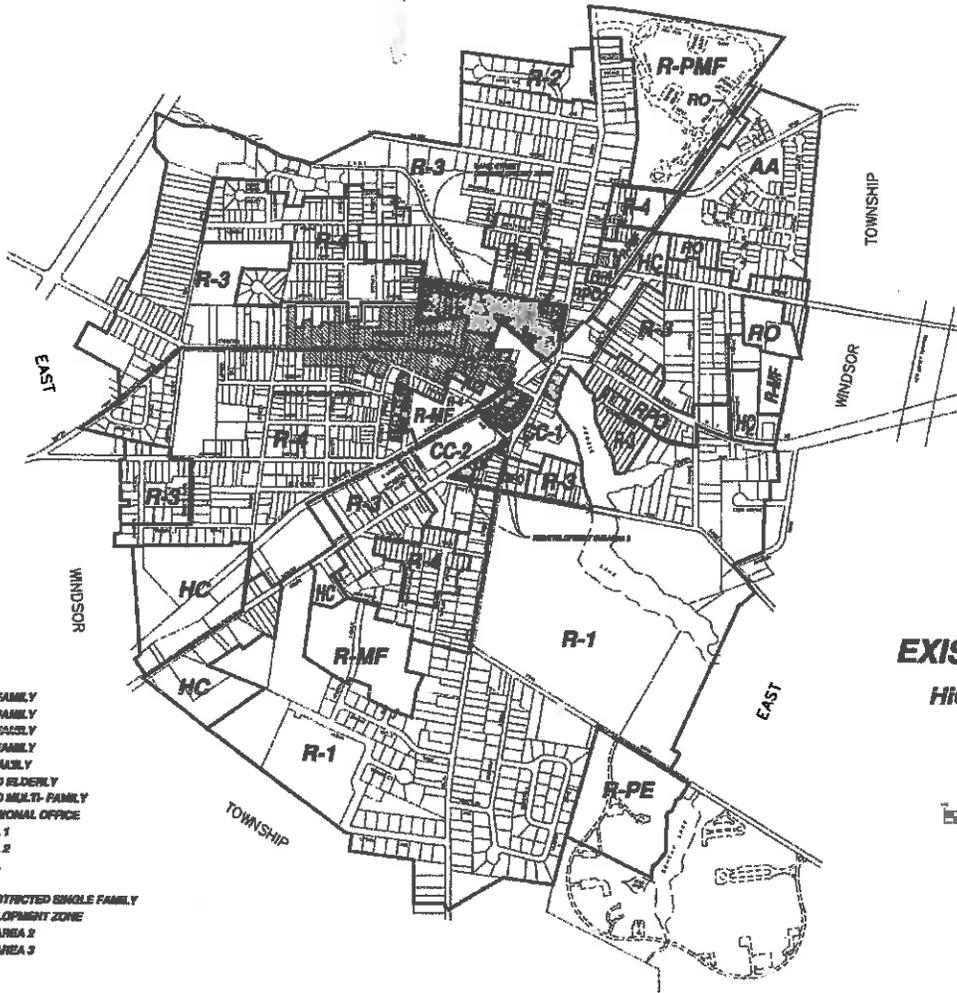


Figure 5: Hydrologic Features (HUC14s) with in the Borough  
 Page 20



**ZONES**

- R-1 RESIDENTIAL- SINGLE FAMILY
- R-2 RESIDENTIAL- SINGLE FAMILY
- R-3 RESIDENTIAL- SINGLE FAMILY
- R-4 RESIDENTIAL- SINGLE FAMILY
- R-MF RESIDENTIAL- MULTI- FAMILY
- R-PE RESIDENTIAL- PLANNED ELDERLY
- R-PMF RESIDENTIAL- PLANNED MULTI- FAMILY
- RPO RESIDENTIAL- PROFESSIONAL OFFICE
- CC-1 CENTRAL COMMERCIAL 1
- CC-2 CENTRAL COMMERCIAL 2
- HC HIGHWAY COMMERCIAL
- RO RESEARCH OFFICE
- AA ACTIVE ADULT AGE RESTRICTED SINGLE FAMILY
-  BANK STREET REDEVELOPMENT ZONE
-  REDEVELOPMENT SUBAREA 2
-  REDEVELOPMENT SUBAREA 3
-  HISTORIC DISTRICT

**EXISTING ZONING MAP**

**HIGHTSTOWN BOROUGH**  
MERCER COUNTY, NEW JERSEY

JANUARY 2009



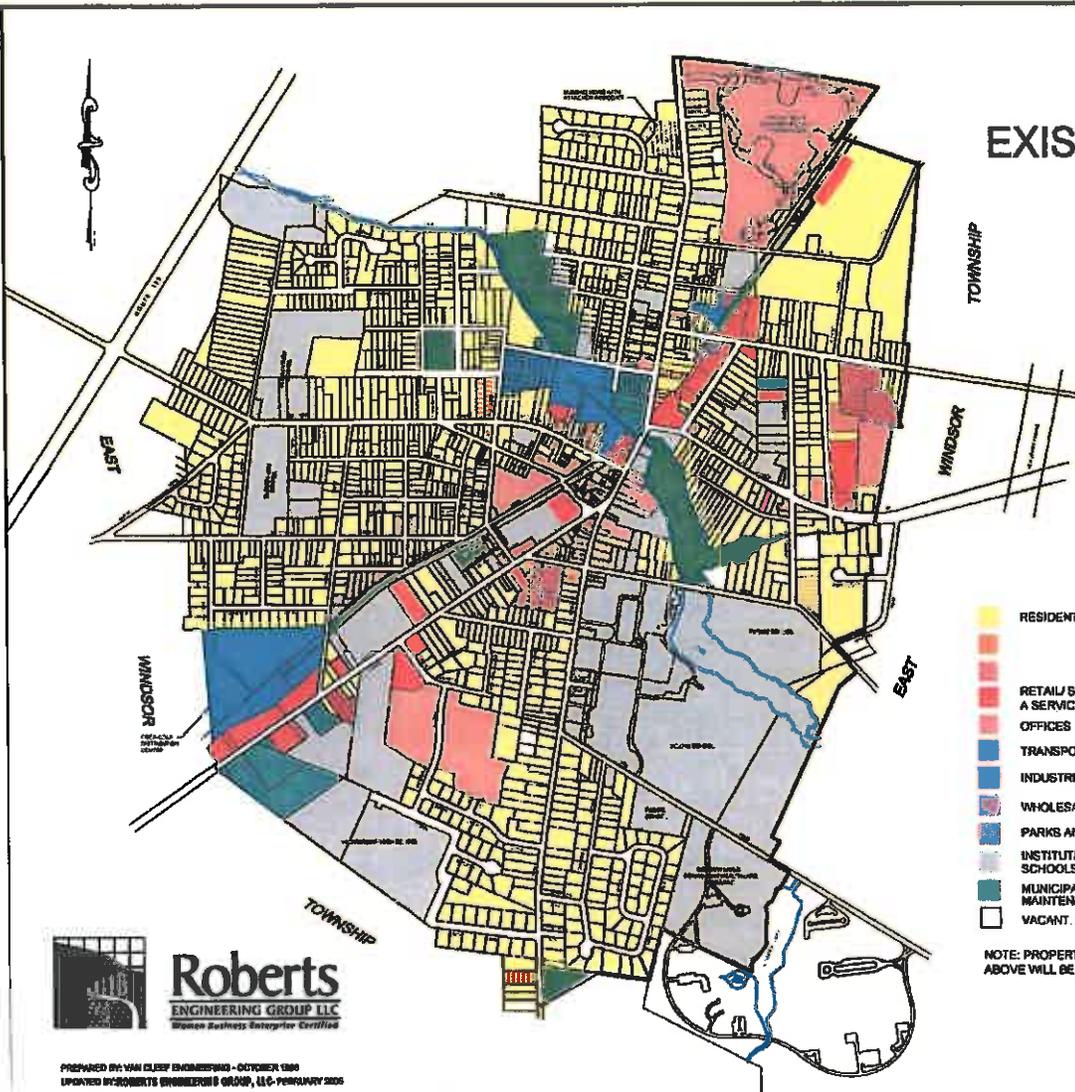
**Roberts**  
ENGINEERING GROUP LLC

CERTIFICATE OF AUTHORIZATION: 24042859100  
870 Woodbury Avenue, Suite 400  
Hightstown, NJ 08520  
609-426-9141, fax 609-426-9143  
www.robtsengr.com

REVISED PER ORDINANCE 2003-22  
REVISED PER ORDINANCE 2008-17

# EXISTING LAND USE MAP

HIGHTSTOWN BOROUGH  
Mercer County, New Jersey



- RESIDENTIAL - SINGLE FAMILY HOME
- HOME WITH APARTMENTS
- APARTMENT BUILDINGS
- RETAIL/ SERVICE, ANY ESTABLISHMENT WHICH SELLS SOMETHING OR PROVIDES A SERVICE LIKE A BEAUTY SALON, TRAVEL AGENT, BANK, ETC.
- OFFICES
- TRANSPORTATION, UTILITIES, COMMUNICATION
- INDUSTRIAL USES
- WHOLESALE OR RELATED USES
- PARKS AND OPEN SPACE
- INSTITUTIONAL BUILDINGS AND PUBLIC OR SEMI-PUBLIC PLACES, IE, SCHOOLS, LIBRARIES, CHURCHES, ETC.
- MUNICIPAL BUILDINGS, TOWN HALL, POLICE, FIRE, RESCUE, MAINTENANCE, ETC.
- VACANT, UNDEVELOPED LAND

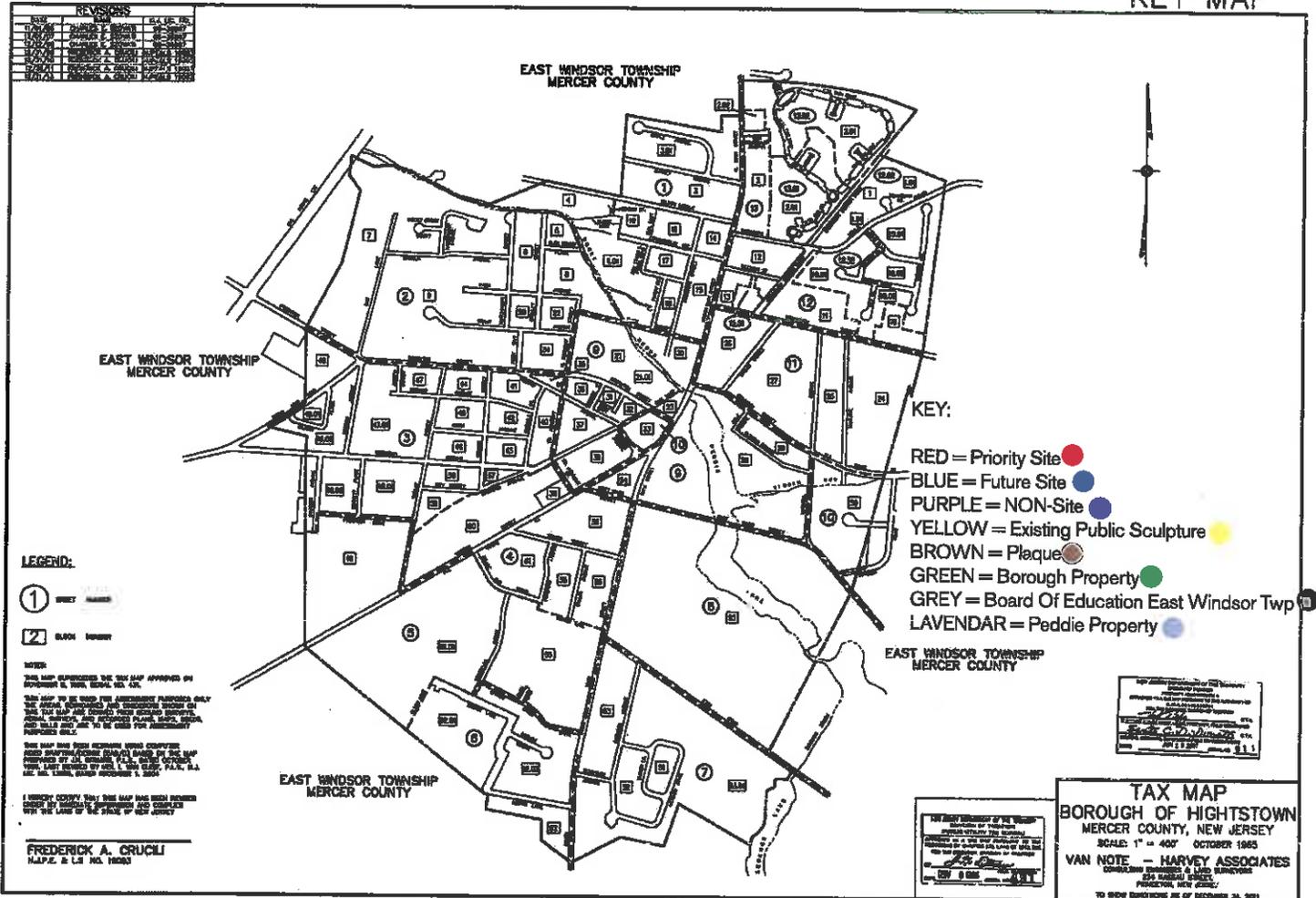
NOTE: PROPERTIES WITH MORE THAN ONE USE, IE, RETAIL WITH APARTMENTS ABOVE WILL BE STRIPED IN THE TWO CORRESPONDING COLORS.



