

Agenda

Hightstown Borough Council

February 19, 2019

Hightstown Fire House

7:00 PM – Executive Session

7:30 PM – Public Session

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

Meeting called to order by Mayor Lawrence Quattrone.

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

Roll Call

Flag Salute

Approval of the Agenda

Executive Session **2019-51** Authorizing a Meeting that Excludes the Public

Personnel – Affordable Housing Administrator

Minutes February 4, 2019 – Public Session

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

Ordinances **2019-02 First Reading and Introduction** – An Ordinance Amending and Supplementing Subsection 25-10, Entitled “Maintenance and Repair,” of Section 25, “Stormwater Control,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey.”

2019-03 First Reading and Introduction – An Ordinance Amending and Supplementing Chapter 2, Entitled “Administration”, Section 2-19, Entitled “Police Department”, Subsection 2-19-10 Entitled “Qualifications for Police Officers” of the Revised General Ordinances of the Borough of Hightstown, New Jersey

2019-04 First Reading and Introduction – An Ordinance of the Borough of Hightstown, in the County of Mercer, New Jersey Appropriating \$198,791 Expected to be Received as A Grant from the State of New Jersey Department of Transportation alternatives Program to Supplement the \$210,000 Appropriated by Bond Ordinance #2013-07, Finally Adopted April 1, 2013 and the \$331, 000 Appropriated by Bond Ordinance #2015-14, Finally Adopted August 17, 2015 of the Borough for Improvements to the Peddie Lake Dam Walking Bridge

Resolutions

2019-52 Payment of Bills

2019-53 Authorizing the Execution of an Amendment to an Agreement with the New Jersey Department of Transportation (NJDOT), for Construction of the Peddie Lake Walking Bridge Replacement

Public Comment II

Any person wishing to address the Mayor and Council at this time will be allowed a maximum of three minutes for his or her comments.

Discussion**Subcommittee Reports****Mayor/Council/Administrative Reports****Adjournment**

Resolution 2019-51

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

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on February 19, 2019 at the Hightstown Fire House located at 140 North Main Street, Hightstown, that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

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

Personnel – Affordable Housing Administrator

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public: May 19, 2019, or when the need for confidentiality no longer exists.

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on February 19, 2019.

Debra L. Sopronyi
Borough Clerk

**Meeting Minutes
Hightstown Borough Council
February 4, 2019
7:30 p.m.**

The meeting was called to order by Mayor Quattrone at 7:35 p.m. and he read the Open Public Meetings Act statement which stated, "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted in the Borough Clerk's office."

The flag salute followed Roll Call.

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

Also in attendance: Margaret (Peggy) Riggio, Deputy Borough Clerk; Debra Sopronyi Borough Clerk/Administrator; Fred Raffetto, Borough Attorney; Carmela Robert, Borough Engineer and Brian Slaugh, Borough Planner.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Stults; Seconded by Councilmember Musing.

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

Agenda approved 6-0.

APPROVAL OF MINUTES

January 22, 2019 – Executive Session

Moved by Councilmember Musing; Seconded by Councilmember Bluth.

Roll Call Vote: Councilmembers Bluth, Misiura, Musing and Stults voted yes. Councilmembers Egan and Jackson abstained.

Minutes approved 4-0 with 2 abstentions.

January 22, 2019 – Public Session

Moved by Councilmember Stults; Seconded by Councilmember Bluth.

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

Minutes approved 6-0.

PRESENTATIONS

Barbara Harrington of the Hightstown Women's Club would like to start a park bench program where 25 benches throughout the Borough would be replaced. Businesses or individuals would purchase a bench which would contain a dedication plaque. Only residents and businesses in town would be eligible to purchase a bench. This would also be on a first come first served basis. The cost per bench would be \$685 which includes the plaque. Parks and Rec is on board with the program. The Hightstown Library has agreed to keep a sample board available for donors to see before purchasing. Discussion ensued. All of Council agreed this is a wonderful idea. Mayor Quattrone asked for a motion of support for this project.

Moved by Councilmember Stults; seconded by Councilmember Misiura.

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

Council unanimously supports this project.

ENGINEERING ITEMS

Stormwater Ordinance Discussion

Keith LePrevost, Chairman of the Environmental Commission summarized the existing stormwater ordinance. He stated that he has been working with the Watershed Institute on revisions to the ordinance. Mike Pisauro of the Watershed Institute presented a powerpoint presentation which is attached hereto. After the presentation, discussion ensued. Mr. LePrevost stated that at this time The Environmental Commission can only make recommendations to home owners on stormwater management. The changes being brought forward would make the recommendations of the Commission mandatory. Council discussed the additional cost to homeowners and what is the benefit of making these recommendations mandatory. Council felt that this would make more sense to have this passed on State level to have more of an impact. While Council believes that these changes good, it is hard to support this for Hightstown Borough.

Amending Ordinance 2018-23 – Privately held Stormwater Facilities

Borough Engineer, Carmela Roberts, stated that the State modified the permit which holds the municipality responsible for the upkeep of private stormwater facilities. Ms. Roberts explained that the cost to the Borough to update the Stormwater Pollution Prevention Plan is between \$4,000 - \$6,000 annually. It would cost the Borough approximately an additional \$600 to add all privately held storm water facilities to her inspections. Discussion ensued. Council agreed to amend the ordinance to read that the annual cost for inspection of the facility will be \$100. The ordinance will be introduced at the February 19th meeting.

Ms. Roberts left the meeting at this time.

PUBLIC COMMENT I

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

Barbara Harrington, 137 South Street – Thanked the Watershed Facility for their presentation. Asked the Environmental Commission to keep educating the public.

Joe Cicalese, 136 Broad Street – The Environmental Commission has great resources available and the public needs to use them more.

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

ORDINANCES

Ordinance 2019-01 Ordinance Amending the Land Use Ordinance of the Borough of Hightstown to Add Affordable Housing Procedural and Eligibility Requirements, to Implement the Third Round of Affordable Housing in Accordance with the Fair Housing Act of 1985

Borough Planner, Brian Slauch, explained the ordinance. This ordinance outlines how the affordable housing program is administered, the eligibility requirements, how applicants are selected and how the wait list is maintained.

Chief Gendron arrived at this time.

Mayor Quattrone opened the public hearing and the following individuals spoke:

There being no one coming forward, Mayor Quattrone closed the public hearing.

Moved for adoption by Councilmember Stults; seconded by Council President Misiura.

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

Ordinance adopted 6-0.

ORDINANCE 2019-01

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE BOROUGH OF HIGHTSTOWN TO ADD AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS, TO IMPLEMENT THE THIRD ROUND OF AFFORDABLE HOUSING IN ACCORDANCE WITH THE FAIR HOUSING ACT OF 1985

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA") that every municipality in New Jersey has an affirmative obligation to facilitate the provision of low and moderate income housing; and

WHEREAS, the Mayor and Borough Council of the Borough of Hightstown are desirous of ensuring the proper implementation of the Fair Housing Act and associated rules through the adoption of land use regulations by the governing body; and

WHEREAS, the Borough of Hightstown desires to implement policies established by the New Jersey Supreme Court in In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015) (Mount Laurel IV) to foster affordable housing opportunities for the production of dwellings and their occupancy by low and moderate income households.

WHEREAS, the Mayor and Borough Council of the Borough of Hightstown recognize the need to adopt Affordable Housing Procedural and Eligibility Requirements within the Land Use Ordinance of the Borough of Hightstown to implement the Housing Element and Fair Share Plan; and

WHEREAS, the Planning Board of the Borough of Hightstown has reviewed and recommended the adoption of this ordinance.

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

Section 1. Article 28-2, entitled, Definitions and Word Usage, of the Zoning Ordinance of the Borough of Hightstown, shall be amended by adding the following definitions:

ADAPTABLE: Constructed in compliance with the technical design standards of the Barrier Free Subcode, *N.J.A.C. 5:23-7*.

ADMINISTRATIVE AGENT: The entity responsible for the administration of affordable units in accordance with this ordinance, *N.J.A.C. 5:93* and *N.J.A.C. 5:80-26.1 et seq.*

AFFIRMATIVE MARKETING: A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to *N.J.A.C. 5:80-26.15*.

AFFORDABILITY AVERAGE: The average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE: A sales price or rent within the means of a very low, low- or moderate-income household as defined in *N.J.S.A. 52:27D-304*; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in *N.J.A.C. 5:80-26.6*, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in *N.J.A.C. 5:80-26.12*, as may be amended and supplemented.

AFFORDABLE DWELLING UNIT: A very low, low or moderate income dwelling unit.

AFFORDABLE DEVELOPMENT: A housing development all or a portion of which consists of income restricted units.

AFFORDABLE HOUSING DEVELOPMENT: A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

AFFORDABLE HOUSING PROGRAM: Any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE RENTAL CHARGES: A monthly rent including utilities charged to an eligible very low, low or moderate income family which shall not exceed 30% of their monthly gross income as calculated by *N.J.A.C. 5:93-7.4(f)*.

AFFORDABLE UNIT: A housing unit proposed or created pursuant to the Act and approved for crediting by the

Court and/or funded through an affordable housing trust fund.

AGE-RESTRICTED DEVELOPMENT: A residential development consisting housing units designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1), all the residents of the development wherein the unit is situated are 62 years of age or older; or 2), at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3), the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

ALTERNATIVE LIVING ARRANGEMENT: A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the DCA; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

CERTIFIED HOUSEHOLD - A household that has been certified by an Administrative Agent as a very low-income, low-income household or moderate-income household.

DCA: The State of New Jersey Department of Community Affairs

DEFICIENT HOUSING UNIT: A housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

DEVELOPMENT FEE: means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:93-8*.

FAIR SHARE PLAN: The plan that describes the mechanisms, strategies and the funding sources, if any, by which the Borough proposes to address its affordable housing obligation as established in the Housing Element, including the draft ordinances necessary to implement that plan, and addresses the requirements of *N.J.A.C. 5:93-5*.

HOUSEHOLD: Persons, whether related or unrelated, living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.

HOUSING ELEMENT or HOUSING PLAN ELEMENT: The portion of the Borough’s Master Plan, required by the Municipal Land Use Law in *N.J.S.A. 40:55D-28b(3)* and the Act, that includes the information required by *N.J.A.C. 5:93-5.1* and establishes Hightstown’s fair share obligation.

INCLUSIONARY DEVELOPMENT: A development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

LOW-INCOME HOUSEHOLD: A household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

LOW-INCOME UNIT: A restricted unit that is affordable to a low-income household.

MAJOR SYSTEM: The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

MARKET-RATE UNITS: Housing not restricted to low- and moderate-income households that may sell or rent at any price.

MEDIAN INCOME: The median income by household size for the applicable housing region, as updated annually according to a formula approved by the Court.

MODERATE-INCOME HOUSEHOLD: A household with a total gross annual household income in excess of 50 percent but less than 80 percent of the regional median household income by household size.

MODERATE-INCOME UNIT: A restricted unit that is affordable to a moderate-income household.

NON-EXEMPT SALE: Any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

QUALIFIED PURCHASER OR RENTER: A person who:

- A. Submits an application for certification as a qualified purchaser or renter to the management of the unit;
- B. Whose gross aggregate family income at the time of the proposed purchase or rental of an affordable unit is within very low, low or moderate income levels, as defined herein; and
- C. Who obtains certification as a qualified purchaser or renter of an affordable unit from Hightstown Borough's Administrative Agent as set forth in this section.

RANDOM SELECTION PROCESS: A process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

REFERRAL LIST, AFFORDABLE HOUSING: A register of eligible very low, low and moderate income households for which suitable units are not yet available.

REGIONAL ASSET LIMIT: The maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median as defined by adopted/approved Regional Income Limits.

REHABILITATION: The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, *N.J.A.C. 5:23-6*.

RENT: The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT: A dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of *N.J.A.C. 5:80-26.1*, as may be amended and supplemented, but does not include a market-rate unit financed under the Urban Homeownership Recovery Program (UHORP) or Market Oriented Neighborhood Investment (MONI) program.

UHAC: The Uniform Housing Affordability Controls set forth in *N.J.A.C. 5:80-26-1, et seq.*

VERY LOW-INCOME HOUSEHOLD: A household with a total gross annual household income equal to 30% or less of the median household income by household size.

VERY LOW-INCOME UNIT: A restricted unit that is affordable to a very low-income household.

WEATHERIZATION: Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

Section 2. Article 28-17, Reserved, of the Zoning Ordinance of the Borough of Hightstown, shall be replaced in its entirety with a new article entitled, Affordable Housing Procedural and Eligibility Requirements, as follows:

28-17 AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS

28-17-1 Purpose and General Provisions.

1. **The purpose of this Article is to implement the Uniform Housing Affordability Controls (“UHAC”, N.J.A.C. 5:80-26.1 *et seq.*, as they may be amended or superseded), the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, *et seq.*), extant rules of the NJ Council on Affordable Housing, and the Housing Element and Fair Share Plan of Hightstown Borough. This Article is designed to ensure that affordable housing created under the Fair Housing Act is occupied by low- and moderate-income households for the appropriate period of time. The words, phrases, and terms herein shall be interpreted to have the same meanings and usages as in the Fair Housing Act and related regulations. It is the further purpose of this Article to regulate the development and management of low- and moderate-income housing units constructed in compliance with these regulations.**
2. **All units, including those funded with Low Income Housing Tax Credits or other subsidy programs, shall include the required bedroom distribution and income distribution, shall be subject to affordability controls, and shall be affirmatively marketed in accordance with UHAC, with the exception that instead of 10% of all rental affordable units being affordable to households earning 35% of less of the regional median household income by household size, 13% of all rental affordable units shall be affordable to households earning 30% or less of the regional median household income by household size, and all other applicable law.**
3. **All new construction units shall be adaptable in conformance with N.J.S.A. 52:27D-311a and -311b and all other applicable law.**

28-17-2 Affordable Housing Required.