**Roberts**  
ENGINEERING GROUP LLC  
*Women Business Enterprise Certified*

PREPARED BY: WAM CLIFF ENGINEERING - OCTOBER 1989  
UPDATED BY: ROBERTS ENGINEERING GROUP, LLC - FEBRUARY 2005

KEY MAP



KEY MAP





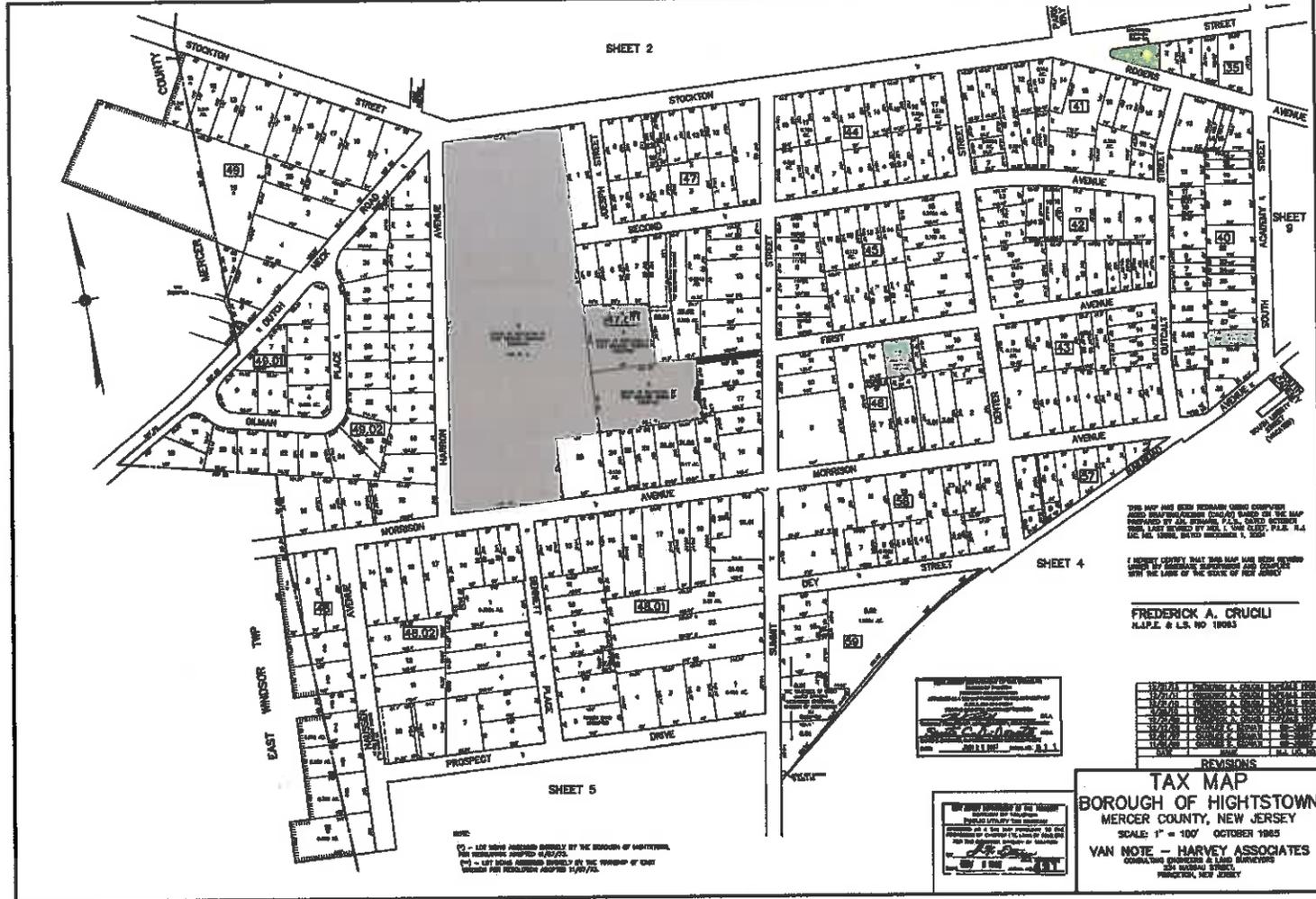
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NO.	DATE	BY	DESCRIPTION
1	10/20/09	FREDERICK A. CRUCILI	ISSUED
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3	10/20/09	FREDERICK A. CRUCILI	REVISION
4	10/20/09	FREDERICK A. CRUCILI	REVISION
5	10/20/09	FREDERICK A. CRUCILI	REVISION
6	10/20/09	FREDERICK A. CRUCILI	REVISION
7	10/20/09	FREDERICK A. CRUCILI	REVISION
8	10/20/09	FREDERICK A. CRUCILI	REVISION
9	10/20/09	FREDERICK A. CRUCILI	REVISION
10	10/20/09	FREDERICK A. CRUCILI	REVISION

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**FREDERICK A. CRUCILI**  
 N.J.P.E. & L.S. NO. 10063

**TAX MAP**  
**BOROUGH OF HIGHTSTOWN**  
 MERCER COUNTY, NEW JERSEY  
 SCALE: 1" = 100' OCTOBER 1909  
**VAN NOTE - HARVEY ASSOCIATES**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 200 HIGHLAND STREET  
 HIGHTSTOWN, NEW JERSEY



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M.P.E. & L.S. NO. 18053

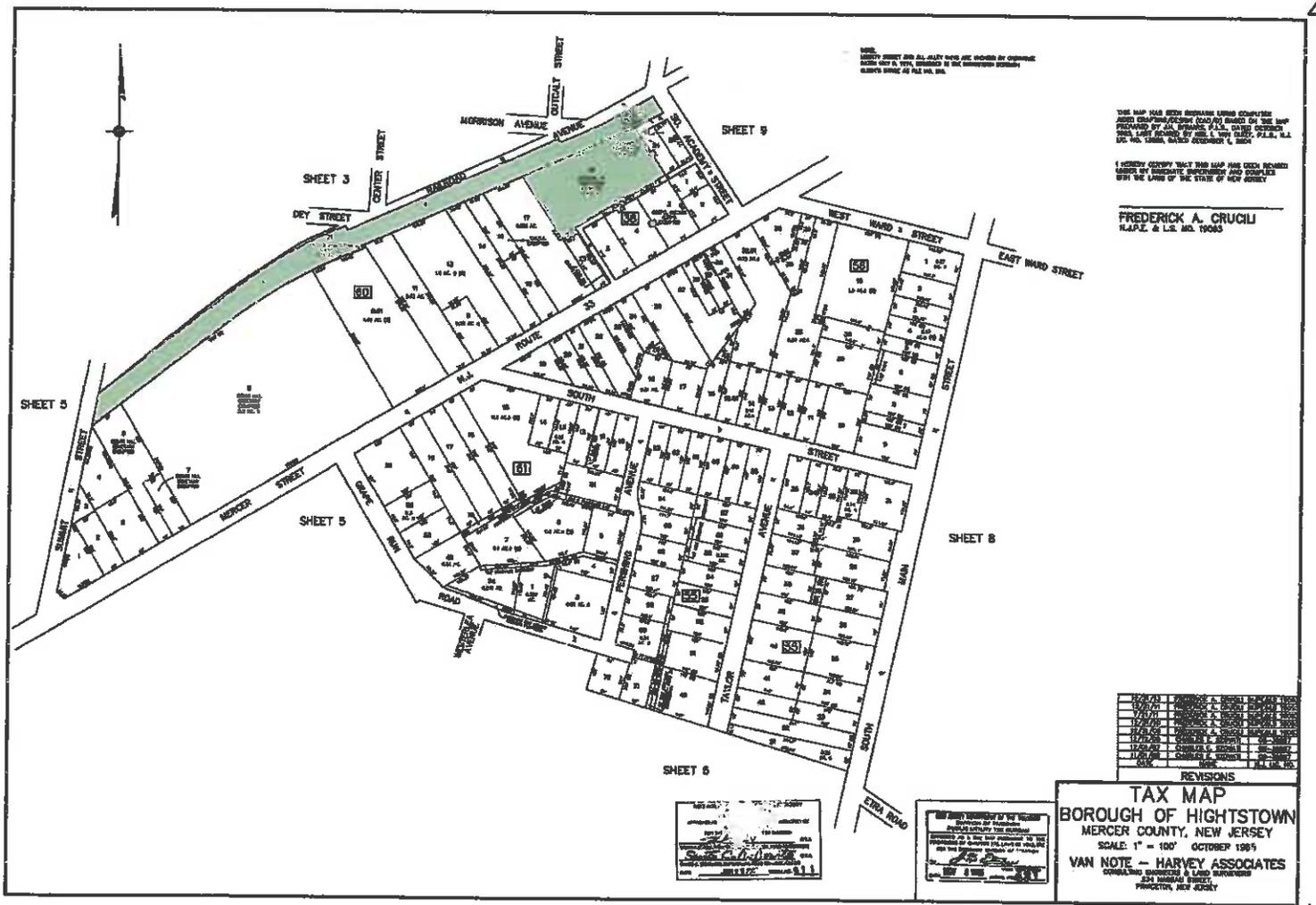
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12/21/81	PREPARED A SECOND SHEET FOR SHEET 4
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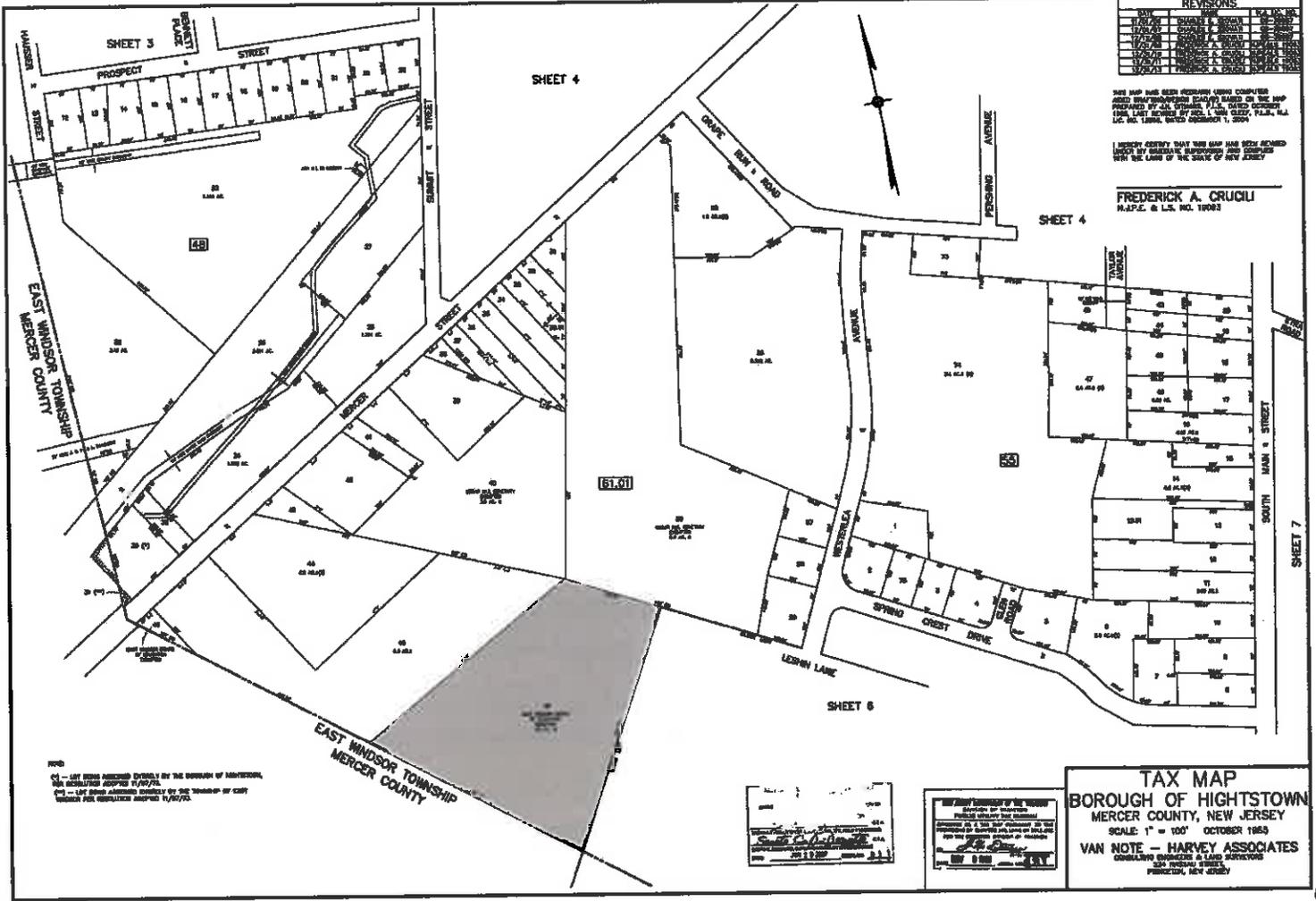
NOTE:  
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 FOR INFORMATION PURPOSES ONLY.  
 (2) - LOT BOUNDARIES SHOWN BY THE BORDERS OF LOT  
 BOUNDARY MAPSHEET FOR 12/21/81.

THE BOARD OF TAXATION OF THE STATE OF NEW JERSEY  
 OFFICE OF THE CLERK  
 100 WEST WASHINGTON STREET  
 TRENTON, NEW JERSEY 08646  
 DATE: 12/21/81

THE BOARD OF TAXATION OF THE STATE OF NEW JERSEY  
 OFFICE OF THE CLERK  
 100 WEST WASHINGTON STREET  
 TRENTON, NEW JERSEY 08646  
 DATE: 12/21/81

**TAX MAP**  
**BOROUGH OF HIGHTSTOWN**  
**MERCER COUNTY, NEW JERSEY**  
 SCALE: 1" = 100' OCTOBER 1985  
**VAN NOTE - HARVEY ASSOCIATES**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 204 NORRAU STREET  
 PRINCETON, NEW JERSEY





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DATE	BY	REASON	SCALE
11/27/63	CRUCILI	PREPARED	1" = 100'
12/27/63	CRUCILI	REVISION	1" = 100'
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1/27/64	CRUCILI	REVISION	1" = 100'

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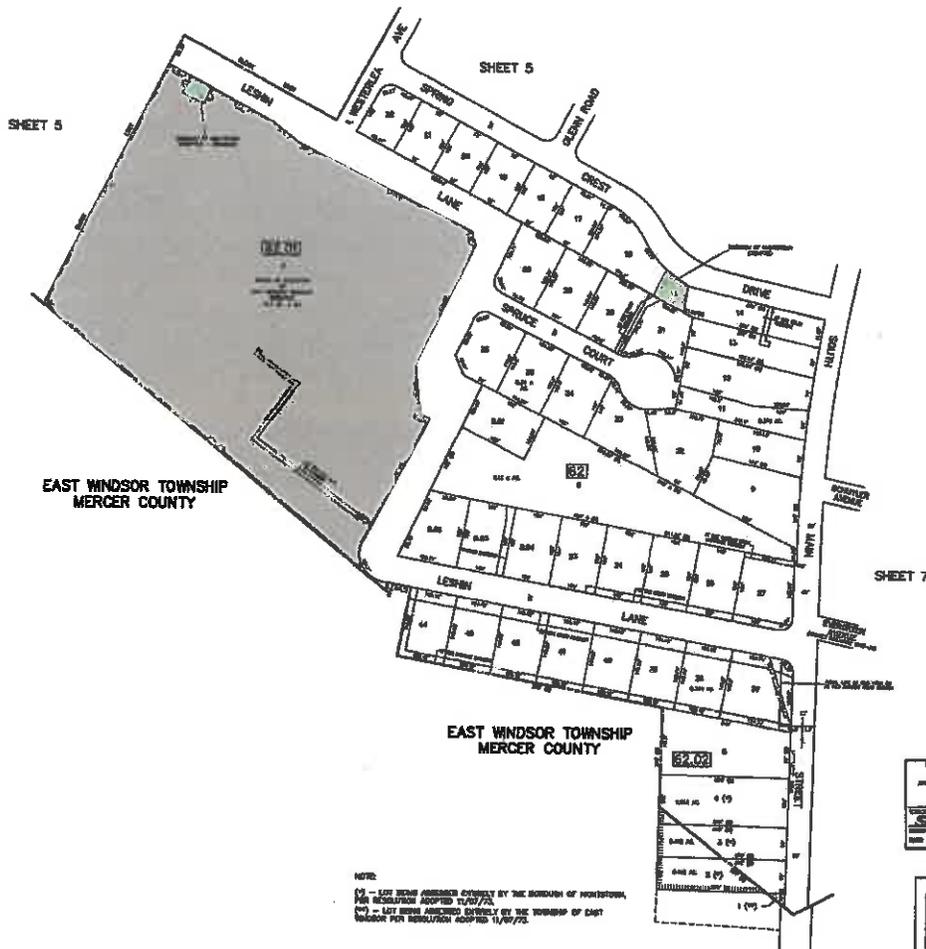
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**FREDERICK A. CRUCILI**  
 N.A.S.P.C. & L.S. NO. 110631

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 62 - LOT AREA ADJUSTED BY THE BUREAU OF TAXATION, N.J. REGULATED ADDED 11/20/74.



**TAX MAP**  
**BOROUGH OF HIGHTSTOWN**  
**MERCER COUNTY, NEW JERSEY**  
 SCALE: 1" = 100' OCTOBER 1963  
**VAN NOTE - HARVEY ASSOCIATES**  
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 PRINCETON, NEW JERSEY



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**FREDERICK A. CRUICK**  
M.A.P.E. & L.S. NO. 19083

EAST WINDSOR TOWNSHIP  
MERCER COUNTY

EAST WINDSOR TOWNSHIP  
MERCER COUNTY

NOTE:  
 (A) - LOT BOUNDARIES SHOWN BY THE BORDERS OF HIGHLIGHTED AREAS.  
 (B) - LOT BOUNDARIES SHOWN BY THE BORDERS OF HIGHLIGHTED AREAS.  
 (C) - LOT BOUNDARIES SHOWN BY THE BORDERS OF HIGHLIGHTED AREAS.

FOR THE BOROUGH OF HIGHTSTOWN  
 BOROUGH ENGINEER  
 JAMES J. CRUICK  
 J.C. NO. 1988, DATED OCTOBER 1, 2004

DATE	BY	REVISIONS
10/1/04	F.A. CRUICK	REVISION 1
10/1/04	F.A. CRUICK	REVISION 2
10/1/04	F.A. CRUICK	REVISION 3
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10/1/04	F.A. CRUICK	REVISION 9
10/1/04	F.A. CRUICK	REVISION 10

FOR THE BOROUGH OF HIGHTSTOWN  
 BOROUGH ENGINEER  
 JAMES J. CRUICK  
 J.C. NO. 1988, DATED OCTOBER 1, 2004

**TAX MAP**  
**BOROUGH OF HIGHTSTOWN**  
 MERCER COUNTY, NEW JERSEY  
 SCALE: 1" = 100' OCTOBER 1985  
**VAN NOTE - HARVEY ASSOCIATES**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 204 HARBOR STREET  
 FORTMONT, NEW JERSEY



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I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVISIONED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW JERSEY.

**FREDERICK A. CRUCILI**  
 P.L.C. & L.S. NO. 18083

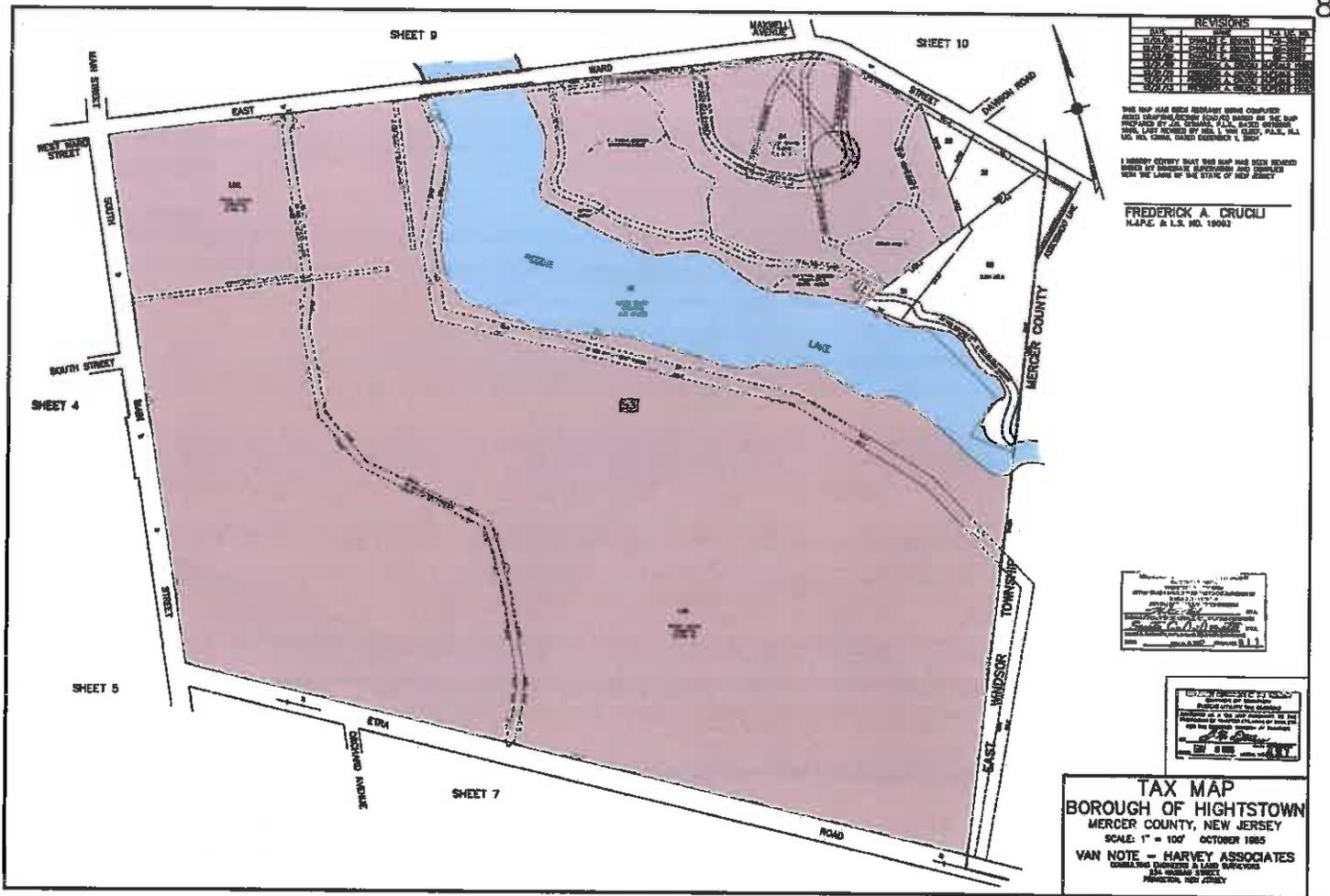


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9	10/1/85	F.A.C.	REVISION
10	10/1/85	F.A.C.	REVISION

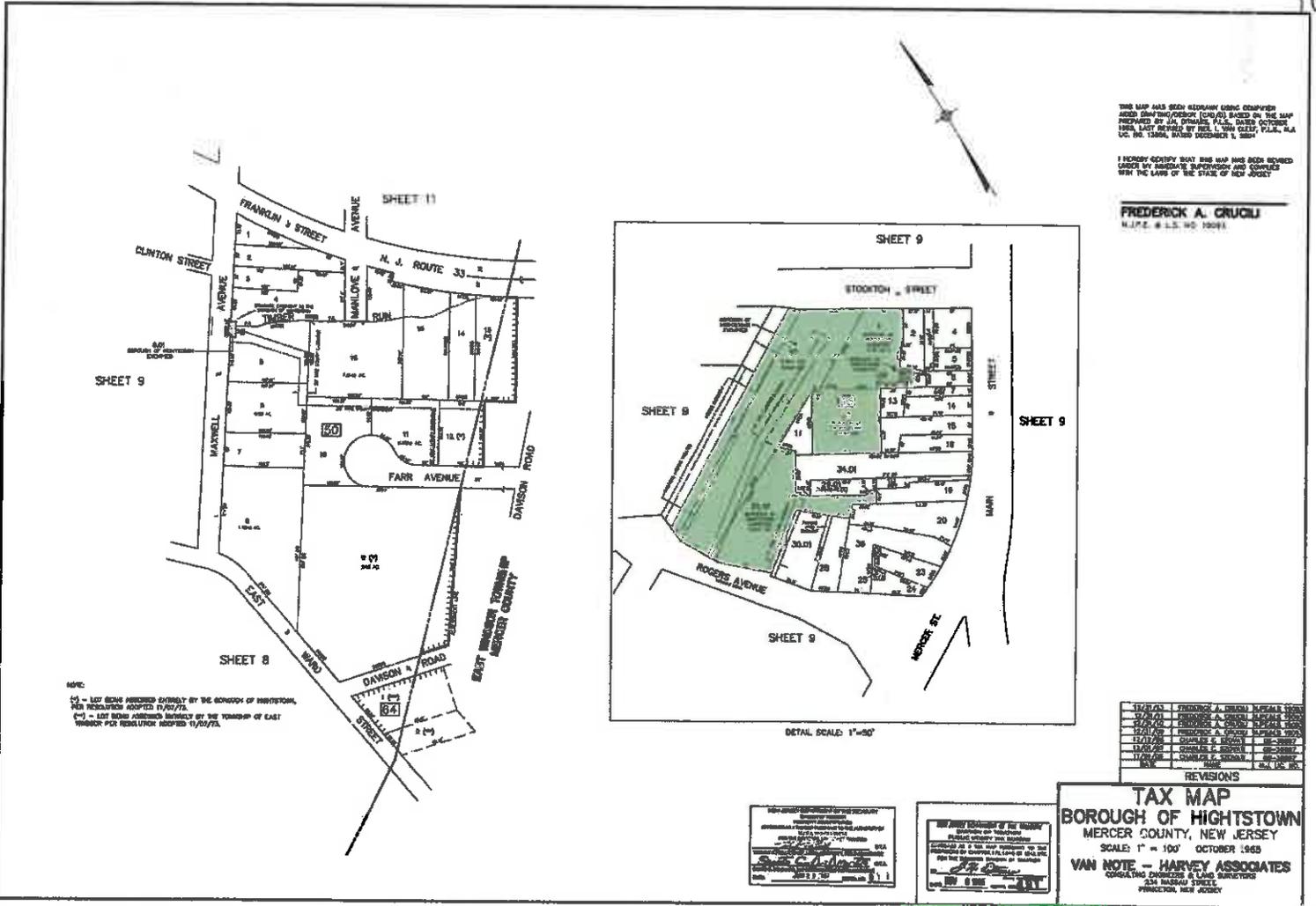
Not a jurisdiction of the Borough  
 of Hightstown  
 and is not subject to the  
 provisions of the  
 Municipal Code of the  
 Borough of Hightstown, New Jersey.  
 HARVEY ASSOCIATES, INC.  
 200 C.E. ROAD, SUITE 311  
 HIGHTSTOWN, N.J. 08520

Not a jurisdiction of the Borough  
 of Hightstown  
 and is not subject to the  
 provisions of the  
 Municipal Code of the  
 Borough of Hightstown, New Jersey.  
 HARVEY ASSOCIATES, INC.  
 200 C.E. ROAD, SUITE 311  
 HIGHTSTOWN, N.J. 08520

**TAX MAP**  
**BOROUGH OF HIGHTSTOWN**  
**MERCER COUNTY, NEW JERSEY**  
 SCALE: 1" = 100' OCTOBER 1985  
**VAN NOTE - HARVEY ASSOCIATES**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 200 C.E. ROAD, SUITE 311  
 HIGHTSTOWN, NEW JERSEY







THIS MAP HAS BEEN REEXAMINED AND CORRECTED  
 JOHN SHAPIRO/CRUCIL (C/O/C) BASED ON THE MAP  
 PREPARED BY LIA STRANGE, P.L.L.C., DATED OCTOBER  
 1983, LAST REVISED BY MEL I. VAN NEST, P.L.L.C., N.J.  
 L.C. NO. 13054, DATED NOVEMBER 1, 1984

I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED  
 UNDER MY IMMEDIATE SUPERVISION AND CORRECTED  
 WITHIN THE LAWS OF THE STATE OF NEW JERSEY

**FREDERICK A. CRUCIL**  
 N.J.P.E. # L.S. NO. 10081

NO.	DATE	REVISIONS
1	10/1/83	PREPARED BY LIA STRANGE
2	11/1/84	REVISIONS BY MEL I. VAN NEST
3	11/1/84	REVISIONS BY MEL I. VAN NEST
4	11/1/84	REVISIONS BY MEL I. VAN NEST
5	11/1/84	REVISIONS BY MEL I. VAN NEST
6	11/1/84	REVISIONS BY MEL I. VAN NEST
7	11/1/84	REVISIONS BY MEL I. VAN NEST
8	11/1/84	REVISIONS BY MEL I. VAN NEST
9	11/1/84	REVISIONS BY MEL I. VAN NEST
10	11/1/84	REVISIONS BY MEL I. VAN NEST

**TAX MAP**  
**BOROUGH OF HIGHTSTOWN**  
 MERCER COUNTY, NEW JERSEY  
 SCALE: 1" = 100' OCTOBER 1983  
**VAN NEST - HARVEY ASSOCIATES**  
 CONSULTING ENGINEERS & LAND SURVEYORS  
 234 BARBOUR STREET  
 PRINCETON, NEW JERSEY

FOR THE BOROUGH OF HIGHTSTOWN  
 I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED  
 UNDER MY IMMEDIATE SUPERVISION AND CORRECTED  
 WITHIN THE LAWS OF THE STATE OF NEW JERSEY

FOR THE BOROUGH OF HIGHTSTOWN  
 I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED  
 UNDER MY IMMEDIATE SUPERVISION AND CORRECTED  
 WITHIN THE LAWS OF THE STATE OF NEW JERSEY

NOTE:  
 (1) - LOT BEING REVISIONED COMPLETELY BY THE BOUNDARY OF HIGHTSTOWN,  
 HAS REVISIONED ADDED TO/DELETED.  
 (2) - LOT BEING ADDED COMPLETELY BY THE TOWNSHIP OF EAST  
 HIGHTSTOWN HAS REVISION ADDED TO/DELETED.



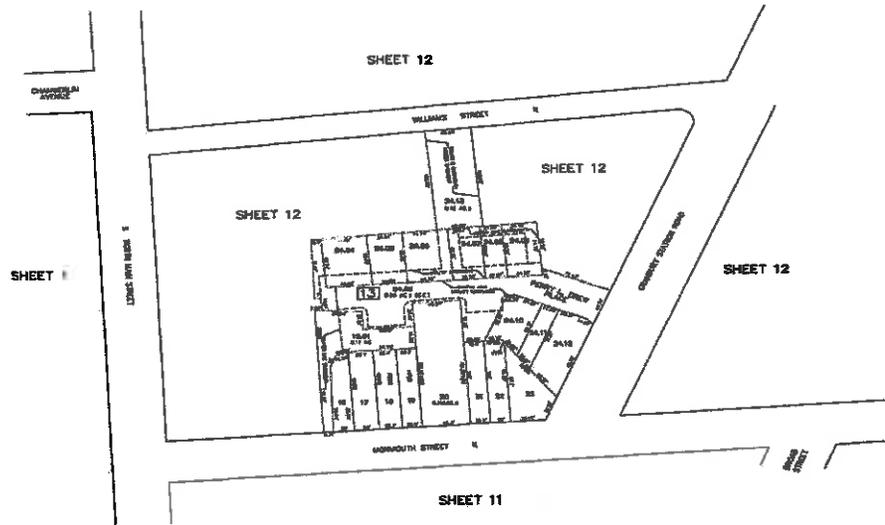




THIS MAP HAS BEEN REVISION USING COMPUTER AIDED MAP/PLANNING (CAM/PA) BASED ON THE MAP PREPARED BY G.A. DITMERS, P.E., CIVIL ENGINEER AREA, LAST REVISED BY REG. L. VAN NOTE, P.L.E., N.J. LIC. NO. 12009, DATED OCTOBER 4, 2000.

I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED UNDER MY DIRECT SUPERVISION AND COMPLES WITH THE LAWS OF THE STATE OF NEW JERSEY.