1. Any residential development approved by the Planning Board of the Borough of Hightstown, including those developments consisting in whole or in part of beds counted as a residential dwelling, shall set aside dwelling units for persons of low and moderate income as defined in this Article. Unless otherwise stated or as may be required within specific zoning districts, the minimum set aside shall be 15% of the total number of units if the affordable units will be for rent and 20% of the total number of units if the affordable units will be for sale. In assisted living residence developments, the set-aside shall be a minimum of 10% of the total number of units. At least half of all affordable units shall be affordable to low or very low income households. Except when part of a larger development of a tract zoned or otherwise permitted to be developed at a residential density of 6 units per acre or more, developments of single-family detached and/or duplex or two-family dwellings shall be exempt from the inclusionary development requirements of this section, but shall pay an affordable housing development fee. Properties shall not be permitted to be subdivided to avoid compliance with the inclusionary development requirements of this section.
2. **All developers with sites identified for affordable housing pursuant to the most recent Housing Element and Fair Share Plan adopted by the Planning Board and Borough Council of Hightstown, according to their respective duties, shall provide affordable housing units in accordance with the plan. All development, whether residential, commercial, or industrial shall construct units or pay a development fee in accordance with this Article, except as otherwise exempted.**
3. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Borough of Hightstown to grant such rezoning, variance or other relief.

4. This Borough-wide mandatory set-aside requirement does not supersede the effects or requirements of any inclusionary overlay zoning districts for any inclusionary multi-family residential development that occurs within the boundaries of those districts.
5. In the event that the inclusionary set-aside percentage (15% or 20%, as the case may be) of the total number of residential units does not result in a full integer, the developer may choose one of two options of addressing the fractional unit:
 - a. The developer shall round the set-aside upward to construct a whole additional affordable unit; or
 - b. If the set-aside includes a fractional unit less than 0.5, the developer may round the set-aside downward and construct the lesser whole number of affordable units, but must also make a payment in lieu of constructing the fractional additional unit ("fractional payment in lieu").
 - c. The fractional payment in lieu amount shall be calculated as the fractional unit multiplied by the payment in lieu amount of \$250,000.00, increased annually by the construction Consumer Price Index.
 - d. For example, if seven total units are developed at an inclusionary site, a 20% set-aside would require 1.4 affordable units. Per the requirements above:
 1. The developer may round up the 0.4 unit to one whole affordable unit and construct a total of two affordable units, in accordance with this section; or
 2. The developer may round the set-aside downward, construct only one affordable unit and pay into the Borough's affordable housing trust fund a fractional in lieu payment equal to the dollar amount established hereinabove multiplied by 0.4 units.

28-17-3 Borough Administrative Agent and Administrative Agent.

1. The Borough Council shall yearly appoint a Borough Administrative Agent to monitor sales and resales of affordable housing units, and the leasing of units to tenants. The Borough Administrative Agent may be the Municipal Housing Liaison, but is not required to be the same person.
2. The Borough Administrative Agent shall monitor the designated Administrative Agent of the developer in the initial sales and rental transactions for low- and moderate-income dwellings in accordance with *N.J.A.C. 5:80-26.14*, as it may be amended or superseded. The developer's Administrative Agent shall have all of responsibilities as put forth in this rule. After the initial sales and rental transactions, the Borough Administrative Agent, the activities of the Administrative Agent for any re-sales or re-rentals. If the Borough Administrative Agent is the Administrative Agent for the municipality, then he or she shall assume all of the duties and responsibilities set forth in *N.J.A.C. 5:80-26.14* following the initial renting, sales and occupancy of low- and moderate-income dwellings. The affordability controls set forth in this chapter shall be administered and enforced by the Administrative Agent regardless of association. The primary responsibility of the Administrative Agent shall be to ensure that the restricted units are sold or rented, as applicable, only to low- and moderate-income households in accordance with the Fair Housing Act.
3. The Borough Council may establish a reasonable fee to program participants for the administration of the affordability controls program.
4. The Borough Council shall approve the credentials of any person who is an Administrative Agent by resolution prior to such person engaging in such work in the Borough of Hightstown.
5. The Administrative Agent, whether the Borough Administrative Agent, developer's agent, or a delegated agent, shall have the responsibility to income qualify low and moderate-income households, to place income eligible households in low- and moderate-income units upon initial occupancy, to provide for the initial occupancy of low- and moderate-income units with income qualified households, to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls, to assist with advertising and outreach to low- and moderate-income households, and to enforce the terms of the deed restriction and mortgage loan. The Administrative Agent shall provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease

requirements and landlord/tenant law.

6. The Borough Administrative Agent shall coordinate his or her activities with any outside Administrative Agent to ensure the accurate tracking of the progress of affordable housing in the municipality, answer inquiries regarding affordable housing from the public or direct same to the appropriate official or agency, and comply with the affordable housing monitoring and reporting requirements of the state.
7. In order to ensure an orderly transfer of control responsibility from a municipality to an administrative agent, from one administrative agent to another administrative agent, or other transfer, the requirements as set forth in *N.J.A.C. 5:80-26.17* shall apply as are necessary before or during the transition. The Administrative Agent's enforcement responsibility for implementing such practices and procedures shall not be delegated or otherwise transferred to any other party, except to a successor administrative agent and as approved by the Borough Council.
8. By accepting state funds for affordable housing purposes, or by submitting to the jurisdiction of the NJ Council on Affordable Housing or its successor agency, the Borough of Hightstown shall be deemed to have delegated to the Administrative Agent the day-to-day responsibility for implementing practices and procedures designated to ensure effective compliance with the controls set forth in this Article. The governing body of the municipality, however, shall retain the ultimate responsibility for ensuring effective compliance with the requirements as set forth in UHAC and any settlement agreements pertaining to affordable housing matters.
9. The Borough Administrative Agent shall complete and return to the NJ Council on Affordable Housing (COAH), its successor, or court of competent jurisdiction all forms necessary for monitoring requirements related to dwelling units in affordable housing projects and the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough of Hightstown's approved housing program, as well as to the expenditure of revenues and implementation of the approved plan.
10. The Borough Administrative Agent shall keep records of the affirmative marketing activities undertaken in accordance with the affirmative marketing plan established by any developer's administrative agent. The records shall include, but not be limited to, the following:
 - a. Electronic reporting of affordable housing activity; any required paper forms;
 - b. Copies of any press releases, brochures, flyers, print advertisements and application forms used in the affirmative marketing program.
 - c. The income and demographic characteristics of each household applying for and occupying income-restricted housing.
 - d. An evaluation of any necessary adjustments required to the affirmative marketing program as communicated by the Administrative Agent.

28-17-4 Submission of Affordable Housing Plan.

1. The developer of low- and moderate-income housing units shall submit to the Borough Administrative Agent a description of the means to be used to insure that the required low- and moderate-income units are sold or rented only to low- and moderate-income households for a period of not less than 30 years, that such units meet bedroom distribution and phasing requirements, and comports with the requirements of this Article pertaining to the provisions, leasing, selling and transferring units among eligible low- and moderate-income households.
2. The Affordable Housing Plan shall indicate how the developer will comply with the procedures of this Article for selecting occupants of low- and moderate-income housing and the required affirmative marketing requirements. The requirements for affirmative marketing are found in §28-17-16. Whenever a developer proposes a third party operator or manager of affordable housing units, the Borough Council shall specifically approve such operator and manager. The Borough Council may delegate this approval to the Borough Administrative Agent.
3. The following information shall promptly be provided to the Borough Administrative Agent by the developer

or sponsor of any project containing any affordable units' subject to the requirements of this Article, upon the later of either final municipal land use approval or issuance of a grant contract by a governmental authority:

- a. The total number of units in the project, and number of restricted units, broken down by bedroom size, identifying which are low- and which are moderate-income dwellings, and including street addresses of restricted dwellings;
 - b. Floor plans of all affordable dwellings, including complete and accurate identification of uses and dimensions of all rooms;
 - c. A project map identifying the locations of low- and moderate-income and market dwellings;
 - d. A list of project principals or partners, together with a list of all other affordable projects in which they have been involved over the previous five years;
 - e. Projected construction schedule;
 - f. Proposed pricing for all units, including any purchaser options and add-on items;
 - g. A list of all public funding sources and copies of grant or loan agreements for those sources;
 - h. Condominium fees or homeowner association and any other maintenance or other fees;
 - i. Estimated real property taxes for sale units;
 - j. Sewer, trash disposal and any other utility assessments;
 - k. Flood insurance requirement, if applicable;
 - l. A description of all HVAC systems;
 - m. Location of any common areas and elevators;
 - n. Proposed form of lease for any rental units;
 - o. The name of the person who will be responsible for official contact with the Borough Administrative Agent for the duration of the project;
 - p. The name and qualifications of the developer's administrative agent, if applicable; and
 - q. The State-approved Planned Real Estate Development public offering statement and/or master deed where available or applicable.
4. The developer shall submit the marketing plan to the Borough Administrative Agent at least 45 days prior to the advertising of the availability of the units. The Borough Administrative Agent will approve or modify the plan within 30 working days of receipt of the plan or within such time as additionally granted by the developer.

28-17-5 Household Income Limitations.

1. The incomes of low- and moderate-income households occupying affordable housing shall not exceed the income limits as of January 1 of the current year.
2. Median Income Determination. Income limits for all units for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to *N.J.A.C. 5:80-26.1* shall be updated by the Borough annually following the publication of determinations of median income by the U.S. Department of Housing and Urban Development (HUD) and calculation by the Affordable Housing Professionals of New Jersey in the absence of such calculation by COAH.
3. Affordable Housing Purchase or Rent. Very low-income housing units shall be reserved for households with a gross household income less than or equal to 30% of the median regional income. Very low-income households shall be considered a subset of low-income units. Of the number of very low-income households, at least 50% shall be for family households. Low-income housing units shall be reserved for households with

a gross household income less than or equal to 50% of the median regional income. Moderate-income units shall be reserved for households with a gross household income more than 50% but equal to or less than 80% of the median income.

3. Assisted Living Facilities. Income determination and eligibility for assisted living facilities shall also comply with the New Jersey Housing and Mortgage Finance Agency's Assisted Living Underwriting Guidelines and Financing Policy, dated May 28, 1996, as it may be amended or superseded. The monthly fee for rent, meals, and basic services for the affordable units in the assisted living facility shall not exceed 80% of household income. For the purposes of this section, 62.5% of the fee shall be assumed to be for meals and basic services and 37.5% of the fee for rent.

28-17-6 Household Income Verification.

1. Any Administrative Agent shall secure the information from applicant households necessary and appropriate to determine that restricted dwellings are occupied by properly sized households with appropriate very low, low or moderate income levels. No household may be referred to a restricted dwelling, or may receive a commitment with respect to a restricted dwelling, unless that household has received a signed and dated certification, as set forth in this section, and has executed the certificate in the form provided.
2. Any Administrative Agent shall use a random selection process to select occupants of very low-, low- and moderate-income housing.
3. Any Administrative Agent shall prepare a standard form of certification and shall sign and date one for each household when certified. This certification shall be known as a Certificate of Eligibility and shall be a prerequisite for the purchase or rental of an income-restricted dwelling. An initial certification shall be valid for no more than 180 days unless a valid contract for sale or lease has been executed within that time period. In this event, certifications shall be valid until such time as the contract for sale or lease is ruled invalid and no occupancy has occurred. Certifications may be renewed in writing at the request of a certified household for an additional period of 180 days at the discretion of the Borough Administrative Agent or Administrative Agent.
4. When reviewing an applicant household's income to determine eligibility, any Administrative Agent shall compare the applicant household's total gross annual income to the regional very low-, low- and moderate-income limits then in effect, as approved by the court of competent jurisdiction. For the purposes of this subchapter, income includes, but is not limited to, wages, salaries, tips, commissions, alimony, regularly scheduled overtime, pensions, social security, unemployment compensation, Temporary Assistance for Needy Families (TANF), verified regular child support, disability, net income from business or real estate, and income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds and imputed income from non-income producing assets, such as equity in real estate.
5. Except as otherwise specifically stated in this subchapter, the sources of income considered by the Borough Administrative Agent or Administrative Agent shall be the types of regular income reported to the Internal Revenue Service and which is eligible to be used for mortgage loan approval. Household annual gross income shall be calculated by projecting current gross income over a 12-month period.
6. Assets not earning a verifiable income shall have an annual imputed interest income using a current average annual savings interest rate. Assets not earning income include, but are not limited to, present real estate equity. Applicants owning real estate shall produce documentation of a market value appraisal and outstanding mortgage debt. The difference shall be treated as the monetary value of the asset and the imputed interest added to income. If the applicant household owns a primary residence with no mortgage on the property valued at or above the regional asset limit, a Certificate of Eligibility shall be denied by the Borough Administrative Agent or Administrative Agent, unless the applicant's existing monthly housing costs (including principal, interest, taxes, homeowner and private mortgage insurance, and condominium and homeowner association fees as applicable) exceed 33% of the household's eligible monthly income.
7. Rent from real estate shall be considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance and reasonable property management expenses as reported to the Internal Revenue Service. Other expenses are not deductible. If actual rent is less than fair market rent, the Borough Administrative Agent or Administrative Agent shall impute a fair market rent.

8. Income does not include benefits, payments, rebates or credits received under any of the following:
 - a. Federal or State low income energy assistance programs;
 - b. Food stamps, payments received for foster care, relocation assistance benefits;
 - c. Income of live-in attendants, scholarships, student loans, and personal property, including but not limited to, automobiles; and
 - d. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements, and part-time income of persons enrolled as full-time students.
 - e. Income, however, does include interest and other earnings from the investment of any of the foregoing benefits, payments, rebates, or credits.
9. Any Administrative Agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify the member's income, including income received by adults on behalf of minor children for their benefit. Household members 18 years of age or older who do not receive income must produce documentation of current status. Income verification documentation may include, but is not limited to, the following for each and every member of a household who is 18 years of age or older:
 - a. Four consecutive pay stubs, not more than 120 days old, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure;
 - b. Copies of Federal and State income tax returns for each of the preceding three tax years;
 - c. A letter or appropriate reporting form verifying monthly benefits such as Social Security, unemployment, TANF, disability or pension income (monthly or annually);
 - d. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support;
 - e. Income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds; and
 - f. Evidence or reports of income from directly held assets such as real estate or businesses.
 - g. Court ordered payments for alimony or child support to another household, whether or not it is being paid regularly, shall be excluded from income for purposes of determining income eligibility.
10. At the discretion of the Borough Administrative Agent or Administrative Agent, households may also be required to produce documentation of household composition for determining the correct dwelling size and applicable median income guide.
11. Tenant Income Eligibility. In addition to the foregoing requirements, tenant income eligibility shall be in accordance with the median income limits of *N.J.A.C. 5:80-26.13*. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median household income by household size. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the regional median household income by household size. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the regional median household income by household size.
12. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to *N.J.A.C. 5:80-26.16*, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - b. The household has consistently paid more than 35% (40% for households eligible for age-restricted

- units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
13. The applicant shall file documentation sufficient to establish the existence of the circumstances in -2.a through -2.e above with the Administrative Agent, who shall counsel the household on budgeting.