**FREDERICK A. CRUGLI**  
N.J.P.E. & L.E. NO. 10093

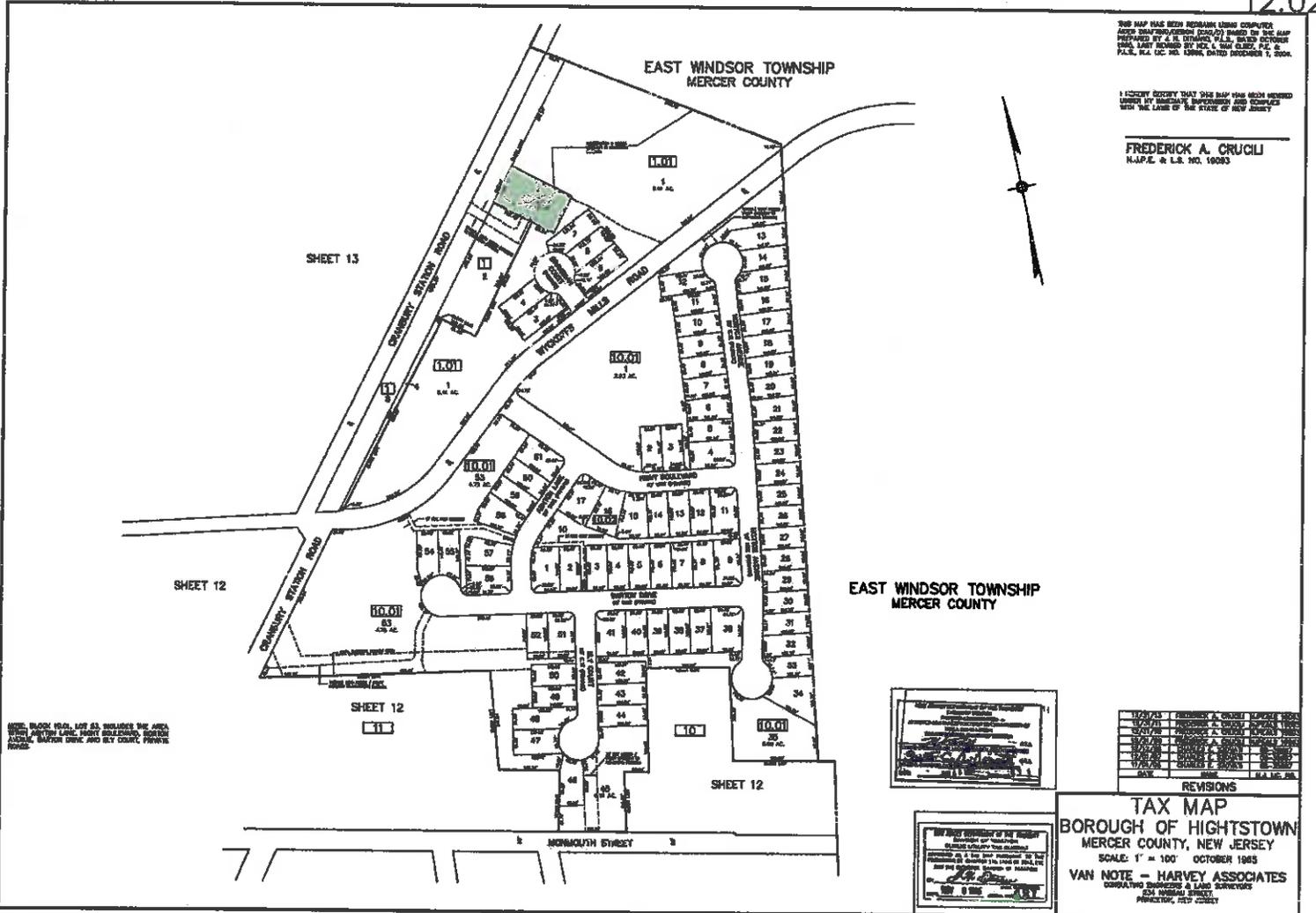


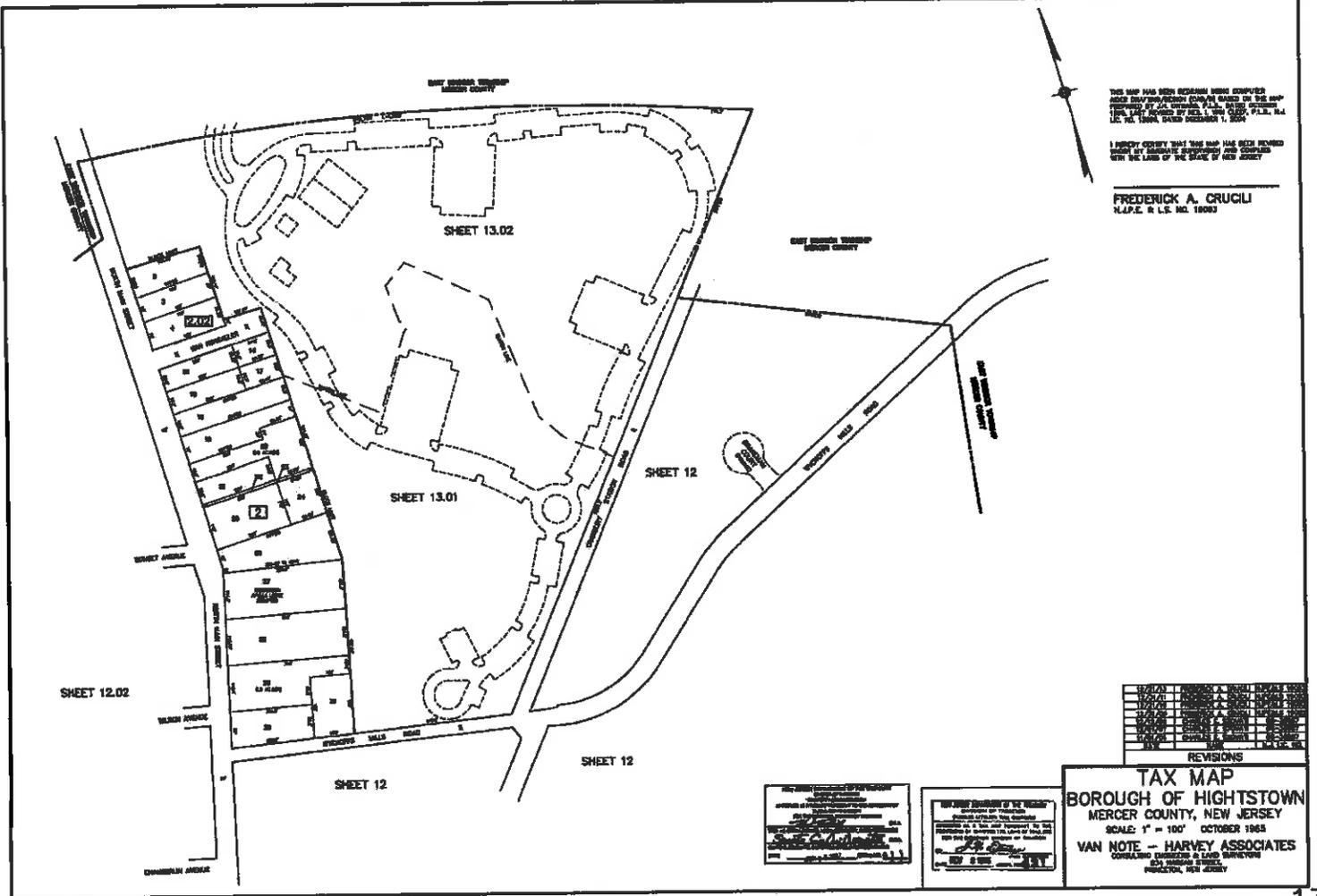
NO.	DATE	BY	DESCRIPTION
1	10/4/00	F.A. CRUGLI	REVISION
2	10/4/00	F.A. CRUGLI	REVISION
3	10/4/00	F.A. CRUGLI	REVISION
4	10/4/00	F.A. CRUGLI	REVISION
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6	10/4/00	F.A. CRUGLI	REVISION
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8	10/4/00	F.A. CRUGLI	REVISION
9	10/4/00	F.A. CRUGLI	REVISION
10	10/4/00	F.A. CRUGLI	REVISION

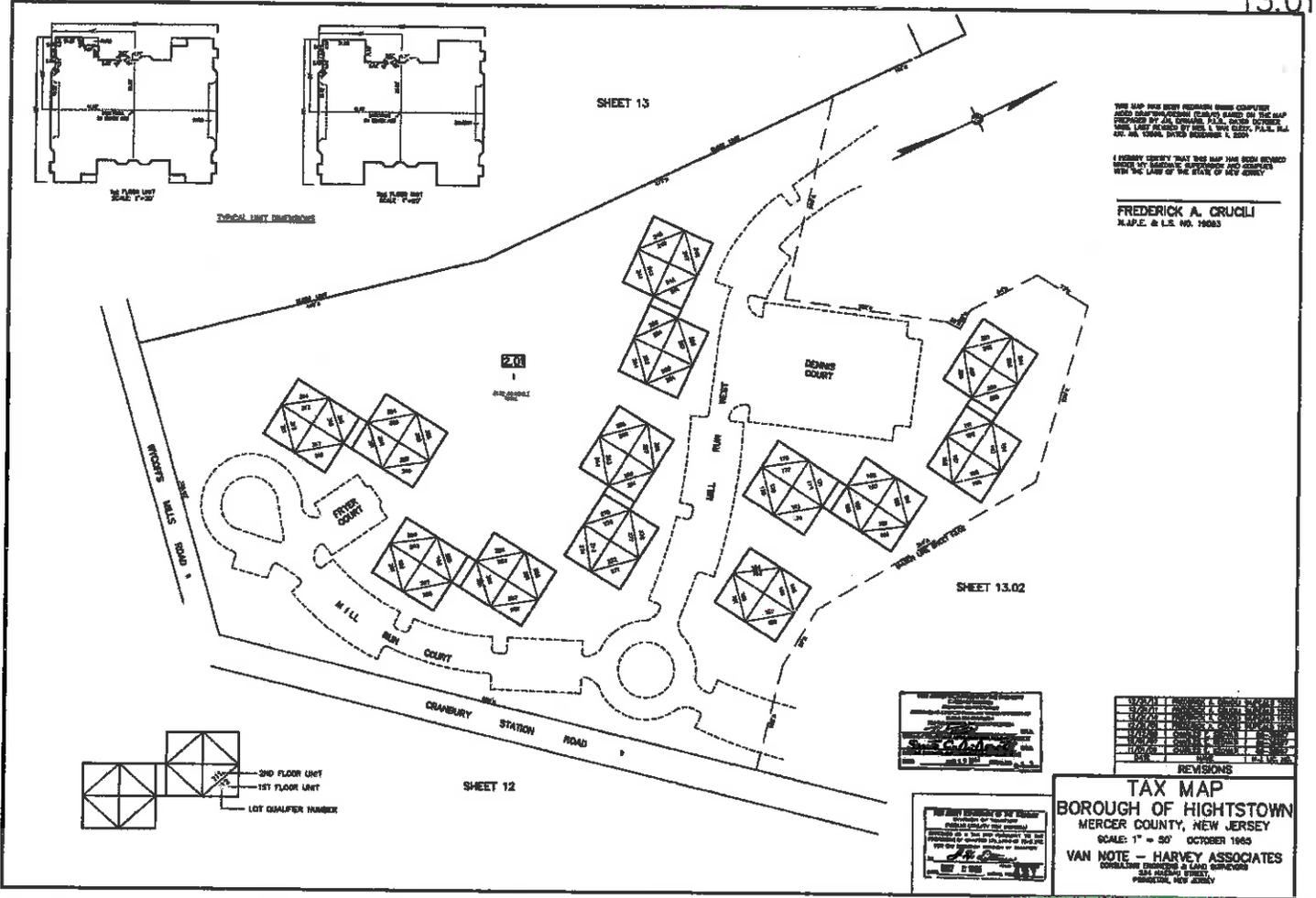
REVISIONS

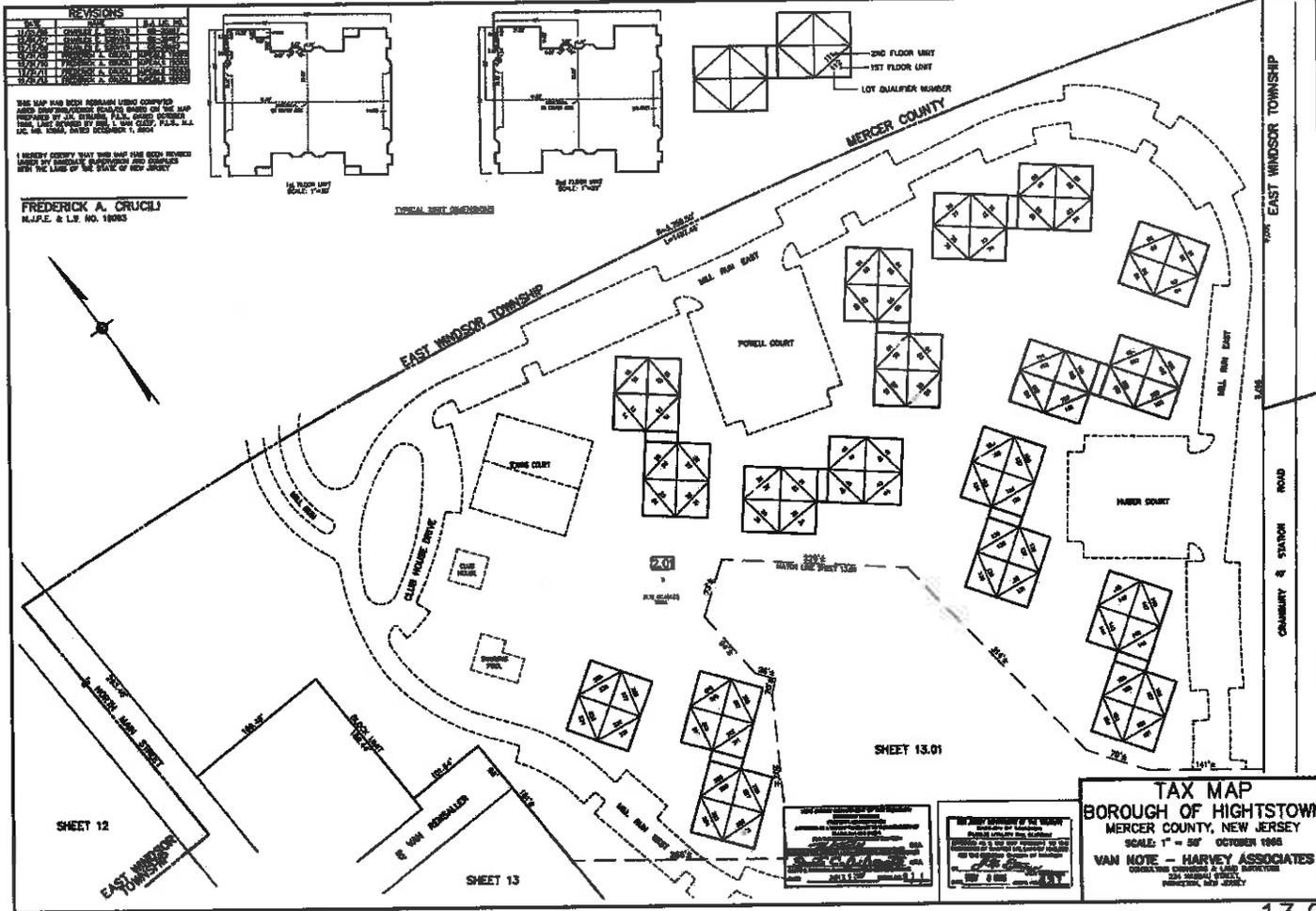
**TAX MAP**  
BOROUGH OF HIGHTSTOWN  
MERCER COUNTY, NEW JERSEY  
SCALE: 1" = 50'  
OCTOBER 1999  
VAN NOTE & HARVEY ASSOCIATES  
CONSULTING ENGINEERS & LAND SURVEYORS  
201 WASHINGTON STREET  
TRENTON, NEW JERSEY

**TAX MAP**  
BOROUGH OF HIGHTSTOWN  
MERCER COUNTY, NEW JERSEY  
SCALE: 1" = 50'  
OCTOBER 1999  
VAN NOTE & HARVEY ASSOCIATES  
CONSULTING ENGINEERS & LAND SURVEYORS  
201 WASHINGTON STREET  
TRENTON, NEW JERSEY









## HIGHTSTOWN CULTURAL ARTS COMMISSION TIMELINE

- May 19, 2014 Council Adopts CAC Ordinance 2014-10
- September 24, 2014 First Meeting of the Cultural Arts Commission
- December 17, 2014 Created Facebook Page
- January 21, 2015 Conduct Survey of Artists in Hightstown
- February 7, 2015 12Farms hosts first in its Exhibition Series
- May 22, 2015 Brought Tlingit Master Carver to lecture at Peddie and Rogers School
- August 19, 2015 Adopt Logo designed by Barb Harrington
- August 25, 2015 First Hightstown Cultural Arts Commission Monthly E-Newsletter
- October 5, 2015 Present CAC year-end accomplishments to Borough Council
- October 10, 2015 Create Arts Alley at Homegrown Harvest Fair with Yarn Bombing, Mosaics and Pottery Demos
- October 15, 2015 "Hightstown: Bringing Art to Light in the Borough" by Amy Batista [www.centraljersey.com](http://www.centraljersey.com)
- November 13, 2015 Organized week long "Homegrown Hightstown Pop Up Exhibition"
- November 16, 2015 CAC receives first Grant supporting Arts in Hightstown from the Mercer County Cultural & Heritage Commission.
- November 19, 2015 "Hightstown Debuts New Art Gallery" by Amy Batista [www.centraljersey.com](http://www.centraljersey.com)

# HIGHTSTOWN CULTURAL ARTS COMMISSION ORDINANCE

Ordinance 2014-10  
BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

AN ORDINANCE AMENDING, SUPPLEMENTING AND REVISING CHAPTER 2, "ADMINISTRATION," OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY," IN ORDER TO ESTABLISH A "CULTURAL ARTS COMMISSION."