§ 28-17-7 Certificate of Eligibility, Waiting List and Selection

- A. If the household is found to be eligible for low- and moderate-income housing, they shall be issued a Certificate of Eligibility and placed on the affordable housing waiting list, except in the event that such a certificate is withheld or removed in accordance with this section. Eligible persons that live or work within the East Central Housing Region (Region 4) shall have preference over those that live or work in another housing region.
- B. Applicants shall be selected in the order in which their applications are certified and in accordance with the provisions of this section.
- C. Households remaining on a waiting list shall update its application no later than April 30 each year, including the most recent federal income tax return of each member of the proposed household and such other updated income and other information requested on the application.
- D. Households on the waiting list who have not submitted the required information by May 15 each year shall be notified by certified mail, mailed to the address on file that they have until June 30 of that year to provide the information or they shall be removed from the waiting list.
- E. Any household whose income or priority category has changed such that the household has become eligible for a different category of housing or priority list shall be placed on the appropriate list without penalty or favor as of the date of the original application.
- F. Any household whose income has increased to the degree that it is no longer eligible for low or moderate income housing shall be removed from the waiting list.
- G. If the Borough Administrative Agent or Administrative Agent has reason to believe that the information on file is erroneous or incomplete, he or she shall have the right to conduct an investigation and request any additional information deemed necessary to obtain accurate household information. If an applicant does not cooperate in such investigation or refuses to reply with the requested additional information within 30 days of said request, the applicant shall be removed from the list.
- H. All applications shall be notarized and certified complete and accurate. Anyone knowingly submitting incomplete, inaccurate, incorrect or false information may be removed from eligibility for very low-, low- and moderate-income dwellings. All information submitted to the Borough Administrative Agent or Administrative Agent for the purposes of determining applicant eligibility shall be strictly confidential and not considered a public record.
- I. Prior to the time of availability of a very low-, low- and moderate-income dwelling, the Borough Administrative Agent or Administrative Agent shall notify by certified mail the top three households on the waiting list for the type of dwelling available, its location and the estimated date it will be available. If a purchaser or tenant cannot be found from the top three households on the waiting list, notice shall be sent to the fourth, fifth, etc., household until a purchaser or tenant is found. The household shall, within 14 days of mailing, notify the Borough Administrative Agent or Administrative Agent, in writing, of its intent to occupy the dwelling and, if selected, its intent to comply with the requirements of paragraph –I, below, within 15

days. Any household which fails to respond to the notice or chooses to reject a specific dwelling by informing the Administrative Agent in writing, shall retain its priority and shall be notified of available dwellings in the future, except that if a household chooses to reject a dwelling or fails to respond three times, it shall be removed from the list and must reapply and re-qualify if it wishes to be placed on the list at a new qualified priority.

- J. At the time of notice to a household of the availability of an appropriate type of dwelling and if the household notifies the Administrative Agent of its intent to occupy the dwelling and that household is selected for occupancy, each household member shall update the records on file and recertify the accuracy of the information as required herein. Information shall be reviewed and the eligibility status reconfirmed. The household selected shall only at that point proceed to make the legal and financial arrangements to acquire or lease the dwelling.
- K. If a household selected for occupancy is unable to obtain financing, it shall lose its eligibility for that dwelling, after notice, but shall retain its priority status for a similar appropriate dwelling as other dwellings become available and as long as the household remains eligible. When notified of the availability of another dwelling, updating and recertifying data as outlined in Subsection –H above is required.
- L. A certificate of eligibility may be withheld by the Borough Administrative Agent or Administrative Agent as a result of an applicant's inability to demonstrate sufficient present assets for down payment or security deposit purposes.
- M. A certificate of eligibility may be withheld by the Borough Administrative Agent or Administrative Agent as a result of an applicant's inability to verify funds claimed as assets, household composition or other facts represented.
- N. A certificate of eligibility shall be denied by the Borough Administrative Agent or Administrative Agent as a result of any willful and material misstatement of fact made by the applicant in seeking eligibility.

28-17-8 Unit Standards and Requirements.

- A. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be very low and low-income units, while the remainder may be moderate-income units.
- B. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - 1. The combined number of efficiency and one-bedroom units is no greater than 20 percent of the total low- and moderate-income units;
 - 2. At least 30 percent of all low- and moderate-income units are two bedroom units;
 - 3. At least 20 percent of all low- and moderate-income units are three bedroom units; and
 - 4. The remainder, if any, may be allocated at the discretion of the developer.
- C. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the affordable development. The standard may be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit.
- D. In determining the initial rents and initial sales prices for compliance with the affordable average requirements for restricted units other than assisted living facilities, the following standards shall be used:
 - 1. An efficiency shall be affordable to a one-person household;
 - 2. A one-bedroom dwelling shall be affordable to a one and one-half person household;
 - 3. A two-bedroom dwelling shall be affordable to a three-person household;
 - 4. A three-bedroom dwelling shall be affordable to a four and one-half person household;

5. A four-bedroom dwelling shall be affordable to a six-person household.
6. In referring certified households to specific income-restricted units, to the extent feasible and without causing an undue delay in occupying the dwelling, the Borough Administrative Agent shall strive to:
 - a. Provide an occupant for each unit's bedroom;
 - b. Provide children of different sex with separate bedrooms; and
 - c. Prevent more than two persons from occupying a single bedroom.
- E. Size of Units. The minimum size of affordable housing units, which is necessary to ensure the public health safety and welfare of its occupants, shall be as indicated in the following table.

Minimum Size of Affordable Housing Units.

Type of Unit	Minimum Size (gross square feet)
Efficiency	500
One-bedroom	600
Two-bedroom	750
Three-bedroom	900

- F. Certificates of Occupancy. The following additional requirements for the issuance of certificates of occupancy shall apply to inclusionary developments:
 1. The initial issuance of certificates of occupancy for market units shall be linked to the issuance of certificates of occupancy for affordable units. Prior to the issuance of the certificates of occupancy for market units, certificates of occupancy for affordable units shall be required in the following minimum ratios:

Required Percentage of Affordable to Market Units

Percentage of Affordable Housing Units Completed	Allowed Percentage of Market Housing Units Completed
0%	25%
10%	25% + 1
50%	50%
75%	75%
100%	90%

2. Each unit of affordable housing shall require a certificate of occupancy, which shall become void upon a change of owner or tenant.
3. No certificate of occupancy shall be issued for a low- and moderate-income unit unless the provisions of *N.J.A.C. 5:93-9.3*, or superseding administrative code, are met.
- G. Unit Type and Household Size. The following housing type shall be used in determining affordability as it relates to household size:

Unit Type and Household Size

Unit Size	Household Size (persons)
Efficiency	1
One-bedroom	1.5
Two-bedroom	3
Three-bedroom	4.5
Four-bedroom	6

- H. Distribution of Low- and Moderate-Income Units. At least 50% of all units within each inclusionary development shall be affordable to low-income households. At least 50% of all rental units shall be affordable to low-income households. Of the total number of affordable housing units, 13% of the total shall be earmarked as very low-income units and shall be counted towards the minimum low-income requirement.
- I. Utilities and Heating Source. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by the NJ Department of Community Affairs for its Section 8 program. Affordable units shall utilize the same type of heating source as market units within the affordable development.
- J. Appearance and Location. The facade of an affordable housing dwelling shall be indistinguishable from those of market units in terms of the use of exterior materials, windows, doors, reveal, roof pitch, color, or other material. Affordable housing units shall be fully integrated with market rate housing to the greatest extent feasible and shall have access to open space and site amenities comparable to that of market rate units.
- K. Tenure. For inclusionary developments with a single housing type, the affordable housing units shall have the same tenure as the market housing units.

28-17-9 Initial Selling and Renting Determinations.

- A. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures as set forth in the Uniform Housing Affordability Controls.
- B. Required pricing stratification.
 - 1. The maximum rent for affordable units within each affordable development shall be affordable to households earning no more than 60% of median income and the average rent for low- and moderate-income units shall be affordable to households earning no more than 52% of median income. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low income and moderate income units, provided that at least 13% of all low- and moderate-income units shall be affordable to households earning no more than 30% of median income.
 - 2. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of median income. Each affordable development shall achieve an affordability average of 55% for restricted ownership units. In achieving this affordability average, moderate income ownership units shall be available for at least three different prices for each bedroom type, and low income ownership units shall be available for at least two different prices for each bedroom type.
- C. Initial Pricing and Annual Increases of Affordable Dwellings.
 - 1. Owner-occupied dwellings initial pricing. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the dwelling, including principal and

interest (based on a mortgage loan equal to 95% of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28% of the eligible monthly income of the appropriate size household as determined under *N.J.A.C. 5:80-26.4*; provided, however, that the price shall be subject to the affordability average requirement as noted above.

2. Rental dwellings initial pricing. The initial rent for a restricted rental dwelling shall be calculated so as not to exceed 30% of the eligible monthly income of the appropriate household size as determined under *N.J.A.C. 5:80-26.4*, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement.
 3. Owner-occupied dwellings annual increase. The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
 4. Rental dwellings annual increase. The rent of low and moderate income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed 9% in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.
 5. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by the NJ Department of Community Affairs for its Section 8 program.
- D. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices.
1. The initial purchase price for a restricted ownership dwelling shall be approved by the Borough Administrative Agent.
 2. The Borough Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
 3. The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income homeowners and the market homeowners.
- E. The owners of restricted ownership units may apply to the Borough Administrative Agent to increase the maximum sales price for the dwelling on the basis of eligible capital improvements. Eligible capital improvements shall be those that render the dwelling suitable for a larger household or the addition of a bathroom.

28-17-10 Affordability Controls for Ownership Units.

- A. The affordability control period for a restricted ownership dwelling shall commence on the date the initial certified household takes title to the dwelling.
- B. Each restricted ownership dwelling shall remain subject to the requirements of UHAC until the Borough of Hightstown elects to release the dwelling from such requirements pursuant to action taken in compliance with *N.J.A.C. 5:80-26.5(g)*. Prior to such municipal election, a restricted ownership dwelling shall remain subject to the requirements of *N.J.A.C. 5-80-26.5*, for a period of at least 30 years, and for a period of at least 10 years or the sale and repayment of any loan proceeds for owner-occupied units that were rehabilitated. Where a dwelling unit is entered into an extension of expiring controls program, the time period for the ownership restriction shall be at least 30 years from the date that the existing or prior restriction would have expired.

- C. The affordability control period for a restricted ownership dwelling shall commence on the date the initial certified household takes title to the dwelling.
- D. Each restricted ownership dwelling shall remain in compliance with and subject to the requirements of *N.J.A.C. 5:80-26.5* for control periods, *N.J.A.C. 5:80-26.6* for price restrictions, *N.J.A.C. 5:80-26.7* for buyer income eligibility, *N.J.A.C. 5:80-26.8* for limitations on indebtedness and subordination, *N.J.A.C. 5:80-26.9* for capital improvements, and *N.J.A.C. 5:80-26.10* for maintenance.
- E. Limitations on Indebtedness Secured by Ownership Dwelling; Subordination.
 - 1. Prior to incurring any indebtedness to be secured by a restricted ownership dwelling, the Borough Administrative Agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
 - 2. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership dwelling to exceed 95% of the maximum allowable resale price of that dwelling, as such price is determined by the Borough Administrative Agent in accordance with *N.J.A.C. 5:80-26.6(b)*.
- F. Capital Improvements to Ownership Units.
 - 1. The owners of restricted ownership units may apply to the Borough Administrative Agent to increase the maximum sales price for the dwelling on the basis of capital improvements made since the purchase of the dwelling. Eligible capital improvements shall be those that render the dwelling suitable for a larger household or that adds an additional bathroom. In no event shall the maximum sales price of an improved housing dwelling exceed the limits of affordability for the larger household.
 - 2. Upon the resale of a restricted ownership dwelling, all items of property that are permanently affixed to the dwelling or were included when the dwelling was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Borough Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the dwelling and not included in the base price may be made a condition of the dwelling resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Borough Administrative Agent. Unless otherwise approved by the Borough Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the dwelling resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.
- G. Notice of Resale, Recapture Covenant and 95/5 Purchase Options.
 - 1. The owner of the property is required to notify the Borough Administrative Agent by certified mail of any intent to sell the property 90 days prior to entering into an agreement for the first non-exempt sale of the Property after the conclusion of the period of affordability controls on restricted units in effect at the time the Property was first restricted as part of the Affordable Housing Program.
 - 2. The municipal construction code official shall inspect the available affordable resale unit for construction and property maintenance code violation(s). The code official shall submit in writing to the owner and the Borough Administrative Agent a listing of the violation(s). The estimated cost of the repairs not completed by the owner prior to resale shall be deducted from the resale price. The cost of repairs not undertaken by the owner will be determined by estimator(s) and/or contractor(s) supplied by the Borough Administrative Agent and charged back to the seller.
 - 3. Upon the first such non-exempt sale of the Property, 95% of the difference between, (i), the actual sale price; and (ii), the regulated maximum sales price that would be applicable were the period of affordability controls on restricted units still in effect, shall be paid at closing to the Borough of Hightstown; or, to the NJ Department of Community Affairs or NJ Housing and Mortgage Finance

Agency, when acting as receiving agent for the municipality. Exempt sales shall be as listed in §28-17-13.

4. Such non-exempt sale is subject to the options provided for in *N.J.A.C. 5:80-26.20* (Option to buy 95/5 units), *N.J.A.C. 5:80-26.21* (Municipal Option on 95/5 units), *N.J.A.C. 5:80-26.22* (State Option on 95/5 Units), *N.J.A.C. 5:80-26.23* (Non-Profit Option on 95/5 Units), *N.J.A.C. 5:80-26.24* (Seller Option on 95/5 Units), *N.J.A.C. 5:80-26.25* (Municipal Rejection of Repayment Option on 95/5 Units) and *N.J.A.C. 5:80-26.26* (Continued Application of Options to Create, Rehabilitate or Maintain 95/5 Units) of UHAC.

28-17-11 Affordability Controls on Rental Dwellings.

- A. Each restricted rental dwelling shall remain subject to the requirements of UHAC until the Borough of Hightstown elects to release the dwelling from such requirement pursuant to action taken in compliance with *N.J.A.C. 5:80-26.11(e)*. Prior to such a municipal election, a restricted rental dwelling shall remain subject to the requirements of *N.J.A.C. 5:80-26.11*, for a minimum of 30 years, and for a period of at least 10 years or the sale and repayment of any loan proceeds for renter-occupied units that were rehabilitated.
- B. Each restricted rental dwelling shall remain in compliance with and subject to the requirements of *N.J.A.C. 5:80-26.11* for control periods, *N.J.A.C. 5:80-26.12* for restrictions on rents, and *N.J.A.C. 5:80-26.13* for tenant income eligibility.
- C. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Mercer. A copy of the filed document shall be provided to the Borough Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- D. A restricted rental dwelling shall remain subject to the affordability controls of this Article, despite the occurrence of any of the following events:
 1. Sublease or assignment of the lease of the dwelling;
 2. Sale or other voluntary transfer of the ownership of the dwelling; or
 3. The entry and enforcement of any judgment of foreclosure.
- E. Rent Restrictions for Rental Units; Leases.
 1. A written lease shall be required for all restricted rental units, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental dwelling shall be provided to the Borough Administrative Agent.
 2. No additional fees or charges shall be added to the approved rent without the express written approval of the Borough Administrative Agent.
 3. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted dwelling and shall be payable to the Borough Administrative Agent to be applied to the costs of administering the controls applicable to the dwelling as set forth in this Article.

28-17-12 Accessibility Requirements.

The following barrier free accessibility and adaptability requirements shall apply to all new construction:

- A. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Sub-code, *N.J.A.C. 5:23-7*.
- B. All restricted townhouse dwellings and all restricted units in other multistory buildings in which a restricted dwelling is attached to at least one other dwelling shall have the following features:
 1. An adaptable toilet and bathing facility on the first floor;

2. An adaptable kitchen on the first floor;
3. An interior accessible route of travel on the first floor;
4. An interior accessible route of travel shall not be required between stories within an individual dwelling;
5. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
6. An accessible entranceway in accordance with *N.J.S.A. 52:27D-311a*, et seq. and the Barrier Free Sub-code, *N.J.A.C. 5:23-7*, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
 - a. Where a dwelling has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling, an accessible entrance shall be installed.
 - b. To this end, the developer of restricted units shall deposit funds within the affordable housing trust fund of the Borough of Hightstown sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - c. The funds deposited under sub-paragraph –(b) above shall be used by the Borough for the sole purpose of making the adaptable entrance of any affordable dwelling accessible when requested to do so by a person with a disability who occupies or intends to occupy the dwelling and requires an accessible entrance.
7. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from an adaptable to an accessible entrance to the Construction Code Official.
8. Once the Construction Code Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, *N.J.A.C. 5:23-7*, and that the cost estimate of such conversion is reasonable, payment shall be made into the municipality's affordable housing trust fund by the Chief Financial Officer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
9. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that physical or environmental conditions of the site render it impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, *N.J.A.C. 5:23-7*.

28-17-13 Exempt Transactions.

- A. The following transactions shall be deemed "non-sales" for purposes of these regulations and the owner receiving title by virtue of any of the following transactions shall be entitled to a statement of exemption to the owner receiving title by virtue of any of the following transactions:
 1. Transfer of ownership of an affordable sales unit between husband and wife;
 2. Transfer of ownership of an affordable sales unit between former spouses ordered as a result of a judicial decree of divorce (and not including sales to third parties);
 3. Transfer of ownership of an affordable unit between family members as a result of inheritance;
 4. Transfer of ownership of an affordable unit through an executor's deed to a Class A beneficiary;
 5. Transfer of ownership of an affordable unit through an order of the Superior Court or other court, in a foreclosure proceeding or transfer in lieu of foreclosure after a foreclosure proceeding has commenced.

- B. Except for the income level of the family acquiring title by an exempt transaction, the exempt transfer will not eliminate any restrictions set forth herein including, but not limited to, the unit remaining the prime resident and the requirement for resale to low and moderate income families as applicable and all such restrictions shall remain in effect following the exempt transfer except as stated in subsection -A.5.
- C. Should a mortgagee acquire title pursuant to subsection -A.5 it may re-sell the unit to any family, regardless of income, with the municipality having the right of first refusal. The sales price to the municipality is the amount necessary to cure the foreclosure. This includes all principal and interest due to the mortgagee and other lien holders, repayment of equity to the owner prior to foreclosure and the costs of foreclosure. If the municipality does not purchase the unit, the mortgagee may sell the unit without any of the restrictions set forth in this section. The amount of the sale above that which is necessary to cure the foreclosure will be turned over to the municipality to be used for low and moderate income housing.

28-17-14 Leasing Restriction.

Initial and subsequent owners of affordable housing units shall occupy the dwelling as their principal residence. Rental or subleasing of the affordable housing unit is expressly forbidden.

28-17-15 Effect on Landlord and Tenant Relationship.

- A. Nothing in these rules should be construed to limit the rights and duties of the owner and tenant to maintain the dwelling in accordance with all appropriate New Jersey State or municipal construction and property maintenance codes.
- B. Notwithstanding anything to the contrary in this Article, any member of a household occupying a dwelling under this Article and subject to the regulations of the Borough of Hightstown is subject to eviction for any reasons allowed under applicable New Jersey law. The provisions of this Article are not intended to confer any additional rights or obligations on property owners or tenants other than those mandated by statute or required by the courts of the State of New Jersey or the duly adopted regulations of any of its agencies.

28-17-16 Affirmative Marketing for Affordable Housing.

- A. Purpose. The purpose of this Section is to establish administrative procedures to ensure a wide dissemination of knowledge of affordable housing units as they become available to the low and moderate income population, and that the selection of tenants or homeowners, as the case may be, meets the requirements of UHAC.
- B. An Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital, or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. An Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region.
- C. Affirmative Marketing Requirements. Within the overall framework of the municipality's affirmative marketing program, all affordable housing units in Hightstown Borough shall be marketed in accordance with the provisions in this Section unless otherwise provided for in N.J.A.C. 5:80-26-1. An Affirmative Marketing Plan shall be created for each development that contains or will contain low and moderate income units, including those that are part of the Borough's prior round Housing Element and its current Housing Element and those that may be constructed in future developments not yet anticipated. This Affirmative Marketing Plan shall also apply to any rehabilitated units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units when Hightstown is allocated a rehabilitation component.
- D. Plan Preparation. The Borough Administrative Agent or Administrative Agent shall prepare an Affirmative Marketing Plan for each affordable housing program, as applicable, comporting with N.J.A.C. 5:80-26.15, for review and approval by the Borough Administrative Agent. The Borough Administrative Agent of the Borough shall oversee the work of a developer's Administrative Agent provided that the person has been approved by the Borough Administrative Agent. Regardless of the drafting agent, the Affirmative Marketing Plan is intended to be used by developers of affordable housing restricted to low and moderate income

households located within the municipality. The Administrative Agent responsible for specific affordable housing programs or developments shall ensure that the affirmative marketing of all affordable units is consistent with these provisions.

- E. Affirmative Marketing Implementation. The Affirmative Marketing Plan includes regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance to *N.J.A.C. 5:80-26*. All newly created affordable units will comply with the thirty-year affordability control required by UHAC, *N.J.A.C. 5:80-26-5* and *5:80-26-11*. This plan will be adhered to by all private, non-profit or municipal developers of affordable housing units and will cover the period of deed restriction or affordability controls on each affordable unit. The Affirmative Marketing Plan for each affordable housing development shall meet the following minimum requirements:
1. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 4, comprised of Mercer, Monmouth and Ocean Counties.
 2. Although the Borough has the ultimate responsibility for implementing all aspects of Hightstown's affordable housing program, the Administrative Agent designated by the Borough Administrative Agent shall assure that the affirmative marketing of all affordable units is consistent with the Affirmative Marketing Plan for the municipality.
 3. The Administrative Agent shall provide a list of counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 4. The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all of the affordable units have been leased or sold.
 5. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Borough of Hightstown.
 6. The Affirmative Marketing Plan for each affordable housing development shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
 7. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in Hightstown; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
 8. The Borough Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in the Region 4 Housing Area for the use of the Borough and other Administrative Agents. In addition, the list shall also include Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Trenton, Greater Red Bank, Asbury Park/Neptune, Bayshore, Greater Freehold, Greater Long Branch Branches of the NAACP, Shiloh Baptist Church, and the Supportive Housing Association, which entities shall receive specific notice of all available affordable housing units along with copies of application forms. This list shall be updated periodically. The list shall contain organizations that will aid in the affirmative marketing program with particular emphasis on contacts with outreach to groups and individuals that are least likely to apply for affordable housing within the region. A representative sample of the organizations on the list not otherwise requiring specific notice herein shall be contacted as part of the affirmative marketing effort as approved by the Borough Administrative Agent.
 9. The Affirmative Marketing Plan shall be approved by the Borough Administrative Agent prior to

implementation.

28-17-17 Violations of Affordable Housing Regulations

- A. Upon the occurrence of a breach of any of the regulations governing the affordable dwelling by an owner, developer or tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income dwelling and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 1. The municipality may file a court action pursuant to *N.J.S.A. 2A:58-11* alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - a. A fine of not more than \$1,000.00 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - b. In the case of an owner who has rented his or her low- or moderate-income dwelling in violation of the regulations governing affordable housing units, payment into the Borough of Hightstown's Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - c. In the case of an owner who has rented his or her low or moderate income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the dwelling, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low and moderate income unit.
 3. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the County Sheriff, at which time the low and moderate income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- C. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien upon the dwelling and any prior liens on the dwelling. The excess, if any, shall be applied to reimburse the Borough for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the Borough in full as aforesaid, the violating owner shall be personally responsible for the deficiency, in addition to any and all costs incurred by the Borough in connection with collecting said deficiency. The remainder, if any, up to a maximum of the amount the owner would be entitled to if he or she were to sell the dwelling as permitted by *N.J.S.A. 5:80-26.1 et seq.*, shall be placed in escrow by the Borough for the owner and shall be held in such escrow for a period of two years or until such time as the owner shall make a claim with the Borough for the same. Failure of the owner to claim said sum within the two-year period shall automatically result in a forfeiture of said remainder to the municipality and paid into the Affordable Housing Trust Fund. Any interest accrued or earned on the remainder while being held in

escrow shall belong to and shall be paid to the Hightstown Borough Affordable Housing Fund whether the remainder is paid to the owner or forfeited to the Borough. Any excess funds derived over and above the sum due the owner shall be paid over to the Borough's Affordable Housing Trust Fund.

- D. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low and moderate income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing dwelling. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- E. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- F. Failure of the very low-, low- and moderate- income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- G. The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- H. Right to Cure. The Borough may, at its option, advance and pay all sums necessary to protect, preserve and retain the dwelling as an affordable dwelling, subject to the terms of this Article. All sums so advanced and paid by the Borough shall become a lien against said dwelling and shall have a higher priority than any lien except the first purchase money mortgage lien and liens by duly authorized government agencies. Such sums may include but are not limited to insurance premiums, taxes, assessments (public or private) and costs of repair necessary to bring the dwelling up to any and all applicable local, state or federal codes and liens which may be or become prior and senior to any first purchase money mortgage as a lien on the dwelling or any part thereof. If, in the event of a default or nonpayment by the owner of an affordable dwelling, any first mortgagee or other creditor of an owner of an affordable dwelling exercises its contractual or legal remedies available, the owner shall notify the Administrative Agent and the Borough Solicitor of the Borough, in writing, within 10 days of notification by the first mortgagee or creditor and no later than 10 days after service of any summons and complaint, and the Borough shall have the option to purchase, redeem or cure any default upon such terms and conditions as may be agreeable to all parties in interest and/or to acquire the first purchase money mortgage to the dwelling, thereby replacing the first mortgagee as the first mortgagee of the dwelling. The Borough shall have the same priority of lien as was held by the first mortgagee at the time the Borough acquires such first purchase money mortgage and shall have the right of subrogation with respect to any other claim or lien it satisfies or acquires.
- I. Provisions for First Purchase Money Mortgagees.
 - 1. The terms and restrictions of this section shall be subordinate only to a first purchase money mortgage lien on any affordable dwelling and in no way shall impair the first mortgagee's ability to exercise the contract remedies available to it in the event of default as set forth in the first purchase money mortgage. The first mortgagee and/or mortgage servicer shall serve written notice upon the Borough within 10 days after the first purchase money mortgage is two months in arrears and again within 10 calendar days of the filing of a complaint seeking foreclosure of the first purchase money mortgage held on an affordable dwelling. However, a judgment of foreclosure upon the property

shall in no instance terminate the conditions and requirements of this Article maintaining the dwelling as an affordable, income-restricted residence.