WHEREAS, the Hightstown Borough Council believes that it would be in the best interests of the Borough to establish a "Cultural Arts Commission" in accordance with the provisions set forth below.

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. Chapter 2, entitled "Administration," of the "Revised General Ordinances of the Borough of Hightstown, New Jersey," is hereby amended, supplemented and revised in order to establish the following provisions:

## CULTURAL ARTS COMMISSION.

### 1: Goals and Purposes; Establishment of Commission.

A. The development of artistic and cultural appreciation and expression is an important consideration in the progress and growth of our society. Its pursuit through the presentation of cultural/artistic events and programs, and establishment of art installation sites and venues is declared to be a significant goal benefiting Hightstown residents, both adult and child alike. In order to achieve this goal and all related purposes, the Hightstown Borough Council herewith establishes this Cultural Arts Commission.

### 2: Composition; qualifications; Chairperson; terms.

A. Membership qualification. The Cultural Arts Commission shall be composed of nine (9) members and up to four (4) alternates, designated as "Alternate No. 1" and "Alternate No.

2," etc., who shall meet the following criteria:

- a. Each member of the Commission shall be appointed by the Borough Council.
- b. One member of the Commission shall be a member of the Parks & Recreation Commission; one member shall be a member of the Peddie School Staff; and one member shall be a member of the Hightstown-East Windsor Regional School Staff or Board of Education. These members shall serve one-year appointments.

### B. Chairperson and members; terms of office.

- a. The Commission shall designate one of its members to serve as Chairperson and presiding officer of the Commission.
- b. The Commission shall appoint a secretary and other officers as it deems necessary and appropriate.
- c. The terms of office of the first Commissioners shall be as follows:
  - i. Three members as set forth in §2A.b. above for one year terms.
  - ii. Three members who are artists or affiliated with art organizations, but not necessarily residents of Hightstown, for two year terms.
  - iii. Three members who are residents of Hightstown and hold an appreciation for the arts for three year terms.
- d. Up to four alternate members for one year terms with half of this number composed of youth members as defined below. The remaining alternate members shall satisfy the criteria of either §2B.c.ii. or §2B.c.iii. above.
  - i. Youth members shall be aged 15-18 and shall be students at either Hightstown-East Windsor Regional High School or the Peddie School.
- e. The Parks & Recreation Commission member appointed to serve on this Commission shall not be appointed beyond the expiration of his/her term of office as a member of the Parks & Recreation Commission.
- f. The successors of the first Commissioners shall be

appointed by the Borough Council and shall serve for terms of three years except for those members appointed annually pursuant to §2A.b. above and except for the four alternates who shall be appointed for one-year terms.

**3: Removal and Vacancies.**

- A. The Borough Council may remove any member of the Commission for cause after written charges have been served upon the member and after a hearing on such charges.
- B. In the event of a vacancy occurring on the Commission other than by expiration of a term, such vacancy shall be filled for the unexpired term in the same manner as an original appointment.
- C. All Commissioners are expected to attend all of the meetings of the Cultural Arts Commission. Three or more unexcused absences within one calendar year may result in a recommendation by the Cultural Arts Commission to the Borough Council that the Commissioner be removed from office.

**4: Duties, obligations and responsibilities.**

The Hightstown Borough Cultural Arts Commission shall have the following duties, obligations and responsibilities:

- A. Prepare and maintain a Public Art Master Plan (PAMP), which shall consist of two sections:
  - a. Standard Operating Procedure. This section describes, in a step-by-step manner, the "who, what, where, how and when" of art in public places. This includes, but is not limited to, guidelines related to the selection and placement of public art within the Borough (including the acquisition of works of art by the Borough), the pooling and appropriation of available funding for public art, the conservation of artwork, and the process generally for the development of public art within the Borough (including who is involved in the various phases thereof).
  - b. Plan for the Geographic Placement of Public Art. This section grows out of the recognition that to be effective, a public art placement program must take a comprehensive,

coherent view of the Borough as a whole. By so doing, high quality art that appropriately reflects the Borough's history, persona, and aspirations can be selected. This plan shall include, but not be limited to:

- i. Location maps with future recommended site placements throughout the Borough, both on municipally-owned property (as approved by the Borough Council) and private property (as approved by the property owner).
  - ii. Insert maps or photos documenting specific sites and the criteria for what types of works should or should not be placed in those locations.
  - iii. Locations that are particularly suited to a specific theme, such as Hightstown's history, an important person of Hightstown, etc.
- B. Develop and implement a public education component which enhances the community's understanding and enjoyment of works of art and the creative process from which they were derived.
    - a. Provide information on all artwork projects.
    - b. Initiate public education programs to develop a greater awareness of Hightstown Borough's public art community.
    - c. Co-sponsor educational outreach programs in the area schools to include public art components.
    - d. Maintain documentation relating to public art.
  - C. Advise and make recommendations to the Borough Council relating to the acquisition and/or placement of works of art on municipally-owned lands, or as to any other matters as requested by the Borough Council.
  - D. Advise and make recommendations to the Planning Board relating to the inclusion of matters relating to public art within the Borough's Master Plan, or as to any other matters as requested by the Planning Board.
  - E. Consult with private property owners relating to the placement of works of art on private property.
  - F. The Commission may solicit, encourage and support the activities of all nongovernmental entities which are organized

for purposes similar to that of the Commission and endeavor to coordinate the activities of those entities for the benefit of all Hightstown residents.

- G. The Commission may prepare, print, advertise and distribute any books, maps, charts, plans and pamphlets, which, in its judgment, it deems necessary to advance its purposes, subject to the budgetary parameters available to the Commission.
- H. The Commission may apply for any grants appropriate for its purposes, subject to Borough Council approval. In pursuance of its aims and purposes, the Commission may solicit and/or receive gifts or bequests of real or personal property, subject to Borough Council approval. Income derived from donations shall be deposited in a trust account, maintained by the Borough's Chief Financial Officer, for the benefit of the Cultural Arts Commission and shall be dedicated for the benefit of that Commission. Expenses and disbursements shall be requested through the Borough's Chief Financial Officer in accordance with statutory procedures and municipal regulations.
- I. The Commission may, as deemed necessary and/or appropriate, appoint subcommittees in special areas of dance, art, music, theater and/or other artistic pursuits.
- J. The Commission may, as deemed necessary and/or appropriate, conduct cultural events or sponsor trips to such events such as art exhibits, plays, concerts, dance recitals, and other similar activities for the benefit of the residents of Hightstown Borough and the general public. The Commission may also develop programs involving cultural, artistic, musical, dramatic, dance, educational and other expressive artistic pursuits for the benefit of Hightstown residents and the general public.
- K. The Commission may accept works of art on a temporary basis, for a length deemed appropriate by the artist and the Commission in accordance with the following:
  - a. The artist is responsible for all aspects of the installation of the work of art and is accountable to the Commission. Contracts shall stipulate all aspects of responsibility for installation.
  - b. The Commissioners will work with the artist to coordinate all aspects of installation.

#### 5: Records and Annual Report.

- A. The Commission shall keep records of its meetings and activities and shall make quarterly reports to the Borough Council.

#### 6: Appropriation; limitation on appointment of Commission.

- A. The Borough Council may appropriate such funds as it deems necessary for the expenses to fund the budget prepared by the Commission.
- B. Any expenditures of the Commission shall be within the limits of the funds available to the Commission.

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

Section 3. 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. This Ordinance shall take effect following final passage and publication in accordance with the law.

Introduced: May 5, 2014

Adopted: May 19, 2014

## DEFINITIONS

The CAC acknowledges the often broad and abstract notions of many terms that are used in creating and talking about the Hightstown Creative Art Master Plan and so have set out to loosely define, as it pertains to this document, the terms as we understand them, use them, and want the reader to consider when using this document.

- **Accession:** The formal process used to accept an artwork into the Public Art Collection and record an item as a Collection Object.
- **Administrative Code:** Administrative Code of the Borough of Hightstown. May be modified by a majority vote of the Borough Council.
- **Art Enrichment Fund:** This fund established to receive all revenue from programs, events, and sale or use of works of art which are under the supervision of the Cultural Arts Commission.
- **Art Maintenance Fund:** This fund is established to see the long term maintenance of the Borough Art Collection. 5% of the cost of each work purchased or commissioned will be placed into this fund to help support the maintenance of the work during its lifetime.
- **Artist:** Individual artist, team of individual artists (collaborative or otherwise), or artist team leader of individuals from other disciplines whose body of work and professional activities demonstrate serious ongoing commitment to the fine arts.
- **Artist Fees:** Artist fees refer to that portion of the project budget reserved for payment to the artist for his/her creative services for design, fabrication, and project management services. Fees do not include other labor, materials, travel, and per diem allowances for out-of-town artists.
- **Artwork or Work of Art:** Artwork, or Work of Art, is defined as including, but is not limited to, paintings, drawing, murals in any media, stained glass, statues, bas relief or other sculptures; environmental artworks or public places designed by Artists; monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration, integrated and functional architectural elements designed by the Artist, video and other media-based works.
- **Borough Art Collection:** The Public Art Collection is comprised of artworks that have been accessioned by the Borough through the recommendation by the Cultural Arts Commission on behalf of the Borough, or are otherwise under the jurisdiction of the Commission.
- **Capital Improvement Project (CIP):** The construction or alteration of a building, above ground structure, new park, or transportation improvement project.
- **Creative Placemaking:** In creative placemaking, partners from public, private, nonprofit and community sectors strategically shape the physical and social character of a neighborhood, town, tribe, city, or region around arts and cultural activities. Creative placemaking animates public and private spaces, rejuvenates structures and streetscapes, improves local businesses' viability and public safety, and brings diverse people together to celebrate, inspire, and be inspired. (Ann Makusen and Anne Gadwa Nicomemus)
- **Cultural Arts Commission:** Chartered Commission governed by 11 members appointed by the Borough Council. The make-up, function, powers, and duties of the Cultural Arts Commission are defined in the Borough Ordinance 2014-10.
- **Deaccession:** De-accessioning is defined as the process of removing an object permanently from the collection, usually through sale or exchange or any other transactions by which title of outgoing works of art are transferred from the collection to another institution or individual. Under certain conditions, it may also include disposal by intentional destruction.
- **Monuments:** Structures, sculpture or other objects erected to commemorate a person or an event.
- **Performative:** Performative describes any work of art that is ephemeral and falls under the category NON-SITE referred to in our Hightstown Creative Art Master Plan.
- **Plaque:** For the purpose of this document "plaque" refers to identification signage affixed on or near an artwork that identifies the title, artist, media, etc. For permanent works the "plaque" will follow the Historical Plaque Specs for Hightstown Borough:
  - A. Franklin Bronze Plaques of Franklin PA.
  - B. Cast Bronze.
  - C. Border: Standard Single Line, 3/8" width.
  - D. Background Color: dark Oxide.
  - E. Background Texture: Leatherette.
  - F. Top: "Humped" Graphic: Hightstown Borough Seal in "hump" , flat relief graphic, 3" diameter

G. Mounting: "Hidden"

H. Font: Head and Body - Times Roman

I. Font Size: Head - 1.25" all caps.

J. Body - minimum 9/16" sentence case.

K. Format: Centered.

L. Decorative element separating header text in all caps and the body copy:

M. Adobe Word Type Ornaments Std. Divider #3

N. Distance from top and bottom of element to text: 7/8"

O. Space between lines (leading): 75 points.

P. Width of space between border and text .75"

Q. Space between logo and header text in all caps .5"

- **Project Budget:** Public Art fund exclusive of Cultural Arts Commission maintenance allocation requested from a limited number of finalists as a means of providing the basis for final artist selection. All costs associated with project implementation exclusive of design costs, such as artist and consultant fees, engineering/architectural services, taxes and permit fees. The implementation budget includes fabrication, transportation, installation, insurance, bonding, related labor and materials costs.
- **Proposal:** The Artist's design proposal for a project that typically includes drawings and/or models illustrating the project and how it will fit into the site, project description and budget, typically
- **Public Art:** For the purposes of this document, these two terms are interchangeable. Refers to works of art purchased or commissioned with funds generated by the Art Ordinance.
- **Public Art Program:** The Cultural Arts Commission program that administers the purchase and/or commissioning of artworks acquired as a result of the Borough Ordinance.
- **Selection Panel:** The panel whose charge is to review potential candidates and/or art proposals and make a recommendation to the Borough Council for the selection of an artist(s) and/or art proposal(s).

## ARTS AND CULTURAL PRODUCTION AND CREATIVE SECTOR DATA

In 2011, the impact of the Arts and Culture on the U.S. Economy accounted for 3.2 percent or \$504 Billion of the Gross Domestic Product.

The Gross output of from the Arts and Cultural Production (ACP) was \$916 billion. Among the leading industries were Advertising, Arts Education, independent artist and performing arts, book, newspaper and periodical publishing, radio and television broadcasting and design and selected architectural services.

In 2011, the production of arts and cultural goods and services employed 2 million workers and generated \$289.5 billion in employee compensation.

New Jersey's nonprofit arts industry generates more than \$1.5 billion annually with nearly 25,000 arts-related businesses that employ more than 87,000 people.

Combined with related spending by visitors to cultural events (meals, lodging, parking) the arts and cultural industry generates over \$40 million annually in state income and sales tax.

Attendance at art events generates income for local businesses. An average arts attendee spends \$24.60 per event not including the cost for admission. 31.8 percent of attendees travel from outside the county where the event is held and 68.2 percent are local. Nonlocal audiences spending an average \$39.96 compared to the local spending \$17.42.

Using resources designed to help communities facilitate the economic and cultural impact of arts in the community, we have compiled data related to Mercer County through the Local Arts Index. The Index is designed to gather data to "better understand the characteristics of the cultural life of individual communities as measured at the county level...comprised of a series of arts indicators measured on the county level, and drawn from a variety of secondary sources including the U.S. Census Bureau, Claritas Research, Scarborough Research, the National Center of Charitable Statistics, and other sources."