2. The obligation of the first mortgagee and servicer to notify the Borough shall cease automatically and immediately upon the sale of the first purchase money mortgage to the Federal National Mortgage Association or in the secondary mortgage market, unless the rules and regulations or guidelines of the Federal National Mortgage Association are amended so as to not prohibit or exclude placing such obligation upon the holder of the mortgage or its service representative, in which case, an instrument duly evidencing the same shall be recorded with the Register of Deeds, Mercer County, New Jersey, before any such obligation shall exist. Provided that the first mortgagee is obligated to give the Borough the above-mentioned notices, the first mortgagee shall also serve written notice of any proposed foreclosure sale upon the Borough at least 30 days prior to the first scheduled date of such sale. The first mortgagee shall serve notice upon the Borough within 30 days of the sale of the first purchase money mortgage to the Federal National Mortgage Association or in the secondary mortgage market.
3. The Borough of Hightstown or any instrumentality designated by the Borough shall have the right to purchase any mortgage which is in default at any time prior to the entry of a foreclosure judgment or within the redemption period thereafter. Notification of a default and of the institution of a foreclosure action and of a sheriff's sale shall be served, in writing, upon the Borough Clerk and Municipal Attorney. The Borough of Hightstown shall at all times be considered a party in interest and shall have the right to be joined as a party defendant and/or shall have the right to intervene in any foreclosure action seeking foreclosure of a first mortgage and/or shall have the right to redeem and acquire the owner's equity of redemption or to acquire the dwelling from the owner upon such terms and conditions as may be determined by the Borough.
4. Surplus funds. In the event of a foreclosure sale by the holder of the first purchase money mortgage, the owner shall be personally obligated to pay to the Borough any excess funds, but only to the extent that such excess funds exceed the difference between what the owner could have resold his dwelling for under this Article at the time of the foreclosure sale and the amount necessary to redeem and satisfy the first purchase money mortgage debt, including costs of foreclosure and costs of repairs necessary to bring the dwelling up to any and all applicable local, state or federal codes. For the purposes of this subsection, excess funds shall be the total paid to the sheriff in excess of the amount required to pay and satisfy the first purchase money mortgage, including the costs of foreclosure, even if junior creditors actually receive payment from said surplus funds to the exclusion of the owner. The Borough is hereby given a first priority lien, second only to the first mortgagee for any taxes or public assessments by a duly authorized governmental body up to the full amount of excess funds. This obligation of the owner to pay this full amount to the Borough shall be deemed to be a personal obligation of the owner of record at the time of the foreclosure sale, and the Borough is hereby empowered to enforce this obligation in any appropriate court of law or equity as though the same were a personal contractual obligation of the owner. Neither the first mortgagee nor the purchaser at the foreclosure sale shall be responsible or liable to the Borough for any portion of this excess. The Borough shall deposit any funds received in the Affordable Housing Trust Fund and use it for the purposes as set forth in the Housing Element and Fair Share Plan.

Section 3. Continuation. In all other respects, the Zoning Ordinance of the Borough of Hightstown shall remain unchanged.

Section 4. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Zoning Ordinance as a whole, or any other part thereof.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 6. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Borough Clerk of the Borough of Hightstown in the manner prescribed by law.

RESOLUTIONS

Resolution 2019-46 Authorizing Payment of Bills

Moved by Councilmember Stults; Seconded by Councilmember Bluth.

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

Resolution adopted 6-0.

Resolution 2019-46

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

AUTHORIZING PAYMENT OF BILLS

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$81,462.11 from the following accounts:

Current		\$53,647.66
W/S Operating		23,230.85
General Capital		977.00
Water/Sewer Capital		600.00
Grant		300.00
Trust		0.00
Housing Trust		0.00
Animal Control		3.60
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>2,703.00</u>
Total		<u>\$81,462.11</u>

Resolution 2019-47 Authorizing the Donation of Surplus Personal Property No Longer Needed for Public Use

Moved by Councilmember Musing; Seconded by Councilmember Jackson.

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

Resolution adopted 6-0.

Resolution 2019-47

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

**AUTHORIZING THE DONATION OF SURPLUS PERSONAL PROPERTY NO
LONGER NEEDED FOR PUBLIC USE**

WHEREAS, Roosevelt Borough donated a Brush Truck to Hightstown Borough; and

WHEREAS, the Borough of Hightstown has determined that the property received and described as a 1988 Ford Brush Truck VIN 21FDKF38MXJKA57226 is no longer needed for public use by Hightstown Borough; and

WHEREAS, the State of New Jersey permits the disposal and/or donation of surplus property no longer needed for public use pursuant to the Local Public Contract Law 40A:11-36.; and

WHEREAS, Local Public Contract Law permits the transfer of surplus property to another government entity within the United States; and

WHEREAS, Macclesfield Fire Department located at 104S 3rd Street, Macclesfield, North Carolina, suffered a substantial loss in a fire, including the loss of their facilities and equipment; and

WHEREAS, Hightstown Engine Co. No. 1 finds that the brush truck designated above as surplus would serve a useful purpose to the Macclesfield Fire Department and has requested permission to donate said vehicle to the Macclesfield Fire Department; and

WHEREAS, the Mayor and Council finds it in the best interest of the Hightstown and Macclesfield communities to donate this brush truck to the Macclesfield Fire Department.

NOW THEREFORE BE IT RESOLVED that the Mayor and Borough Council hereby declares the equipment listed above to be no longer needed for public use and authorizes Hightstown Engine Co. No. 1 to properly dispose of same through a donation to the Macclesfield Fire Department located at 104S 3rd Street, Macclesfield, North Carolina.

CONSENT AGENDA

Councilmember Bluth moved Resolutions 2019-48; 2019-49 and 2019-50 as a Consent Agenda; Councilmember Stults seconded.

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

Resolutions adopted 6-0.

Resolution 2019-48
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**ESTABLISHING A "GREEN TEAM" ADVISORY COMMITTEE AS A WORKING
SUBCOMMITTEE OF THE ENVIRONMENTAL COMMISSION OF THE
BOROUGH OF HIGHTSTOWN**

WHEREAS, the Borough Council of the Borough of Hightstown strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially, and which would thrive well into the new century and beyond; and

WHEREAS, the Hightstown Borough Council wishes to build a model of government which benefits our residents now and far into the future with green community initiatives, which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Hightstown Borough Council wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, the Hightstown Borough Council wants to focus on "Green" issues by developing initiatives and projects which may engage a wide range of community stakeholders and enhance the goals of sustainability; and

WHEREAS, the Hightstown Borough Council seeks to make its operations greener and more environmentally friendly, by commissioning the GTA to address effective ways to reduce energy consumption and to raise awareness of, and attentiveness to, environmental issues, with regard to Borough departments, facilities, and equipment, and in all ways touching on and impacting the lives of Hightstown residents, and our world community; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Borough moves to do its share to lessen the environmental impact of its operations;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, that we do hereby establish a Green Team Advisory Committee (GTA), as a working subcommittee of the Hightstown Environmental Commission, whose membership shall be made up of people who shall reside and/or work in the Borough of Hightstown; and

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Hightstown, that the following individuals are hereby appointed to the Green Team Advisory Committee: Gary Grubb (Hightstown Environmental Commission and Hightstown Parks and Recreation Commission); Barbara Jones (Hightstown Environmental Commission); Yan Trozier (Hightstown Environmental Commission); David Zaiser (Hightstown Environmental Commission and Shade Tree Officer); Joe Cicalese (Planning Board); Ken Lewis (Public Works and Recycling Coordinator); Debra Sopronyi (Borough Administrator); Allen Keith LePrevost (Hightstown Housing Authority and Environmental Commission); Todd Frantz (Hightstown Environmental Commission); Donna LePrevost (Hightstown Environmental Commission) Susan Bluth (Council Liaison).

Resolution 2019-49
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER

STATE OF NEW JERSEY

**AUTHORIZING RELEASE OF ESCROW FUNDS – EL ZORRO - 3 CHURCH
STREET BLOCK 31, LOT 3**

WHEREAS, El Zorro, LLC deposited escrow funds for a project at Block 31, Lot 3 commonly known as 3 Church Street; and

WHEREAS, El Zorro, LLC has requested that the escrow funds on deposit with the Borough for Block 31, Lot 3 be released; and

WHEREAS, The Borough has inspected all improvements related to the above site and found all improvements to be completed satisfactorily and;

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the CFO is authorized and directed to release the escrow funds on deposit with the Borough for the project at Block 31, Lot 3 to El Zorro, LLC, 24 Eastwood Drive, East Windsor, NJ 08520.

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

- a. El Zorro, LLC
 - b. George Lang, Hightstown Borough CFO
 - c. George Chin, Hightstown Borough Construction Official
 - d. Sandy Belan, Planning Board Secretary
 - e. Carmela Roberts, Borough Engineer
- Resolution 2019-50

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2019 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2019 temporary budget; and

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

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

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2019 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	15,500.00	0.00	15,500.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	0.00	0.00	0.00
Capital Outlay – W/S	0.00	0.00	0.00

Debt Service - W/S	0.00	0.00	0.00
TOTAL	15,500.00	0.00	15,500.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2019 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

PUBLIC COMMENT PERIOD II

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

Joe Cicalese, 136 Broad Street – Proposed a fundraiser to put something in town commemorating the Hightstown High School history class that worked on and had a bill passed this January.

Keith LePrevost, 213 Greely Street – Thanked Council for permitting the Environmental Commission to come forward tonight with the Stormwater Presentation. Asked that Council revisit the expanded tree ordinance that was brought to them late 2018.

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

DISCUSSION

Towing Ordinance

Police Chief, Frank Gendron, informed Council that the last time the Borough updated their towing fees was 2004. Chief Gendron stated that he has updated the fees and added items that were not previously included. After discussion, Council agreed with the updates and changes and would like to have this introduced. This ordinance will be brought for Introduction March 4, 2019.

Qualifications of Police Officers Ordinance

Police Chief, Frank Gendron, stated that in reviewing the existing qualifications, he feels the wording of a minimum of an associate's degree eliminates applicants in pursuit of the bachelor's degree. He also stated that work or military experience has been added. Discussion ensued. Council agreed that this is a necessary change and would like to have this introduced. This ordinance will be brought for introduction February 19, 2019.

SUBCOMMITTEE REPORTS

Councilmember Stults stated that the Municipal Facilities Subcommittee will be meeting with the architect next week for a kick off meeting.

Council President Misiura stated that the Streets and Sidewalks Subcommittee will be meeting on February 21st.

Councilmember Bluth stated that herself and Councilmember Musing will be doing interviews this week for the Affordable Housing Administrator.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Jackson

Parks and Rec will be having their reorg and planning meeting later this month

Councilmember Bluth

Cultural Arts Commission will again be holding Empty Bowls on March 23rd at the Peddie School.

Councilmember Stults

Downtown Hightstown had their first kick off meeting last week to lay out the event calendar for the year. There will be a restaurant week in March. Details will be forthcoming.

Chief Gendron stated The East Windsor Police Department recognized Sgt. Stephensen and Officer Doell for apprehending an armed robbery suspect and for a lifesaving overdose that happened on the border on Town Center Road.

Councilmember Musing

Stated that he is excited about everything that is happening in Hightstown. HPC will be meeting next week and will be welcoming in two new members. Thanked the Environmental Commission for their presentation.

Councilmember Egan

Board of Health will be meeting next week.

Council President Misiura

Will schedule a meeting with the new First Aid Captain. Stated that he has heard from several residents that they really like the new parking signs. Asked about the lease for parking spaces in the Wells Fargo Parking Lot.

Borough Clerk/Administrator, Debra Sopronyi

Informed Council that we received a final payment request from Earle for Ward Street but that DPW requested that we hold the final payment until the superintendent checks in on a resident complaint regarding the project. April 7 – April 13 is Municipal Government Week. She would like to highlight all departments and businesses in town. She will keep Council up to date with details as we get closer. 12 Farms will be celebrating its 4th Anniversary on February 27th. She had requested an additional \$34,000 for the grant for the walking bridge. She just received notice today that we did in fact receive the additional funds. Public Works has been working on several watermain breaks over the last few days.

Deputy Clerk, Peggy Riggio

Dog License renewals are now overdue. As of February 1st there is a \$5 late fee to reregister your dogs.

Borough Attorney, Fred Raffetto

The Architect agreement for the Municipal Facilities has been signed.

Mayor Quattrone

Asked Council to think about their goals for the year to discuss at the next meeting.

ADJOURNMENT

Councilmember Stults moved to adjourn at 10:09 p.m.; Councilmember Jackson seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk

ORDINANCE 2019-02

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING SUBSECTION 25-10, ENTITLED “MAINTENANCE AND REPAIR,” OF SECTION 25, “STORMWATER CONTROL,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”

WHEREAS, the Borough of Hightstown (the “Borough”) maintains an MS4 New Jersey Pollutant Discharge Elimination System (NJPDES) Stormwater Permit (the “Stormwater Permit”); and

WHEREAS, the Stormwater Permit must remain in compliance each year; and

WHEREAS, as of January 1, 2018, the New Jersey Department of Environmental Protection (the “NJDEP”) updated and issued new requirements that the Borough must adhere to in order to comply with the Annual Permit Recertification; and

WHEREAS, the Borough is required to develop, update, implement, and enforce a program to ensure adequate long-term cleaning, operation, and maintenance of stormwater facilities not owned or operated by the Borough; and

WHEREAS, at the recommendation of the Borough Engineer, and in order to remain in compliance with the Stormwater Permit, the Hightstown Borough Council has agreed to modify the existing language of certain provisions currently contained within the Borough Code.

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

Section 1. Subsection 25-10, entitled “Maintenance and Repair,” of Section 25 “Stormwater Control,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in the following respects (additions are shown with underline, deletions are shown with ~~strikeout~~):

Section 25 STORMWATER CONTROL

25-10. Maintenance and Repair

A. Applicability

1. Projects subject to review as in Section 1.C of this ordinance shall comply with the requirements of Sections 10.B and 10.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
3. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
4. If the person responsible for maintenance identified under Section 10.B.2 above is not a public agency, the maintenance plan and any future revisions based on Section 10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
5. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
6. The person responsible for maintenance identified under Section 10.B.2 above shall maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related workorders.
7. The person responsible for maintenance identified under Section 10.B.2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.

8. The person responsible for maintenance identified under Section 10.B.2 above shall retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Sections 10.B.6 and 10.B.7 above.
9. The requirements of Sections 10.B.3 and 10.B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the Borough.
10. For all stormwater management facilities not dedicated to the Borough, a two-year maintenance guarantee for maintenance and repair of the stormwater management facility shall be submitted to the Borough in accordance with N.J.S.A. 40:55D-53. The maintenance guarantee shall be in addition to the submission of performance and maintenance guarantees required for subdivisions and site plans.
11. The owner of a private stormwater facility is required to inspect the facility after each major storm event and perform any maintenance and/or repairs that may be required, in addition to routine mowing and removal and disposal of accumulated debris from the facility. The owner shall file a report with the Borough annually which provides its inspection dates (which shall be performed quarterly), and any action(s) taken to rectify any condition(s) found. The Borough shall inspect the facility once per year at the cost of \$100.00 to the property owner. ~~_, which cost shall be based upon the actual costs incurred by the Borough in performing the inspection.~~ The Borough shall also maintain a log and map to demonstrate compliance with maintenance requirements and shall document any actions taken by the Borough to enforce compliance. If inspection reveals that maintenance has not been maintained by the owner of the stormwater facility, then the Borough Official will issue an order to correct the deficiency within 30 days. If the deficiency is not corrected within 30 days, the Borough will correct the deficiency and recover the cost under the Property Maintenance Section of the Borough Code (Section 14-12). The Borough, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause as approved by the Borough Engineer or his/her designee.

C. Nothing in this section shall preclude the Borough in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D—53.

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

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

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance

actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Ordinance 2019-03

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2,
ENTITLED “ADMINISTRATION”, SECTION 2-19, ENTITLED “POLICE
DEPARTMENT”, SUBSECTION 2-19.10 ENTITLED “QUALIFICATIONS FOR
POLICE OFFICERS” OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HIGHTSTOWN, NEW JERSEY**

WHEREAS, the Hightstown Police Department desires to amend the qualifications for the hiring of new officers; and

WHEREAS, the Mayor and Borough Council find this change would be advantageous for the hiring process.

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

Section 1. That Chapter 2, entitled “Administration”, Section 2-19, entitled “Police Department”, Subsection 2-19.10, entitled “Qualifications for Police Officers”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Subsection 2-19.10 Qualifications for Police Officers.

No person shall be appointed as a regular or permanent member of the Police Department unless that person is qualified in accordance with the requirements of N.J.S.A. 40A:14-122 and the age requirements set forth in N.J.S.A. 40A:14-127 et seq. In particular, no person shall be eligible or qualified to be appointed as a regular or permanent police officer unless, at the time of his/her appointment:

- a. She/he shall be a citizen of the United States and resident of the State of New Jersey.
- b. She/he shall not be less than eighteen (18) years of age and shall be sound in body and of good health sufficient to satisfy the Board of Trustees of the Police and Firemen's Retirement System of New Jersey as to her/his eligibility for membership in the retirement system. Age shall not be considered in the promotion of any officer to a higher rank.
- c. She/he shall demonstrate the ability to read and write the English language intelligently.
- d. She/he is of good moral character and shall not have been convicted of a crime or disorderly persons offense that, in the judgment of the Borough Council, would be prejudicial to the morale or the reputation of the Police Department.
- e. She/he must successfully pass the required physical fitness examination, drug and alcohol screening, psychological examination administered by a physician or laboratory of the Borough's choosing and be a successful graduate of a certified police academy as she/he may be assigned by the Borough. Any drug screening, psychological or medical examination or physical fitness examination shall be conducted after a conditional offer of employment or promotion has been made by the Borough.
- f. She/he is a holder of a valid New Jersey driver's license.

g. She/he ~~has a minimum of an associate's degree~~ must have an associate's degree or 60 college credits from an accredited college or university PLUS at least 24 months of satisfactory employment or military experience.

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

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

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Ordinance 2019-04

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

ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY APPROPRIATING \$198,791 EXPECTED TO BE RECEIVED AS A GRANT FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION ALTERNATIVES PROGRAM TO SUPPLEMENT THE \$210,000 APPROPRIATED BY BOND ORDINANCE #2013-07, FINALLY ADOPTED APRIL 1, 2013 AND THE \$331,000 APPROPRIATED BY BOND ORDINANCE #2015-14, FINALLY ADOPTED AUGUST 17, 2015 OF THE BOROUGH FOR IMPROVEMENTS TO THE PEDDIE LAKE DAM WALKING BRIDGE.

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

Section 1. The sum of \$198,791, expected to be received as a grant from the State of New Jersey Department of Transportation Alternatives Program, is hereby appropriated to supplement the \$210,000 previously appropriated in bond ordinance #2013-07 of the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough"), finally adopted April 1, 2013 ("Bond Ordinance #2013-07") and the \$331,000 previously appropriated in bond ordinance #2015-14 of the Borough, finally adopted August 17, 2015 ("Bond Ordinance #2015-14" and, together with Bond Ordinance #2013-07, the "Original Bond Ordinances") for improvements to the Peddie Lake Dam walking bridge, including all work and materials necessary therefor and incidental thereto, as more fully described in the Original Bond Ordinances.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the

extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect as provided by the law.

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Resolution 2019-52

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING PAYMENT OF BILLS

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$938,094.12 from the following accounts:

Current		\$772,833.76
W/S Operating		144,440.53
General Capital		18,303.58
Water/Sewer Capital		1,650.00
Grant		120.00
Trust		0.00
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>746.25</u>
Total		<u>\$938,094.12</u>

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on February 19, 2019.

Debra L. Sopronyi
Borough Clerk

Date: February 19, 2017

To: Mayor and Council

From: Finance Office

Re: Manual Bill List

CURRENT ACCOUNT

	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
East Windsor Regional School District	1/14/2019	19-00002	1424 \$	686,832.00
TOTAL				<u>\$686,832.00</u>

WATER/SEWER ACCOUNT

State of NJ PWT	1/15/2019	19-00035	29009 \$	478.70
NJ Dept of Transportation	1/23/2019	19-00088	29010 \$	725.00
Kevin Kappock	1/25/2019	19-00093	29041 \$	204.30
Treasurer State of New Jersey	2/6/2019	19-00036	29106 \$	50.00
TOTAL				<u>\$ 1,458.00</u>

GENERAL CAPITAL

Mercer County Soil Conservation	1/28/2019	19-00096	6305 \$	985.00
Remington & Vernick Engineers	2/11/2019	19-00184	6308 \$	819.38
TOTAL				<u>\$ 1,804.38</u>

MANUAL TOTAL

\$ 690,094.38

P.O. Type: All		Include Project Line Items: Yes		Open: N	Paid: N	Void: N			
Range: First		to Last		Rcvd: Y	Held: Y	Aprv: N			
Format: Detail without Line Item Notes				Bid: Y	State: Y	Other: Y	Exempt: Y		
Vendor # Name									
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void	1099
Item Description		Amount	Charge Account	Acct Type Description		Stat/Chk	Enc Date	Date	Invoice
AGFAR005 A.G. FARMS									
18-01391	09/24/18	2018 LEAF DISPOSAL							
1	2018 LEAF DISPOSAL	9,600.00	8-01-26-311-001-166	B LEAF DISPOSAL		R	09/24/18	02/13/19	000010 1/28/19 N
Vendor Total:		9,600.00							
A1012 APPLIED ANALYTICS, INC.									
18-01752	11/26/18	QUOTE #KZ110718							
1	PART #D3010-166A ABB	350.00	8-09-55-501-002-535	B Chemicals Miscellaneous		R	11/26/18	02/14/19	N
Vendor Total:		350.00							
ATLAN005 ATLANTIC COAST POLYMERS, INC									
19-00043	01/16/19	POLYLIFT 500 POLYMER							
1	POLYLIFT 500 POLYMER REMOVER	325.00	9-09-55-501-002-535	B Chemicals Miscellaneous		R	01/16/19	02/13/19	N
2	FREIGHT	14.03	9-09-55-501-002-535	B Chemicals Miscellaneous		R	02/04/19	02/13/19	24781 N
		339.03							
Vendor Total:		339.03							
C0067 CENTRAL JERSEY POWER									
19-00141	01/30/19	SERVICE ON BLOWER BACKPACK							
1	INV. 154256	44.25	9-01-28-369-001-140	B Landscape Maintenance		R	01/30/19	02/13/19	154256 N
Vendor Total:		44.25							
CGPH0005 CGP&H									
19-00181	02/08/19	INV 35429 DATED 1/31/19							
1	INV 35429 DATED 1/31/19	1,859.00	9-01-20-136-001-028	B Grant Writing/Administration		R	02/08/19	02/13/19	1/31/19 35429 N
Vendor Total:		1,859.00							

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type				First	Rcvd	Chk/Void	1099
Item Description			Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Exc1
C0058 CINTAS CORPORATION #061											
18-01435	10/01/18	GLOVES- PLANT SUPPLY									
1 ITEM #7705PFT SHOWA N-DEX			115.00	8-09-55-501-002-503	B Sewer Plant Maintenance	R	10/01/18	02/13/19		061737786	N
18-01988	12/31/18	MEDIUM NITRILE GLOVES									
1 MEDIUM NITRILE GLOVES (BLACK)			65.00	8-09-55-501-002-503	B Sewer Plant Maintenance	R	12/31/18	02/14/19			N
19-00039	01/16/19	SMALL-MICRO FLEX NITRA TOUCH									
1 SMALL- MICRO FLEX NITRA TOUCH			115.00	9-09-55-501-002-503	B Sewer Plant Maintenance	R	01/16/19	02/14/19			N
19-00090	01/24/19	BLACK NITRILE GLOVES XL									
1 BLACK NITRILE GLOVES XL			390.00	9-09-55-501-002-503	B Sewer Plant Maintenance	R	01/24/19	02/13/19			N
19-00202	02/13/19	UNIFORM BLANKET		B							
2 061788663 DATED 1/04/19			133.87	9-09-55-501-002-507	B Uniforms & Safety Equipment	R	02/13/19	02/14/19		061788663	N
3 INV 061792801 DATED 1/11/19			119.81	9-09-55-501-002-507	B Uniforms & Safety Equipment	R	02/13/19	02/14/19		061792801	N
4 INV 061797036 DATED 1/18/19			241.04	9-09-55-501-002-507	B Uniforms & Safety Equipment	R	02/13/19	02/14/19		061797036	N
5 INV 061801218 DATED 1/25/19			154.89	9-09-55-501-002-507	B Uniforms & Safety Equipment	R	02/13/19	02/14/19		061801218	N
			649.61								
Vendor Total:			1,334.61								
COMCA005 COMCAST BUSINESS											
19-00191	02/12/19	8499052430036659 156 BANK ST									
1 8499052430036659 156 BANK ST			221.85	9-01-20-140-001-060	B Internet Services and Web Services	R	02/12/19	02/13/19		499052430036659	N
Vendor Total:			221.85								
C0222 CONTINENTAL FIRE & SAFETY, INC.											
19-00132	01/29/19	INV H5054 AIR HOSE-RESCUETRUCK									
1 INV H5054 AIR HOSE-RESCUETRUCK			170.00	8-01-25-252-002-056	B Fire & Other Safety Equipment	R	01/29/19	02/13/19		H5054	N
Vendor Total:			170.00								

Vendor # Name												1099
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void			1099	
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Exc	
C0133 CREATIVE PRODUCT SOURCING, INC												
19-00149	01/31/19	INV 120099 PENCIL SHARPENERS										
1	INV 120099	PENCIL SHARPENERS	70.00	9-01-25-240-001-113	B D.A.R.E.	R	01/31/19	02/13/19		120099	N	
Vendor Total:		70.00										
C0931 Creston Hydraulics, Inc.												
18-01939	12/17/18	PICKUP TRUCK TAILGATE										
1	QUOTE 281520	- LIFTGATE/LABOR	3,085.00	8-01-26-311-001-034	B Equipment Parts & Accessories	R	12/17/18	02/13/19		281520	N	
Vendor Total:		3,085.00										
C0087 CUSTOM BANDAG, INC												
19-00140	01/30/19	TIRE REPLACEMENT										
1	INV. 80146210	- TIRE REPLACE	280.66	9-01-26-315-001-132	B Vehicle Maint. - Public Works	R	01/30/19	02/13/19		80146210	N	
2	INV. 80146210	- TIRE RECYCLING	10.00	9-01-26-311-001-199	B Miscellaneous	R	01/30/19	02/13/19		80146210	N	
		290.66										
Vendor Total:		290.66										
C0088 CUSTOM ENVIRONMENTAL TECH, INC												
19-00066	01/18/19	RES 2018-219 ZETA LYTE 2800 CH		B								
3	INV 5320	DATED 2/4/19	4,220.70	9-09-55-501-002-544	B Zeta Lyte 2800CH-Custom Envir.Tech, Inc.	R	01/18/19	02/13/19		5320	N	
Vendor Total:		4,220.70										
DRPUT005 DR PUTHENMADAM RADHAKRISHNAN												
19-00180	02/08/19	JANUARY&FEBRUARY HEALTH CLINIC										
1	JANUARY&FEBRUARY	HEALTH CLINIC	700.38	9-01-27-330-001-031	B Contract-Professional Serv.(B)	R	02/08/19	02/13/19		JAN/FEB CLINIC	N	
Vendor Total:		700.38										
DRAEG005 DRAEGER, INC.												
19-00220	02/13/19	CASE SIMULATOR SOLUTION										
1	CASE SIMULATOR	SOLUTION	120.00	G-02-41-729-006-315	B DRUNK DRIVING ENFORCEMENT FUND 2015	R	02/13/19	02/14/19		5950277000	N	
Vendor Total:		120.00										

Vendor # Name											1099
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void			Exc
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	
E0024 EARLE ASPHALT COMPANY											
19-00143	01/30/19	REPLACE DAMAGED MANHOLE									
1	REPLACE DAMAGED MANHOLE	5,200.00	9-09-55-501-002-529	B Sewer Main Repair/Supplies	R	01/30/19	02/13/19				N
Vendor Total:		5,200.00									
E0417 ENVIRONMENTAL EXPRESS											
19-00116	01/28/19	QUOTE #10485578-A									
1	LC148457 GLUCOSE-GLUTAMIC ACID	129.00	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/28/19	02/14/19			1000541762	N
2	B0015 COD DIGESTION VIALS HG	122.32	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/28/19	02/14/19			1000541437	N
3	FREIGHT ESTIMATE	24.78	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/28/19	02/14/19			10005411762	N
		276.10									
Vendor Total:		276.10									
B0966 ERB'S GARAGE INC											
18-01845	12/07/18	SERVICE ON GARBAGE TRUCKS									
1	SERVICE ON GARBAGE TRUCKS	4,364.30	8-01-26-315-001-132	B Vehicle Maint. - Public Works	R	12/07/18	02/13/19			12560,61,83	N
Vendor Total:		4,364.30									
E0054 ERIC M. BERNSTEIN & ASSOC.,LLC											
19-00182	02/08/19	INV 57316,57317,57318,57319									
1	INV 57316	189.00	9-01-20-155-001-031	B Labor,Personnel & Union Council	R	02/08/19	02/13/19			53716	N
2	INV 57317	108.00	9-01-20-155-001-031	B Labor,Personnel & Union Council	R	02/08/19	02/13/19			53717	N
3	INV 57318	459.00	9-01-20-155-001-031	B Labor,Personnel & Union Council	R	02/08/19	02/13/19			53718	N
4	INV 57319	135.00	9-01-20-155-001-031	B Labor,Personnel & Union Council	R	02/08/19	02/13/19			53719	N
		891.00									
Vendor Total:		891.00									
G0338 GALETON GLOVES											
19-00153	02/04/19	GLOVES									
1	ITEM #6600 GLOVES XL	18.95	9-09-55-501-002-503	B Sewer Plant Maintenance	R	02/04/19	02/14/19				N
2	ITEM #9120045 4.5 MAX GLOVES	112.50	9-09-55-501-002-503	B Sewer Plant Maintenance	R	02/04/19	02/14/19			2471552	N