#### National Rankings for New Jersey

- 8th in per Capita State Budget for the Arts (\$1.85 per capita)
- 9th in Size of the Arts Sector (\$1.1 Billion)
- 16th in Number of Recreation Visits to National Parkland (99,206 acres of land administered by the National Park Service. New Jersey had 5.9 million visitors to these areas in 2010, the 16th highest of all 50 states.)
- 32nd in Number of Accredited Museums (8 museums accredited by the American Association of Museums, New Jersey has one of the smallest number in the U.S. and the smallest per capita.)
- 9th Largest Number of Performing Arts Companies (The 9th largest number of performing arts companies with 263 in 2012.)
- 4th Largest Number of Amusement and Theme Parks (New Jersey had 39 amusement and theme parks.)
- 10th in Travel (New Jersey residents spent more than \$16.8 billion in domestic travel.)
- 7th Largest Number of Artists (The total number of artists living in New Jersey was 65,446 according to the American Community Survey.)
- 7th in Gross Domestic Product from the Arts, Entertainment, and Recreation Industries (The arts, entertainment and recreation sectors in New Jersey contributed 4.2 trillion dollars to gross domestic product in the United States.)

#### 2015 funding to Mercer County Programs through the New Jersey State Council on the Arts

- American Boychoir School, Princeton \$147,120 General Program Support
- Arts Council of Princeton, Princeton \$50,774 General Operating Support
- Boheme Opera Company, Trenton \$19,313 General Operating Support
- Children's Home Society of NJ/TEDI, Trenton \$19,007 General Program Support
- Council of New Jersey Grantmakers (Arts Funder Affinity Group), Trenton \$3,200 Co-Sponsored Project - Economic & Community Development
- Grounds For Sculpture, Inc., Hamilton \$42,964 General Operating Support
- International Sculpture Center, Hamilton \$34,248 General Operating Support

- McCarter Theatre Center of the Performing Arts, Princeton \$626,820 General Operating Support
- Petronilla L. T. Menchu \$2,998 Folk Arts Apprenticeship
- Mercer County Cultural & Heritage Commission, Trenton \$96,280 Local Arts Program
- Mercer County Cultural & Heritage Commission (Senior Citizen Art Show), Trenton \$5,000 Co-Sponsored Project - Access
- Passage Theatre Company, Trenton \$22,092 General Operating Support
- People and Stories/Gente y Cuentos, Trenton \$16,773 General Operating Support
- PlanSmart NJ (Arts Build Communities), Trenton \$12,500 Co-Sponsored Project - Economic & Community Development
- Princeton Art Association/Artworks, Trenton \$15,000 Arts Project Support
- Princeton Festival, A NJ Nonprofit Corporation, Princeton \$20,900 General Operating Support
- Princeton Girlchoir, Princeton \$30,000 General Operating Support
- Princeton Museum, Princeton \$30,000 General Program Support
- Princeton Pro Musica, Princeton \$14,647 General Operating Support
- Princeton Symphony Orchestra, Princeton \$45,592 General Operating Support
- Young Audiences of New Jersey, Princeton \$133,193 General Operating Support
- Young Audiences of New Jersey (AIE Residencies), Princeton Twp. \$120,000 Co-Sponsored Project - Arts in Education

Total \$1,508,421

## ARTS INDICATORS

### Arts Activity

Cultural Participation (Indicators in the Cultural Participation Factor measure the extent of participation by adults and households in arts and culture activities. Scarborough Research, a partnership of The Nielsen Company and Arbitron, annually gathers consumer behavior information via telephone, direct mail, and other survey methods from over 210,000 adults (18 years and older) in 81 market areas comprising 1,643 counties in 2009-2011. Indicators in this factor show the percentage of adults who participate in the specific cultural activity.)

	Mercer	NYC	PHIL	Monmouth
Adult population share attending popular entertainment, 2011-2013	21.90%	23.6	23.8	27.1
Adult population share attending live performing arts, 2011-2013	36.10%	53	27.3	41
Adult population share visiting art museums, 2011-2013	13.80%	39.3	15.2	13.3
Adult population share visiting zoos, 2011-2013	18.60%	26	31.2	17.2
Adult population share purchasing music media or online, 2011-2013	19.30%	19.9	13.9	13.7
Adult population share attending movies, 2011-2013	42.00%	49.7	40.4	42.8
Overall participation in arts and culture activities, 2011-2013	177.9	247.6	176.1	171.7

Cultural Programming (A key part of overall activities is the extent of cultural programming provided by arts and culture organizations in the nonprofit and other sectors. Relatively few data points are available across all counties, so this factor only includes expenditures by nonprofit arts organizations.)

	Mercer	NYC	PHIL	Monmouth
Total nonprofit arts expenditures per capita, 2009	\$247.65	2903.89	416.06	40.55
Total nonprofit arts expenditures per capita, 2010	\$228.20	2735.14	414.16	50.78

Resources and Capacity (There are six factors in this dimension, for Consumer Expenditures, Nonprofit Arts Revenues, Government Support, Local Connection to National Organizations, Artists and Arts Businesses, and Arts Nonprofits. Together, they show the economic weight of the arts in terms of flows of revenues and the organizational resources used in the arts. These indicators use data available for many counties with a substantial share of the U.S. population.)

Consumer Expenditures (Consumer expenditures in the arts are a key resource, providing the financial fuel to both nonprofit and commercial arts enterprises. Consumer expenditures include spending on admission fees, books, recorded music and other media, photography, movies and more. Data for indicators in this factor come from Claritas Research and were gathered in 2009. They are county-level estimates of total consumer expenditure in the selected area, converted to dollars per capita.)

	Mercer	NYC	PHIL	Monmouth
Expenditures on entertainment admission fees per capita, 2013	\$31.48	41.06	21.52	31.6
Expenditures on recorded media per capita, 2013	\$51.39	60.57	32.3	48.81
Expenditures on musical instruments per capita, 2013	\$14.49	20.38	9.73	14.11
Expenditures on photographic equipment and supplies per capita, 2013	\$68.25	72.82	37.48	71.42
Expenditures on reading materials per capita, 2013	\$223.36	283.26	129.28	249.18
Total consumer expenditures on selected categories per capita, 2013	\$388.97	478.09	230.31	415.12

Nonprofit Arts Revenues (Using data from the National Center for Charitable statistics, indicators in this factor measure nonprofit contributed revenue, program revenue, and earned revenue.)

	Mercer	NYC	PHIL	Monmouth
Nonprofit arts program revenue per capita, 2009	\$70.01	693.19	126.28	18.63
Nonprofit arts program revenue per capita, 2010	\$61.67	696.37	128.26	29.58
Nonprofit arts contributions revenue per capita, 2009	\$108.49	1797.5	251.17	20.44
Nonprofit arts contributions revenue per capita, 2010	\$99.65	1715.12	251.54	19.01
Total nonprofit arts revenue per capita, 2009	\$166.35	2697.56	372.97	41.87
Total nonprofit arts revenue per capita, 2010	\$228.24	2785.53	456.66	53.67

Government Support (The arts are supported by public funds from municipal, regional, state, and federal governments. A telling measure of the competitiveness of the arts organizations in your county is how they are competing in the competition for public dollars compared to other counties. Two indicators show arts county funding per capita over multiple years to grantees by the National Endowment for the Arts and state arts agencies.)

	Mercer	NYC	PHIL	Monmouth
NEA grants per 10,000 population, 2005-2009	\$1806.21	38937.71	5105.16	47.59
State arts agency grants per capita, 2003-2009	\$43.90	94.39	23.22	7.24

Local Connection to National Organizations (Most professional societies for individuals and field service associations for arts organizations serve their members with information, advocacy, centralized study of the field, convenings, and communication. Such organizations often have magazines and web sites, create marketplaces at their annual conferences, and convey information about the field as a whole to individual members whether they are people or organizations. In some cases they maintain national standards, codes of ethics and accreditation programs. The indicators in this factor measure the presence of members of national arts service organizations in counties. Three indicators are included – the number of accredited museums; the sum of national field service organization members; and the sum of national arts education teachers association members – all per capita.)

	Mercer	NYC	PHIL	Monmouth
AAM accredited museums per 100,000 population, 2009	0.82	1.01	.66	.16
National arts service organization members per 100,000 population, 2009	11.46	23.33	9.37	3.17
National arts education organization members per 100,000 population, 2009	42.56	27.62	13.11	29.98

Artists and Arts Businesses (Indicators in this factor show elements of the commercial capacity of the arts, looking at the numbers of businesses and individual artists that serve each community)

	Mercer	NYC	PHIL	Monmouth
Solo artists per 100,000 population, 2009	264.93	1826.69	234.02	234.78
Solo artists per 100,000 population, 2011	269.07	1778.47	244.38	247.54
"Creative Industries" businesses per 100,000 population, 2009	316.22	1323.44	252.55	362.8
"Creative Industries" businesses per 100,000 population, 2014	1552.80	13109.22	2551.1	922.01
Arts and culture establishments per 100,000 population, 2009	72.85	658.12	57.14	75.83
Arts and culture establishments per 100,000 population, 2011	73.58	645.05	55.05	73.56

Arts Nonprofits (The nonprofit arts are a central character in the cultural vitality of American communities. Indicators in this factor show the nonprofit arts sector in total, and are classified by the type of program they offer. Organization counts and per capita measures from 2009 and 2010 are presented.)

	Mercer	NYC	PHIL	Monmouth
Total nonprofit arts organizations per 100,000 population, 2009	27.56	109.15	22.92	15.86
Total nonprofit arts organizations per 100,000 population, 2010	29.19	107.89	23.59	15.23

Arts education nonprofit organizations per 100,000 population, 2009	1.91	4.86	.98	1.11
Arts education nonprofit organizations per 100,000 population, 2010	1.91	4.41	1.05	1.11
Collections-based nonprofit organizations per 100,000 population, 2009	2.46	7.19	2.69	1.90
Collections-based nonprofit organizations per 100,000 population, 2010	2.73	7.25	2.95	1.90
Humanities and heritage nonprofit organizations per 100,000 population, 2009	3.55	8.13	3.28	2.06
Humanities and heritage nonprofit organizations per 100,000 population, 2010	4.09	8.45	3.54	1.74
Media arts nonprofit organizations per 100,000 population, 2009	2.18	12.67	1.64	1.11
Media arts nonprofit organizations per 100,000 population, 2010	2.46	12.30	1.90	.95
Performing arts nonprofit organizations per 100,000 population, 2009	9.55	46.98	8.65	6.19
Performing arts nonprofit organizations per 100,000 population, 2010	10.10	45.72	8.39	6.50
Field service arts nonprofit organizations per 100,000 population, 2009	4.09	20.49	3.74	1.11
Field service arts nonprofit organizations per 100,000 population, 2010	4.64	20.81	3.67	1.27
Visual arts nonprofit organizations services per 100,000 population, 2009	0.27	1.83	.39	.63
Visual arts nonprofit organizations services per 100,000 population, 2010	0.27	1.70	.46	.48
Other arts nonprofit organizations per 100,000 population, 2009	3.55	7	1.57	1.74
Other arts nonprofit organizations per 100,000 population, 2010	3.00	7.25	1.64	1.27

Competiveness (There are two factors in this dimension, for Establishments, Employees and Payroll Shares, and for Support of the Arts. Together, they show some the arts' share of activity in their communities. These indicators use data available for many counties with a substantial share of the U.S. population.)

Establishments, Employees and Payroll (Indicators in this factor show the relative weight of the arts in the local economic context, featuring the share that arts establishments, employees, and payroll have in a county's economy.)

	Mercer	NYC	PHIL	Monmouth
"Creative Industries" share of all businesses, 2009	4.71%	10.97	5	4.66
"Creative Industries" share of all businesses, 2014	4.52%	10.8	4.93	4.71
"Creative Industries" share of all employees, 2009	2.36%	9.57	5.62	1.81
"Creative Industries" share of all employees, 2014	2.42%	10.04	4.75	1.88
Arts and culture share of all establishments, 2009	2.72%	10.11	3.26	2.52
Arts and culture share of all establishments, 2011	2.82%	10.06	3.18	2.49
Arts and culture share of all employees, 2009	2.07%	7.88	2.43	1
Arts and culture share of all employees, 2011	1.48%	7.44	1.75	.62
Arts and culture share of all payroll, 2009	1.94%	7.03	2.42	.72
Arts and culture share of all payroll, 2011	1.53%	6.5	2.01	.64

Support of the Arts (Two indicators show the vigor of philanthropy in the region. Scarborough data provide insight into private contributions, and a second indicator evaluates the success of local arts organizations in obtaining state grants)

	Mercer	NYC	PHIL	Monmouth
State arts grant success rate, 2009	57.16%	74.07	89.16	55.93
Household share donating to public broadcasting or arts, 2011-2013	26.20%	36.2	24.3	16.6

**Local Cultural Character** (There are three factors in this dimension, for the Institutional and Entrepreneurial Arts, Local and Global Representation, and Professional Arts Training. Together, they show some of the unique characteristics that help to differentiate the arts from one place to another by character, rather than by volume. These indicators use data available for many counties with a substantial share of the U.S. population.)

**Institutional and Entrepreneurial Arts** (Each community will have a unique and distinctive mix of arts organizations. In addition to focusing on different programs, they may also vary in size and age. There are several well-known, archetypal community populations: some old and established, some in middle age with new generations of leadership, some that have come into being in the social enterprise era. The balance of institutional and entrepreneurial makeup of the arts is one attribute of the character or personality of a community. The indicators in this factor all share a focus on the blend of different kinds of arts organizations in each county as a matter of distinct character.)

	Mercer	NYC	PHIL	Monmouth
Millennial share of all arts nonprofits, 2009	31.68%	34.89	31.71	32
Millennial share of all arts nonprofits, 2010	32.71%	36.37	32.22	32.29
Revenue share of millennial arts nonprofits, 2009	26.40%	13.6	9.66	15.81
Revenue share of millennial arts nonprofits, 2010	16.84%	111.89	7.82	12.3
Competitive environment for the nonprofit arts, 2009	53.37%	26.28	29.67	45.15
Competitive environment for the nonprofit arts, 2010	54.33%	25.83	31.10	55.08
Nonprofit share of arts establishments, 2009	0.09%	.08	.09	.04
Nonprofit share of arts establishments, 2010	0.09%	.08	.09	.04

**Local and Global Representation** (Any community's cultural character will be influenced by the mix of local cultural expressions, traditions, and culture, and how they are combined with broader regional, national, and even global effects. This factor has three indicators available from secondary, nation-wide data that available for most counties.)

	Mercer	NYC	PHIL	Monmouth
Cultural and ethnic awareness nonprofits per 100,000 population, 2009	3.55	7	1.57	1.74
Cultural and ethnic awareness nonprofits per 100,000 population, 2010	3.00	7.25	1.64	1.27
National Register of Historic Places sites per 100,000 population, 2009	28.38	33.10	34.93	14.75

**Professional Arts Training** (Many counties host institutions providing professional (post-secondary) arts training. Two indicators examine that aspect of the arts, one looking at the number of arts degrees awarded in counties around the country, and the second at the kinds of arts training institutions that are in each county.)

Higher education provides many avenues for interaction with community arts and culture. One is the campus as an arts and culture destination for local arts audiences. Secondly, arts students in a community are especially likely to consume and participate in arts and culture activities of-campus. A third is through the community life of the faculty, who may have studios or be part of local ensembles. All these together make campuses with arts programs centers of activity that both radiate into the community, and invite the community in. These indicators can help understand the ways in which "town and gown" relate to each other around issues of arts and culture. The number of arts students and the presence of recognized arts education institutions can be a part of developing and promoting the image of a particular community. Community leaders can seek ways to improve their interactions with cultural life on campus.)