Vendor # Name										
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
G0338 GALETON GLOVES Continued										
19-00153 02/04/19 GLOVES			Continued							
3 ITEM #6600 GLOVES L		18.95	9-09-55-501-002-503	B Sewer Plant Maintenance	R	02/04/19	02/14/19			N
		150.40								
Vendor Total:		150.40								
GARYR010 GARY R BANKS INDUSTRIAL GROUP										
18-01902 12/12/18 GUNITE INJECTION AND REPAIR										
1 ESTIMATE DATED 11/29/18		5,910.00	8-09-55-501-002-503	B Sewer Plant Maintenance	R	12/12/18	02/13/19			N
2 ESTIMATE DATED 11/27/18		24,108.00	8-09-55-501-002-503	B Sewer Plant Maintenance	R	12/12/18	02/13/19			N
		30,018.00								
19-00060 01/16/19 SECONDARY DIGESTER TANK 1										
1 SECONDARY DIGESTER TANK 1		4,710.00	9-09-55-501-002-503	B Sewer Plant Maintenance	R	01/16/19	02/13/19			N
Vendor Total:		34,728.00								
G0171 GEORGE E. CONLEY ELECTRIC										
19-00133 01/30/19 ELECTRICAL WORK										
1 INV. 24139 - REWIRE STREET		440.00	9-01-31-435-001-075	B Street Lighting	R	01/30/19	02/13/19		24139	N
2 INV. 24139 - REPLACE		1,010.00	9-09-55-501-001-503	B Water Plant Maintenance	R	01/30/19	02/13/19		24139	N
		1,450.00								
Vendor Total:		1,450.00								
G1077 GEORGE S. COYNE CO., INC.										
19-00128 01/29/19 RES 2018-224 SODIUM BICARBONAT			B							
2 INV 305728 DATED 1/23/19		1,150.33	9-09-55-501-002-552	B Sodium Bicarbonate	R	01/29/19	02/13/19		305728	N
3 inv 305728 1/23/19		1,150.33	9-09-55-501-002-552	B Sodium Bicarbonate	R	01/29/19	02/13/19		305728	N
		2,300.66								
Vendor Total:		2,300.66								

Vendor # Name										
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description	Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice		Exc1
G0115 GILMARTIN, ROBERT D.										
19-00222 02/14/19 JAN 7 FEB BOH MEETINGS										
1 JAN 7 FEB BOH MEETINGS	197.40	9-01-27-330-001-039	B Recording Secty.	R	02/14/19	02/14/19		JAN/FEB BOH		N
Vendor Total:	197.40									
G0050 GROVE SUPPLY INC										
18-01637 10/30/18 OCT 2018 INVOICES										
1 INV. S4852041 - AIR VALVE	4.05	8-01-26-290-001-127	B Street Repair & Maintenance	R	10/30/18	02/13/19		S4852041		N
2 INV. S4852827 - HOSE ADAPTERS	27.52	8-09-55-501-001-503	B Water Plant Maintenance	R	10/30/18	02/13/19		S4852827		N
3 INV. S4857471 - SWIVEL CONNECT	16.82	8-09-55-501-001-503	B Water Plant Maintenance	R	10/30/18	02/13/19		S4857471		N
	48.39									
19-00135 01/30/19 COUPLINGS/PIPES										
1 INV. S4907270 - COUPLING	18.98	9-09-55-501-001-535	B Hydrants and Line Repair	R	01/30/19	02/13/19		S4907270		N
2 INV. S4913267 - PIPE/FITTINGS	142.63	9-09-55-501-001-535	B Hydrants and Line Repair	R	01/30/19	02/13/19		S4913267		N
	161.61									
19-00144 01/30/19 INVOICE #S4913210.001										
1 ITEM #22389 4 PVC DWV TWO WAY	20.95	9-09-55-501-002-503	B Sewer Plant Maintenance	R	01/30/19	02/13/19		S4913210.001		N
2 ITEM #6560 4 PVC DWV FEMALE	5.44	9-09-55-501-002-503	B Sewer Plant Maintenance	R	01/30/19	02/13/19		S4913210		N
3 ITEM #4IN C/S BRASS C/O PLUG	10.51	9-09-55-501-002-503	B Sewer Plant Maintenance	R	01/30/19	02/13/19		S4913210		N
	36.90									
Vendor Total:	246.90									
H 85 HACH CO.										
19-00038 01/16/19 QUOTE #100412451v1										
1 ITEM #81842 HYDROXYLAMINE	16.81	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
2 ITEM #204253 FERRIC CHLORIDE	25.67	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
3 ITEM #204053 SODIUM HYDROXIDE	25.27	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
4 ITEM #244953 SULFURIC ACID	21.16	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
5 ITEM #4447169 AMMONIA IONIC	172.80	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
6 ITEM #2109210 PHOSPHORUS 25MGL	57.03	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
7 ITEM #245053 SODIUM HYDROXIDE	24.98	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
8 ITEM #203953 ETHYLENE GLYCOL	38.56	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099	
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
H 85 HACH CO. Continued											
19-00038 01/16/19 QUOTE #100412451V1 Continued											
9	ITEM #2635300 SPEC COLOR	160.72	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
		543.00									
19-00041 01/16/19 QUOTE #100409884V1											
1	ITEM #204253 FERRIC CHLORIDE	25.67	9-09-55-501-002-506	B Lab. Equipment & Supplies	R	01/16/19	02/14/19				N
	Vendor Total:	568.67									
H0276 HARTER EQUIPMENT, INC.											
18-01991 12/31/18 INVOICE #004212											
1	KUBOTA LOADER SEAT ASSEMBLY	2,263.43	8-09-55-501-002-502	B Vehicle Maintenance	R	12/31/18	02/13/19		004212		N
	Vendor Total:	2,263.43									
J0257 JCP&L											
19-00188 02/12/19 MASTER ACCT 200000055364 1/25											
1	100008438010 125 S MAIN ST	15.81	8-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100008438010		N
2	100008438283 MAIN/STOCKTON	28.21	8-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100008438283		N
3	100008482018 RT 33/MAXWELL	26.68	8-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100008482018		N
4	FRANKLIN/N MAIN 100010898904	30.32	8-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100010898904		N
5	148 N MAIN	639.69	8-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100012487714		N
6	140 N MAIN FIREHOUSE	863.67	8-01-31-430-001-072	B Electric-Fire House	R	02/12/19	02/13/19		100012487862		N
7	174 OAK EQUIP OUTLET	90.56	8-09-55-501-002-504	B Electricity	R	02/12/19	02/13/19		100012529457		N
		1,694.94									
19-00189 02/12/19 VARIOUS ACCOUNTS											
1	VARIOUS ACCOUNTS	867.40	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100029000310		N
2	100079096689	3.72	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100079096689		N
3	100100104247	36.91	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100100104247		N
4	100068401122	31.65	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100068401122		N
5	100059701167	25.96	9-09-55-501-001-504	B Electricity	R	02/12/19	02/13/19		100059701167		N
6	100077953188	3.21	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100077953188		N
7	100072968868	86.77	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100072968868		N
8	100131110379	49.46	9-01-31-430-001-071	B Electric-Borough Hall	R	02/12/19	02/13/19		100131110379		N
		1,105.08									

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099	
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
MCCDC005 MCCD&CA-ATTN M. HELMUTH, TREAS											
19-00071	01/18/19	ANNUAL SPRING CONFERENCE 4/26									
1	ANNUAL SPRING CONFERENCE 4/26	55.00	9-01-20-176-000-041		B Conference and Meetings	R	01/18/19	02/13/19		4/26 CONFERENCE N	
Vendor Total:		55.00									
M0180 MCMaster-CARR											
19-00169	02/04/19	MATS & NOZZLE									
1	ITEM #6484T15 NOZZLES PG #303	55.36	9-09-55-501-002-503		B Sewer Plant Maintenance	R	02/04/19	02/14/19			N
2	ITEM #62315T72 BROWN MATS	108.00	9-09-55-501-002-503		B Sewer Plant Maintenance	R	02/04/19	02/14/19			N
3	SHIPPING	12.49	9-09-55-501-002-503		B Sewer Plant Maintenance	R	02/14/19	02/14/19		85999022	N
		175.85									
Vendor Total:		175.85									
M0664 MERCER COUNTY CHIEF'S ASSOC.											
19-00098	01/28/19	ANNUAL MEMBERSHIP 2019									
1	ANNUAL MEMBERSHIP 2019	275.00	9-01-25-240-001-044		B Professional Assoc. Dues	R	01/28/19	02/13/19			N
Vendor Total:		275.00									
M0248 MIDSTATE MOBILE											
19-00017	01/15/19	QUOTE 01142019JB2 1/14/19									
1	10 RLN5707A NIMH BATTERIES	215.00	9-01-25-252-002-036		B Office Supplies	R	01/15/19	02/13/19			N
Vendor Total:		215.00									
M0254 MOBILE VISION L-3COMMUNICATION											
19-00073	01/22/19	ACCESSORIES FOR NEW CAR									
1	CABLE KIT	175.50	C-04-55-884-001-444		B SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	01/22/19	02/13/19			N
2	INTERFACE	180.00	C-04-55-884-001-444		B SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	01/22/19	02/13/19			N
3	BACKUP BATTERY/CRASH SENSOR	178.20	C-04-55-884-001-444		B SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	01/22/19	02/13/19			N
		533.70									
Vendor Total:		533.70									

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099	
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
N0169 NEW JERSEY WATER ASSOCIATION											
19-00049	01/16/19	2019 SYSTEM DUES									
1 INV.	7139 - 2019 SYSTEM DUES	395.00	9-09-55-501-001-519	B	Professional Assoc. Dues	R	01/16/19	02/13/19		7139	N
Vendor Total:		395.00									
NJADV005 NJ Advance Media											
19-00164	02/04/19	LEGAL ADS 1/19-1/25/19									
1	PLANNING BOARD	26.68	9-01-21-180-001-021	B	Advertisements	R	02/04/19	02/13/19		0008990677	N
2	PLANNING BOARD	15.08	9-01-21-180-001-021	B	Advertisements	R	02/04/19	02/13/19		0008990670	N
3	PLANNING BOARD	25.52	9-01-21-180-001-021	B	Advertisements	R	02/04/19	02/13/19		0008990663	N
4	ORD 2019-01 INTRO	31.32	9-01-20-120-001-021	B	Advertisements	R	02/04/19	02/13/19		0008998588	N
		98.60									
19-00177	02/08/19	LEGAL ADS 1/29/19									
1	AMENDING COUNCIL CALENDAR	35.96	9-01-20-120-001-021	B	Advertisements	R	02/08/19	02/13/19		0009000698	N
Vendor Total:		134.56									
N0100 NJ POLICE TRAFFIC OFFICERS											
19-00099	01/28/19	ANNUAL MEMBERSHIP 2019									
1	ANNUAL MEMBERSHIP 2019	50.00	9-01-25-240-001-044	B	Professional Assoc. Dues	R	01/28/19	02/13/19			N
Vendor Total:		50.00									
N1115 NJ SHADE TREE FEDERATION											
19-00130	01/29/19	2019 MUNICIPAL MEMBERSHIP									
1	2019 MUNICIPAL MEMBERSHIP	95.00	9-01-27-335-001-044	B	Professional Assoc. Dues	R	01/29/19	02/13/19			N
Vendor Total:		95.00									
N0652 NJ STATE POLICE CHIEF ASSN											
19-00100	01/28/19	ANNUAL MEMBERSHIP 2019									
1	ANNUAL MEMBERSHIP 2019	275.00	9-01-25-240-001-044	B	Professional Assoc. Dues	R	01/28/19	02/13/19			N
Vendor Total:		275.00									

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
N0170	NORCIA CORP.														
19-00161	02/04/19	CYLINDER REPAIR													
1 INV.	77106	- CYLINDER REPAIR	640.00	9-01-26-315-001-132		B Vehicle Maint. - Public Works	R	02/04/19	02/13/19				77106		
Vendor Total:			640.00												
N0021	NORTHERN TOOL & EQUIPMENT CO.														
18-01578	10/18/18	THERMOSTAT/ NATURAL GAS													
1 #27457-2951	NATURAL GAS HEATER	348.99	8-09-55-501-002-503		B Sewer Plant Maintenance	R	10/18/18	02/13/19					41293191/146018		N
2 #173641-2951	THERMOSTAT	34.99	8-09-55-501-002-503		B Sewer Plant Maintenance	R	10/18/18	02/13/19							N
3 MEMBERSHIP RENEWAL		39.99	8-09-55-501-002-503		B Sewer Plant Maintenance	R	01/31/19	02/13/19					41722025/146018		N
			423.97												
Vendor Total:			423.97												
00080	OLD DOMINION BRUSH CO.														
18-01987	12/31/18	PTO ASSEMBLY FOR LEAF MACHINE													
1 PART #OD41500252		1,298.99	8-01-26-311-001-034		B Equipment Parts & Accessories	R	12/31/18	02/13/19							N
2 SPARE SHAFT TO REBUILT OLD ONE		822.06	8-01-26-311-001-034		B Equipment Parts & Accessories	R	12/31/18	02/13/19							N
			2,121.05												
Vendor Total:			2,121.05												
00050	ONE CALL CONCEPT INC														
18-01887	12/12/18	NOV 2018 MARK OUT REQUESTS													
1 INV.	8115086		23.75	8-09-55-501-001-535		B Hydrants and Line Repair	R	12/12/18	02/13/19				8115086		N
Vendor Total:			23.75												
PINEE005	PINE ENVIRONMENTAL SVCS., LLC														
18-01978	12/28/18	CONFINED SPACE KIT 1 & 2 & GAS													
1 CONFINED SPACE KIT 1 & 2 & GAS		1,986.62	8-01-25-256-002-048		B FIRE PREVENTION	R	12/28/18	02/13/19							N
Vendor Total:			1,986.62												