	Mercer	NYC	PHIL	Monmouth
Accredited degree granting programs, 2009	0.55	1.83	.85	N/D
Visual and performing arts degrees per 100,000 population, 2003-2009	556.60	3153.34	1016.18	92.96

**PUBLIC ART COLLECTION ART CONSERVATION COLLECTION REPORT**

**WORKS on PAPER**      Borough of Hightstown - Public Art Collection      **Accession #:**  
 Art Conservation - Condition Report

Artist First Name:		Artist Last Name:	
Title:			
Year:			
Dimensions:			
Materials:	Framed	Matted	Stamped
		Watermarked	Unsize
Location (name of site):			
Site Address:			
Assessment Conditions/Access:			
<b>Problems Before Maintenance:</b>			
Previously treated	Missing media	Missing pieces	Missing corners
Creasing	Tearing	Lined	Warping
Browning	Staining	Mold	Backing
Holes	Pinholes	Staple Holes	Fire damage
Fading	Active Insect Damage	Inactive Insect Damage	Soot damage
			Damage from Unknown Causes
<b>Maintenance Action Taken:</b>			
Dusted Frame	Cleaned Glass	Removed	Unframed
			Stored
Other Maintenance:			
<b>Condition Summary:</b>			
Structure:  Surface:  Treatment/Maintenance Proposal:  Estimate:			

Priority Code: <u>1</u> <u>2</u> <u>3</u> <u>4</u>
1) Immediate action required 2) Moderate intervention required 3) Would benefit from visual improvement 4) Condition acceptable
Conservator: _____ Date: _____

# PUBLIC ART COLLECTION ART CONSERVATION COLLECTION REPORT

**SCULPTURE**                      Borough of Hightstown - Public Art Collection                      **Accession #:**  
 Art Conservation - Condition Report

Artist First Name:		Artist Last Name:	
Title:		Dimensions:	
Year:		Location (name of site):	
Materials:		Site Address:	
Assessment Conditions/Access:			
<b>Structural Problems before maintenance:</b>		<b>Surface Problems before maintenance:</b>	
Broken/Missing Parts	Cracks	Dent/Deformation	Chips/Losses
Dislodged	Dent/Deformation	Scratches/Abrasions	Pitting/Etching
Previous Repairs	Vandalism	Salts/Fluorescence	Discoloration
Erosion	Insect Invasion	Soil/Grime	Flaking/Peeling
Method of Attachment:		Other Accretion	Bird Droppings
Other Problems:		Biological Growth	Smudges
<b>Maintenance Action Taken:</b>		<b>Other Problems:</b>	
Cleaning	Protective Coating	Graffiti Removal	Stabilization
Other Maintenance:			Site Work
<b>Condition Summary:</b>			
Structure:			
Surface:			
Treatment/Maintenance Proposal:			
Estimate:			
Priority Code:    1    2    3    4			
1) Immediate action required 2) Moderate intervention required 3) Would benefit from visual improvement 4) Condition acceptable Conservator:                      Date:			

**SAMPLE ARTIST CONTRACT**

HIGHTSTOWN CULTURAL ARTS COMMISSION  
BOROUGH OF HIGHTSTOWN  
148 NORTH MAIN STREET  
HIGHTSTOWN NEW JERSEY 08520

AGREEMENT FOR: \_\_\_\_\_

This AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_ by and between:

THE BOROUGH OF HIGHTSTOWN, a Municipal Corporation of the State of New Jersey with offices located at 148 North Main Street, Hightstown,  
New Jersey 08520  
("Borough")

and

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

("Artist(s)")

In connection with the Artist's bid proposal dated \_\_\_\_\_ and the Borough's Notice of Award (or similar authorization) of same dated \_\_\_\_\_, Borough and Artist agree as follows:

1. Scope of Work

The Artist hereby agrees to furnish the goods and/or services specified in Contract documents in accordance with the terms of aforesaid bid proposal.

2. Time of Completion

- A. The work performed under this contract shall be commenced and completed as set forth in the Notice of Proceed to be provided by the Borough.
- B. Failure to complete the work within the number of calendar days stated in the Notice to Proceed or similar authorization, including any extension granted thereto as determined by the Cultural Arts Commission and Borough Council, shall entitle the Borough to liquidated damages as set forth in the Contract Documents.
- C. It is also agreed that the acceptance of the final payment by the Artist shall be considered as a release in full of all claims against

the Borough arising out of or by reason of performance or non-performance of the Artist's obligations under this Contract.

3. Contract Sum

Based upon the agreed upon amount set forth in the Call for Entries, the amount of the contract, subject to adjustments made in accordance with the Contract Documents, is \_\_\_\_\_ dollar (\$) and \_\_\_\_\_ cents.

4. Hold Harmless Agreement

The Artist agrees to make payment of all proper charges for labor and materials required in the aforementioned work, indemnify, defend and save harmless the Borough, its Officers, Agents and Servants, on each and every one of them, against and from all suits and costs of every description including but not limited to costs of legal and any claims under the prevailing Wage Rate laws, the American with Disabilities Act, and from all damage which the Borough or any of its Officers, Agents and Servants may be put, by reason of injury to the person or property of others resulting from the carelessness in the performance of work, or through any improper or defective machinery, implement or appliances used by the Artist in work, or through any act or omission on the part of the Artist or his Agent or Agents.

5. Payment of Artist

In consideration of the Artist's agreements as set forth herein, the Borough hereby agrees to pay the Artist for the work, when completed in accordance with the specification at the sum prices bid for the respective items, the said payments to be made in accordance with the provisions contained in the Contract Documents. Payments will be made after a properly executed Borough purchase order/voucher has been received and formally approved by the Borough Council at its subsequent regular meeting. The voucher will be certified correct by the Department Head who received the goods or services.

6. Contract Documents

The Contract Documents as defined in the Instructions to Bidders, are incorporated herein and made a part hereof by reference.

7. Affirmative Action Regulations

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)  
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:275.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of jobrelated testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

8. This agreement shall not be assigned, transferred, conveyed or otherwise disposed of without the prior written consent of the Borough.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first written above.

ATTEST:

BOROUGH OF HIGHTSTOWN:

\_\_\_\_\_  
Debra L. Sopronyi, RMC/QPA  
Borough Clerk/Purchasing Agent

\_\_\_\_\_  
Lawrence Quattrone, Mayor

ATTEST or WITNESS:

ARTIST'S NAME:

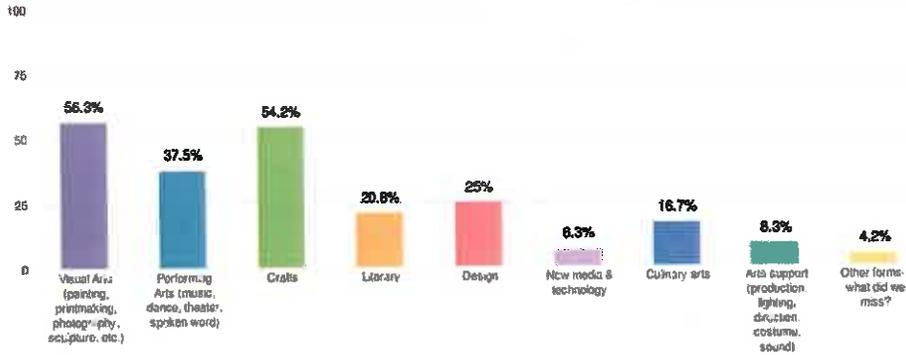
\_\_\_\_\_  
Ann Marie Miller  
Chair, Cultural Arts Commission

\_\_\_\_\_  
Title: \_\_\_\_\_

New Summary Report - 06 April 2015

**SURVEY RESULTS**

1. What art forms are you involved with? Please check all that apply.

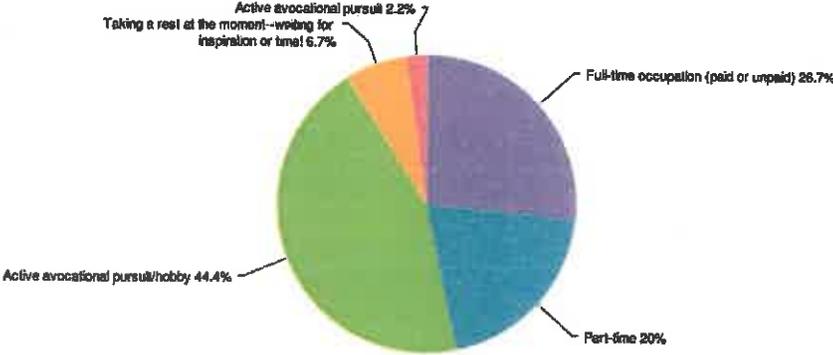


Visual Arts (painting, printmaking, photography, sculpture, etc.)	56.3%	27
Performing Arts (music, dance, theater, spoken word)	37.5%	18
Crafts	54.2%	26
Literary	20.8%	10
Design	25.0%	12
New media & technology	6.3%	3
Culinary arts	16.7%	8
Arts support (production, lighting, direction, costume, sound)	8.3%	4
Other forms--what did we miss?	4.2%	2
<b>Total</b>		<b>48</b>

Responses "Other forms--what did we miss?"

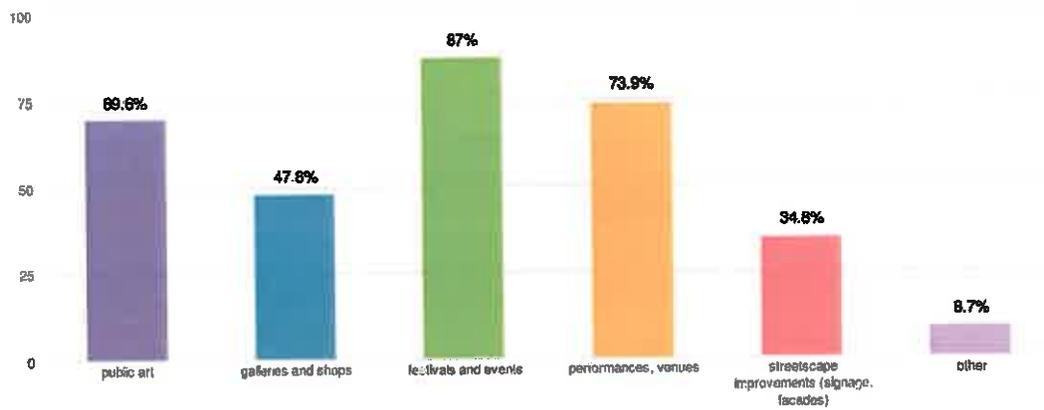
Response	Count
Left Blank	47
Decorative painting	1
gardening and floral arranging	1

2. Are you a practicing artist? Please check description that best applies to your activity now.



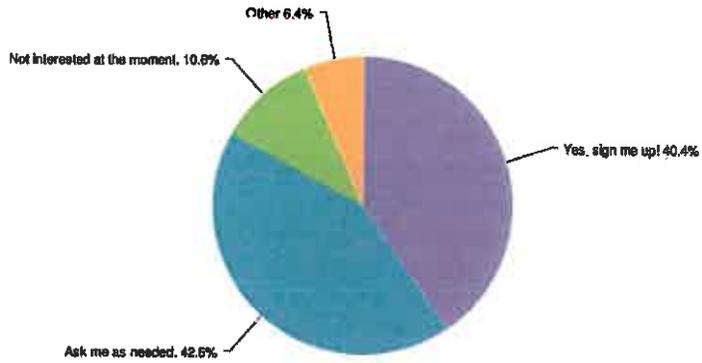
Full-time occupation (paid or unpaid)	26.7%		12
Part-time	20.0%		9
Active avocational pursuit/hobby	44.4%		20
Taking a rest at the moment--waiting for inspiration or time!	6.7%		3
Active avocational pursuit	2.2%		1
<b>Total</b>			<b>45</b>

4. What kinds of cultural/creative activities, businesses or elements do you think Hightstown needs and could support?



public art	69.6%		16
galleries and shops	47.8%		11
festivals and events	87.0%		20
performances, venues	73.9%		17
streetscape improvements (signage, facades)	34.8%		8
other	8.7%		2
<b>Total</b>			<b>23</b>

5. Would you be willing to join with other creative people in seeking cultural improvements to Hightstown?

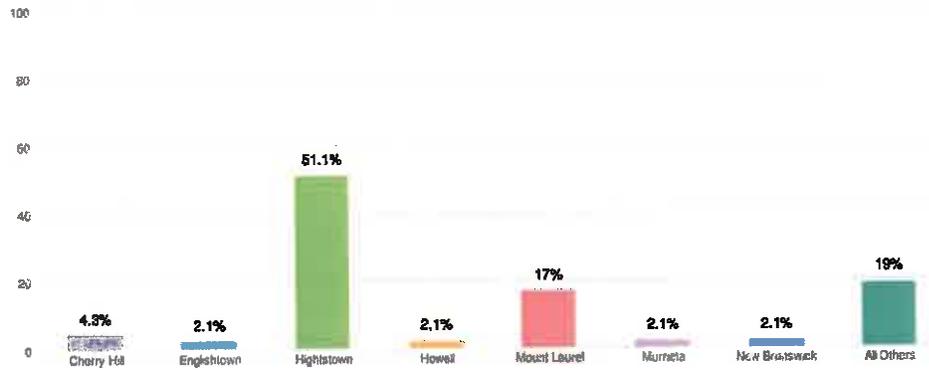


Yes, sign me up!	40.4%		19
Ask me as needed.	42.6%		20
Not interested at the moment.	10.6%		5
Other	6.4%		3
<b>Total</b>			<b>47</b>

**Responses "Other"**

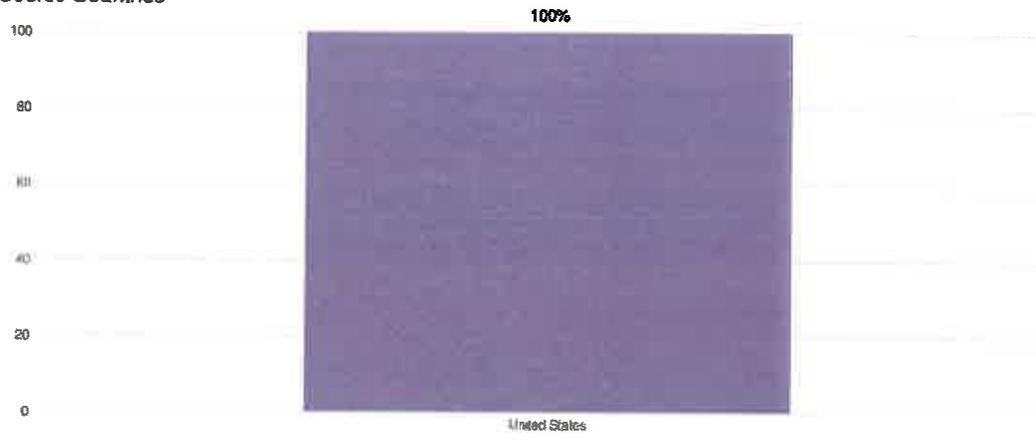
	Count
Left Blank	46
Already a commissioner on the council and an artist at The Art Station in Hightstown..	1
Interested, but lack the time	1
interested and supportive but busy	1

### Source Cities



Cherry Hill	4.3%		2
Englishtown	2.1%		1
Hightstown	51.1%		24
Howell	2.1%		1
Mount Laurel	17.0%		8
Murrieta	2.1%		1
New Brunswick	2.1%		1
New York	2.1%		1
Plainsboro	2.1%		1
Princeton	2.1%		1
Princeton Junction	2.1%		1
Somerset	2.1%		1
Trenton	4.3%		2
Williamstown	2.1%		1
Woodside	2.1%		1

Source Countries



United States	100.0%		48
Total			48

## AMERICAN ROYALTIES TOO ACT OF 2014

Text: S.2045 – 113th Congress (2013-2014) All Bill Information (Except Text)

113th CONGRESS

2d Session

S. 2045

To amend title 17, United States Code, to secure the rights of visual artists to copyright, to provide for resale royalties, and for other purposes.

IN THE SENATE OF THE UNITED STATES

February 26, 2014

Ms. Baldwin (for herself and Mr. Markey) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 17, United States Code, to secure the rights of visual artists to copyright, to provide for resale royalties, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Royalties Too Act of 2014".

SEC. 2. DEFINITIONS.

Section 101 of title 17, United States Code, is amended—

(1) by inserting after the definition of "architectural work" the following:

(2) by inserting after the definition of "Pictorial, graphic, and sculptural works" the following:

(3) by inserting after the definition of "registration" the following:

(4) in the definition of "work of visual art", by striking "A 'work of visual art' is—" and all that follows through "by the author." and inserting the following: "A 'work of visual art' is a painting, drawing, print, sculpture, or photograph, existing either in the original embodiment or in a limited edition of 200 copies or fewer that bear the signature or other identifying mark of the author and are consecutively numbered by the author, or, in the case of a sculpture, in multiple cast, carved, or fabricated sculptures of 200 or fewer that are consecutively numbered by the author and bear the signature or other identifying mark of the author."

SEC. 3. EXCLUSIVE RIGHTS.

Section 106 of title 17, United States Code, is amended—

(1) by inserting "(a) In General.—" before "Subject to sections 107 through 122";

(2) in paragraph (5), by striking "and" at the end;

(3) in paragraph (6), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

104 HIGHTSTOWNCREATIVE PUBLIC ART MASTER PLAN

"(7) in the case of a work of visual art, to collect a royalty for the work if the work is sold by a person other than the author of the work for a price of not less than \$5,000 as the result of an auction.

"(b) Collection Of Royalty.—

"(1) IN GENERAL.—The collection of a royalty under subsection (a)(7) shall be conducted in accordance with this subsection.

"(2) CALCULATION OF ROYALTY.—

"(A) IN GENERAL.—The royalty shall be an amount equal to the lesser of—

"(i) 5 percent of the price paid for the work of visual art; or

"(ii) \$35,000.

"(B) ADJUSTMENT OF AMOUNT.—In 2015 and each year thereafter, the dollar amount described in subparagraph (A)(ii) shall be increased by an amount equal to the product of—

"(i) that dollar amount; and

"(ii) the cost-of-living adjustment determined under section 1(f)(3) of the Internal Revenue Code of 1986 for the year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

"(3) COLLECTION OF ROYALTY.—

"(A) COLLECTION.—Not later than 90 days after the date on which the auction occurs, the entity that conducts the auction shall—

"(i) collect the royalty; and

"(ii) pay the royalty to a visual artists' copyright collecting society.

"(B) DISTRIBUTION.—Not fewer than 4 times each year, the visual artists' copyright collecting society shall distribute to the author or his or her successor as copyright owner an amount equal to the difference between—

"(i) the net royalty attributable to the sales of the author; and

"(ii) the reasonable administrative expenses of the collecting society as determined by regulations issued under section 701(b)(5).

"(4) FAILURE TO PAY ROYALTY.—Failure to pay a royalty provided for under this subsection shall—

"(A) constitute an infringement of copyright; and

"(B) be subject to—

"(i) the payment of statutory damages under section 504(c); and

"(ii) liability for payment of the full royalty due.

"(5) RIGHT TO COLLECT ROYALTY.—The right to collect a royalty under this subsection may not be sold, assigned, or waived except as provided in section 201.

"(6) ELIGIBILITY TO RECEIVE ROYALTY PAYMENT.—The royalty shall be paid to—

"(A) any author of a work of visual art—

"(i) who is a citizen of or domiciled in the United States;

"(ii) who is a citizen of or domiciled in a country that provides resale royalty rights; or

"(iii) whose work of visual art is first created in the United States or in a country that provides resale royalty rights; or

"(B) the successor as copyright owner of an author described in subparagraph (A).".

#### SEC. 4. NOTICE OF COPYRIGHT.

Section 401 of title 17, United States Code, is amended by adding at the end the following:

"(e) Non-Applicability To Works Of Visual Art.—The provisions of this section shall not apply to a work of visual art."

#### SEC. 5. COPYRIGHT OFFICE.

Section 701 (b) of title 17, United States Code, is amended by—

- (1) redesignating paragraph (5) as paragraph (6); and
- (2) inserting after paragraph (4) the following:

"(5) Issue regulations governing visual artists' copyright collecting societies described in section 106, that—

"(A) establish a process by which an entity is determined to be and designated as a visual artists' copyright collecting society, that—

"(i) requires that a visual artists' copyright collecting society authorized to administer royalty collections and distributions under this title shall—

"(I) have prior experience in licensing the copyrights of authors of works of visual art in the United States; or

"(II) have been authorized by not fewer than 10,000 authors of works of visual art, either directly or through reciprocal agreements with foreign collecting societies, to license the rights granted under section 106; and

"(ii) prohibits an entity from being designated as a visual artists' copyright collecting society if, during a period of not less than 5 years that begins after the date on which the entity is designated as a visual artists' copyright collecting society, the entity does not distribute directly to each author, or to the successor as copyright owner of each author, the amount of the royalties required to be distributed under section 106(b)(3)(B);

"(B) determine a reasonable amount of administrative expenses that a visual artists' copyright collecting society may deduct from the royalties payable to an author of a work of visual art under section 106(b)(3); and

"(C) establish a process by which—

"(i) not less frequently than annually, a visual artists' copyright collecting society may request from any entity that conducts auctions a list of each work of visual art sold in those auctions that is by an author represented by the collecting society; and

"(ii) an author of a work of visual art may obtain from a visual artists' copyright collecting society any information requested by the collecting society under clause (i) that relates to a sale of a work of visual art by the author, including the amount of any royalty paid to the collecting society on behalf of the author."

#### SEC. 6. STUDY REQUIRED.

Not later than 5 years after the date of enactment of this Act, the Register of Copyrights shall—

(1) conduct a study on—

(A) the effects, if any, of the implementation of this Act, and the amendments made by this Act, on the art market in the United States; and

(B) whether the provisions of this Act, and the amendments made by this Act, should be expanded to cover dealers, galleries, or other professionals engaged in the sale of works of visual art; and

(2) submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the study described in paragraph (1), including any recommendations for legislation.

#### SEC. 7. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect on the date that is 1 year after the date of enactment of this Act.

## VISUAL ARTISTS RIGHTS ACT OF 1990 (17 U.S.C. 106A and 113 (d), known as VARA)

U.S. Code Title 17 · Chapter 1 · § 106A

17 U.S. Code § 106A - Rights of certain authors to attribution and integrity

Current through Pub. L. 113-185. (See Public Laws for the current Congress.)

### US Code

(a) Rights of Attribution and Integrity.— Subject to section 107 and independent of the exclusive rights provided in section 106, the author of a work of visual art—

(1) shall have the right—

(A) to claim authorship of that work, and

(B) to prevent the use of his or her name as the author of any work of visual art which he or she did not create;

(2) shall have the right to prevent the use of his or her name as the author of the work of visual art in the event of a distortion, mutilation, or other modification of the work which would be prejudicial to his or her honor or reputation; and

(3) subject to the limitations set forth in section 113 (d), shall have the right—

(A) to prevent any intentional distortion, mutilation, or other modification of that work which would be prejudicial to his or her honor or reputation, and any intentional distortion, mutilation, or modification of that work is a violation of that right, and

(B) to prevent any destruction of a work of recognized stature, and any intentional or grossly negligent destruction of that work is a violation of that right.

(b) Scope and Exercise of Rights.— Only the author of a work of visual art has the rights conferred by subsection (a) in that work, whether or not the author is the copyright owner. The authors of a joint work of visual art are coowners of the rights conferred by subsection (a) in that work.

(c) Exceptions.—

(1) The modification of a work of visual art which is a result of the passage of time or the inherent nature of the materials is not a distortion, mutilation, or other modification described in subsection (a)(3)(A).

(2) The modification of a work of visual art which is the result of conservation, or of the public presentation, including lighting and placement, of the work is not a destruction, distortion, mutilation, or other modification described in subsection (a)(3) unless the modification is caused by gross negligence.

(3) The rights described in paragraphs (1) and (2) of subsection (a) shall not apply to any reproduction, depiction, portrayal, or other use of a work in, upon, or in any connection with any item described in subparagraph (A) or (B) of the definition of “work of visual art” in section 101, and any such reproduction, depiction, portrayal, or other use of a work is not a destruction, distortion, mutilation, or other modification described in paragraph (3) of subsection (a).

(d) Duration of Rights.—

(1) With respect to works of visual art created on or after the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, the rights conferred by subsection (a) shall endure for a term consisting of the life of the author.

(2) With respect to works of visual art created before the effective date set forth in section 610(a) of the Visual Artists Rights Act of 1990, but title to which has not, as of such effective date, been transferred from the author, the rights conferred by subsection (a) shall be coextensive with, and shall expire at the same time as, the rights conferred by section 106.

(3) In the case of a joint work prepared by two or more authors, the rights conferred by subsection (a) shall endure for a term consisting of the life of the last surviving author.

(4) All terms of the rights conferred by subsection (a) run to the end of the calendar year in which they would otherwise expire.

(e) Transfer and Waiver.—

(1) The rights conferred by subsection (a) may not be transferred, but those rights may be waived if the author expressly agrees to such waiver in a written

instrument signed by the author. Such instrument shall specifically identify the work, and uses of that work, to which the waiver applies, and the waiver shall apply only to the work and uses so identified. In the case of a joint work prepared by two or more authors, a waiver of rights under this paragraph made by one such author waives such rights for all such authors.

(2) Ownership of the rights conferred by subsection (a) with respect to a work of visual art is distinct from ownership of any copy of that work, or of a copyright or any exclusive right under a copyright in that work. Transfer of ownership of any copy of a work of visual art, or of a copyright or any exclusive right under a copyright, shall not constitute a waiver of the rights conferred by subsection (a). Except as may otherwise be agreed by the author in a written instrument signed by the author, a waiver of the rights conferred by subsection (a) with respect to a work of visual art shall not constitute a transfer of ownership of any copy of that work, or of ownership of a copyright or of any exclusive right under a copyright in that work.

## HIGHTSTOWN CULTURAL ARTS COMMISSIONERS BIOGRAPHY

**Kim Boknoski** is the liaison to Hightstown's Parks and Recreation Commission, where she holds the position of Secretary. Kim works in marketing at a large media company in NYC, bringing her experience in writing and editing, event planning and public relations to the CAC. In her spare time she enjoys running, reading, live music and exploring Hightstown with the loves of her life-her husband and two dogs.

**Michael Fabian**, a native of New Orleans, Louisiana, has been involved in performing arts for over 40 years and has worked in opera as well as professional and community theater in Louisiana, Mississippi, California, New Jersey and New York. Mike has a Bachelor's degree in Theater from Tulane University and has taught acting and theater arts on both coasts. Now blissfully retired, he has been a resident of Hightstown's Historic District since 2003.

**Barbara Harrington** is the President and founder of Brandesign, a leading brand consultancy. For twenty years, Brandesign has specialized in brand discovery, package design and brand identity for new and existing brands, consumer products and services. An award-winning designer, Barbara started her career as the Director of Global Design for Campbell Soup Company, then served as Vice President/Creative Director for Sterling Brands in New York City. Barbara has a BA from Moore College in Philadelphia. Barb loves sculpture, and works in wood and mixed media when time allows. She is active in community service, as a volunteer or board member of the Hightstown Animal Welfare Committee, Hightstown Woman's Club, Habitat for Humanity, Peters Valley Craft Center and Princeton's Taste of the Nation annual Hunger event. Barb is a contributor and advocate for the arts and for animals, and continues to donate hours and proceeds to their benefit.

**Sue Howard** is a retired visual artist whose work interfaces sculpture and painting. She was formerly the chairperson of the Art Department at the Stuart Country Day School in Princeton, an Art Teacher in Public Schools and a sculpture and 3D Design instructor for the Princeton Art Association. She has numerous exhibitions and

commissions and has work in both Public and Private Collections. She has received a Fellowship in Mixed Media from the NJ State Council on the Arts and a Purchase Award from the Mercer County Cultural and Heritage Commission. She lives in Hightstown.

**Kathleen Liao** is a graduate of Barnard College, Columbia University, with a B.A. in Anthropology. After teaching ESL in Japan and New York City, she returned to her home state and began pursuing a career in Visual Art. Her abstract pieces have been exhibited in local galleries, the Monmouth and Trenton City Museums, and in Philadelphia. Kathleen maintains a studio at The Art Station in Hightstown. In addition to serving on the Hightstown Cultural Arts Commission, she has been a member of the Exhibition Committee at the West Windsor Arts Center for the past five years.

**Ann Marie Miller** is Director of Advocacy & Public Policy for ArtPride NJ and served as its Executive Director for 20 years. Prior to joining ArtPride in 1995, Ms. Miller served as Director of Development at McCarter Theatre and spent eight years at the New Jersey State Council on the Arts as grants coordinator. Ms. Miller is a graduate of Moore College of Art & Design in Philadelphia with a B.S. in Art Education. Her favorite form of artistic expression is fiber arts with a particular interest in tapestry weaving.

**Frank Rivera** painter and professor emeritus Mercer County Community College; BFA Yale University; MFA University of Pennsylvania. A Hightstown resident since 1980 Frank has exhibited locally and in Paris and New York. He maintains a studio in the Chelsea district of New York where he had a one-man show in 2008. Frank has been a regular Visiting Artist at the Maryland Institute College of Art since 2011, and has been listed in Who's Who's in American Art since 1975.

**Catherine Rodrigue** came to Hightstown in 2001, and she currently serves as Associate Head of Peddie School. Catherine has been a strong advocate for the arts and arts education. Peddie supports a thriving visual, musical, and theater arts program, with one-third of its

students participating in its chorus and orchestra program and one-fifth of its students performing in stage productions in any given year. Peddie is proud to be part of the Hightstown community.

**Jonathan Shahn** has been making sculpture, drawings and prints of the human figure since the early 1960s. He has exhibited his work frequently, both in the United States and in Europe with more than 30 solo exhibitions and his work is included in numerous Museum and Corporate Art Collections. His most recent one-man shows include an exhibition at Lori Bookstein Gallery (New York, 2010), and Heads in Wood and Plaster at Grounds for Sculpture (Hamilton, New Jersey, 2013). Jonathan has taught at the Tyler School in Rome, Boston University, and the Maryland Institute, among others.

**Adam Welch** is an artist and critic. As an artist Adam has participated in 67 solo, group, juried and invitational exhibitions throughout the United States. He has published 51 exhibition reviews and academic articles for publications nationally and internationally. Adam joined the faculty at Princeton University in 2010, when he was appointed Lecturer in the Visual Arts Program. Before joining Princeton's faculty, he was the Assistant Director of Greenwich House Pottery and promoted to Director in 2010 where he continues to work. Adam earned a BFA with a minor in Art Education from Northern Arizona University in Flagstaff, Arizona in 2000 and a MFA from Virginia Commonwealth University in Richmond, Virginia in 2003. In 2007 he moved to Hightstown where he lives with his wife Rachel and their two daughters.