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099	
Item Description			Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
R0525 REGISTRARS ASSOC OF NJ											
19-00107	01/28/19	MEMBERSHIP 2019									
1	MEMBERSHIP 2019		25.00	9-01-20-120-001-044	B Professional Assoc. Dues	R	01/28/19	02/13/19		3702	N
2	MEMBERSHIP 2019		25.00	9-01-20-120-001-044	B Professional Assoc. Dues	R	01/28/19	02/13/19		3777	N
			50.00								
Vendor Total:			50.00								
REPUB005 REPUBLIC SERVICES											
19-00148	01/31/19	BLANKET PO - DUMPSTERS		B							
2	INV 0689-002840451	1/12/19	3,076.79	9-01-26-305-001-029	B Contract-Republic Services, NJ-Dumpsters	R	01/31/19	02/13/19		0689002840451	N
Vendor Total:			3,076.79								
R0077 ROBERTS ENGINEERING GRP LLC											
13-01450	08/08/13	PEDDIE LAKE WALKING BRIDGE		B							
11	INV 2351	DATED 1/31/19	165.00	C-04-55-868-001-447	B PEDDIE LAKE DAM WALKING BRIDGE SOFT COST	R	08/08/13	02/13/19		2351	N
19-00183	02/11/19	#15905, 6/22/2017/final invoic									
1	Site inspection and ltr for CO		746.25	BAR1307I	P BARON INSPECTION FEES	R	02/11/19	02/13/19		#15905	N
19-00192	02/12/19	INV 2350, 2352, 2360									
1	INV 2350,		66.00	9-01-20-165-001-105	B Peddie Lake Dam-Inspection	R	02/12/19	02/13/19		2350	N
2	2352		1,709.50	9-01-20-165-001-109	B Tax Map Maintenance/Zoning	R	02/12/19	02/13/19		2352	N
3	2360		295.00	9-01-21-180-001-199	B Miscellaneous	R	02/12/19	02/13/19		2360	N
			2,070.50								
19-00193	02/12/19	2353, 2354									
1	2353		1,671.00	9-09-55-501-001-508	B Engineer	R	02/12/19	02/13/19		2353	N
2	2354		660.00	9-09-55-501-002-508	B Engineer	R	02/12/19	02/13/19		2354	N
			2,331.00								
19-00194	02/12/19	INV 2355 DATED 1/31/19									
1	INV 2355	DATED 1/31/19	1,210.00	C-08-55-951-001-554	B WATER MAINS/SEWER IMP 1ST AVE SEC 20	R	02/12/19	02/13/19		2355	N
19-00195	02/12/19	INV 2356 STOCKTON ST WTR MAIN									
1	INV 2356	STOCKTON ST WTR MAIN	440.00	C-08-55-951-001-544	B WATER MAINS/SEWER STOCKTON/FORMAN SEC 20	R	02/12/19	02/13/19		2356	N

Vendor # Name												1099
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void			1099	
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Exc	
R0077 ROBERTS ENGINEERING GRP LLC Continued												
19-00196	02/12/19	INV 2357 WATER ASSET MGMT										
1	INV 2357 WATER ASSET MGMT	6,838.00	9-09-55-501-001-508	B	Engineer	R	02/12/19	02/13/19		2357	N	
19-00197	02/12/19	INV 2358 1ST AVE RECONSTRUCTN										
1	INV 2358 1ST AVE RECONSTRUCTN	490.00	C-04-55-880-001-449	B	FIRST AVENUE SEC 20 2017-09	R	02/12/19	02/13/19		2358	N	
19-00198	02/12/19	2359 LINCOLN,HAGEMOUNT,R.BROOK										
1	2359 LINCOLN,HAGEMOUNT,R.BROOK	12,329.00	C-04-55-885-000-447	B	LINCOLN, HAGEMOUNT, ROCKY BROOK SEC 20	R	02/12/19	02/13/19		2359	N	
Vendor Total:		26,619.75										
S0002 SAFETY KLEEN												
18-01884	12/12/18	INVOICE #78384352										
1	PART #23150 30G CYCLONIC	295.00	8-09-55-501-002-529	B	Sewer Main Repair/Supplies	R	12/12/18	02/14/19		78384352	N	
Vendor Total:		295.00										
S0746 SAMZIES UNIFORMS, INC												
18-01629	10/30/18	CLOTHING ALLOWANCE ABBATEMARCO										
1	CLOTHING ALLOWANCE ABBATEMARCO	849.02	8-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	10/30/18	02/13/19		111481	N	
18-01758	11/26/18	CLOTHING ALLOWANCE - MILLER										
1	CLOTHING ALLOWANCE - MILLER	846.78	8-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	11/26/18	02/13/19		111652	N	
19-00207	02/13/19	HAT EMBLEMS & CLOTH BADGES										
1	HAT EMBLEMS & CLOTH BADGES	350.00	8-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	02/13/19	02/14/19			N	
Vendor Total:		2,045.80										
S0061 SEA BOX												
19-00138	01/30/19	CONTAINER RENTAL										
1	INV. SI70562 CONTAINER RENTAL	75.00	8-01-26-310-001-025	B	Building Rental	R	01/30/19	02/13/19		SI70562	N	
Vendor Total:		75.00										

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099	
Item Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Exc	
W0156 SEARING, WILLIAM											
19-00145 01/30/19 REIMBURSEMENT											
1 PAINT BRUSHES FROM DOLLAR TREE	9.00	8-09-55-501-002-503	B	Sewer Plant Maintenance	R	01/30/19	02/13/19				N
19-00214 02/13/19 REIMBURSEMENT FOR LOG ME IN											
1 YEARLY SUBSCRIPTION PRO FOR	349.99	9-09-55-501-002-550	B	Scada Fees	R	02/13/19	02/14/19		08D68506		N
Vendor Total:	358.99										
S0087 SHERWIN WILLIAMS PAINT											
19-00081 01/23/19 PAINT FOR PLANT											
1 GALLON KEMBOND HIGH SOLIDS	38.99	9-09-55-501-002-503	B	Sewer Plant Maintenance	R	01/23/19	02/13/19				N
2 GALLON PRO INDUSTRIAL	210.58	9-09-55-501-002-503	B	Sewer Plant Maintenance	R	01/23/19	02/13/19				N
3 PRO INDUSTRIAL BLUE	103.10	9-09-55-501-002-503	B	Sewer Plant Maintenance	R	01/23/19	02/13/19				N
	352.67										
Vendor Total:	352.67										
SHERW010 SHERWIN WILLIAMS PAINT											
19-00136 01/30/19 MINERAL SPIRITS											
1 5 GALLONS OF MINERAL SPIRITS	525.00	9-09-55-501-002-503	B	Sewer Plant Maintenance	R	01/30/19	02/13/19				N
Vendor Total:	525.00										
S0256 STALKER RADAR											
18-01593 10/19/18 QUOTE 2014480 ANTENNA MOUNTS											
1 QUOTE 2014480 ANTENNA RADAR	2,795.00	C-04-55-884-001-444	B	SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	10/19/18	02/13/19				N
2 SUV DASH ANTENNA MOUNT KA BAND	71.00	C-04-55-884-001-444	B	SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	10/19/18	02/13/19				N
3 2015-2018 FI SUV REAR ANTENNA	43.00	C-04-55-884-001-444	B	SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	10/19/18	02/13/19				N
4 2015-2018 FORD SUV/SEDAN DASH	55.00	C-04-55-884-001-444	B	SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	10/19/18	02/13/19				N
5 SHIPPING AND HANDLING	17.50	C-04-55-884-001-444	B	SUV, REPEATER, RADAR, BREATHALYZER, TRAILER	R	10/19/18	02/13/19				N
	2,981.50										
Vendor Total:	2,981.50										
S1096 STAPLES BUSINESS ADVANTAGE											
19-00156 02/04/19 HPD OFFICE SUPPLIES											
1 HPD OFFICE SUPPLIES	8.59	9-01-25-240-001-036	B	Office Supplies & Equipment	R	02/04/19	02/13/19				N

Vendor # Name										
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
S1096 STAPLES BUSINESS ADVANTAGE Continued										
19-00156	02/04/19	HPD OFFICE SUPPLIES	Continued							
2		HPD OFFICE SUPPLIES	6.74	9-01-25-240-001-036	B Office Supplies & Equipment	R	02/04/19	02/13/19		N
3		HPD OFFICE SUPPLIES	19.99	9-01-25-240-001-036	B Office Supplies & Equipment	R	02/04/19	02/13/19		N
			35.32							
Vendor Total:			35.32							
STATE005 STATEWIDE INSURANCE FUND										
19-00225	02/14/19	PAYT #1 INSURANCE ASSESSMENTS								
1		CURRENT FUND GENERAL LIABILITY	10,813.50	9-01-23-210-003-112	B General Liability-JIF	R	02/14/19	02/14/19	19A33	N
2		CURRENT FUND WORKERS COMP	20,578.00	9-01-23-210-003-113	B Workers Compensation (JIF)	R	02/14/19	02/14/19	19A33	N
3		CURRENT FUND JIF WATER	7,083.25	9-09-55-501-001-515	B County Insurance - JIF	R	02/14/19	02/14/19	19A33	N
4		CURRENT FUND JIF SEWER	28,333.50	9-09-55-501-002-515	B County Insurance - JIF	R	02/14/19	02/14/19	19A33	N
			66,808.25							
Vendor Total:			66,808.25							
S0375 STEVENSON SUPPLY CO.										
19-00159	02/04/19	BRAIDED TUBING								
1		INV. 587940 - BRAIDED TUBING	29.38	9-09-55-501-001-503	B Water Plant Maintenance	R	02/04/19	02/13/19	587940	N
Vendor Total:			29.38							
BLOCK005 TELESYSTEM										
19-00186	02/11/19	FEBRUARY INVOICE								
1		FEBRUARY INVOICE	1,149.57	9-01-31-440-001-085	B Telephone-Block Line Systems, LLC LSI	R	02/11/19	02/13/19	77943190215	N
Vendor Total:			1,149.57							
U0144 UPS										
18-01140	08/08/18	#1Z161Y333996842265								
1		RETURNED ITEM ATTN:JOHN BELDON	52.51	8-09-55-501-002-503	B Sewer Plant Maintenance	R	08/08/18	02/13/19	161Y33	N
18-01957	12/20/18	SHIPPER #161Y33 CONTROL #1N58								
1		SHIPPER #161Y33 CONTROL #1N58	7.43	8-01-25-240-001-093	B Medical Exams/Hepatitis B Shot	R	12/20/18	02/13/19	161Y33/1N58	N

Vendor # Name											
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099	
Item Description			Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
U0144 UPS Continued											
19-00150	01/31/19	INV 161Y33049 #161Y33									
1 INV 161Y33049 #161Y33			18.44	9-01-30-421-001-022	B Postage & Express Charges	R	01/31/19	02/13/19		161Y33	N
Vendor Total:			78.38								
U0013 USA BLUE BOOK											
19-00166	02/04/19	REBUILDING KIT									
1 ITEM #76064 1 REBUILD KIT FOR			140.00	9-09-55-501-002-503	B Sewer Plant Maintenance	R	02/04/19	02/14/19			N
2 SHIPPING			17.59	9-09-55-501-002-503	B Sewer Plant Maintenance	R	02/04/19	02/14/19			N
			157.59								
Vendor Total:			157.59								
V0019 VERIZON											
19-00201	02/13/19	201Z029320239 1/15/19									
1 201Z029320239 1/15/19			85.78	9-09-55-501-003-545	B Telephone-W/S-VERIZON	R	02/13/19	02/13/19		201Z029320239	N
Vendor Total:			85.78								
V0021 VISUAL COMPUTER SOLUTIONS, INC											
19-00082	01/23/19	SAAS ANNUAL RENEWAL									
1 SAAS ANNUAL RENEWAL			1,805.00	9-01-25-240-001-029	B Maint. Contracts - Other	R	01/23/19	02/13/19			N
Vendor Total:			1,805.00								
V0290 VITAL COMMUNICATIONS INC.											
19-00151	02/04/19	INV V73447 FEBRUARY 2019 1/30									
1 INV V73447 FEBRUARY 2019 1/30			210.00	9-01-20-150-001-029	B Maintenance Contracts	R	02/04/19	02/13/19		V73447	N
Vendor Total:			210.00								
W0002 W.B. MASON CO., INC.											
19-00178	02/08/19	OFFICE SUPPLIES FEBRUARY 2019									
1 CENTRAL SUPPLIES			434.73	9-01-20-125-001-036	B Office Supplies	R	02/08/19	02/14/19			N
2 AWWTP SUPPLIES			157.05	9-09-55-501-002-509	B Office Supplies - Admin.	R	02/08/19	02/14/19			N

Total Purchase Orders: 99 Total P.O. Line Items: 177 Total List Amount: 247,999.74 Total Void Amount: 0.00

Totals by Year-Fund								
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total
CURRENT FUND	8-01	25,063.63	0.00	25,063.63	0.00	0.00	0.00	25,063.63
	8-09	53,056.76	0.00	53,056.76	0.00	0.00	0.00	53,056.76
Year Total:		78,120.39	0.00	78,120.39	0.00	0.00	0.00	78,120.39
CURRENT FUND	9-01	60,938.13	0.00	60,938.13	0.00	0.00	0.00	60,938.13
	9-09	89,925.77	0.00	89,925.77	0.00	0.00	0.00	89,925.77
	9-21	0.00	0.00	0.00	0.00	0.00	746.25	746.25
Year Total:		150,863.90	0.00	150,863.90	0.00	0.00	746.25	151,610.15
GENERAL CAPITAL	C-04	16,499.20	0.00	16,499.20	0.00	0.00	0.00	16,499.20
WATER/SEWER CAPITAL	C-08	1,650.00	0.00	1,650.00	0.00	0.00	0.00	1,650.00
Year Total:		18,149.20	0.00	18,149.20	0.00	0.00	0.00	18,149.20
	G-02	120.00	0.00	120.00	0.00	0.00	0.00	120.00
Total of All Funds:		247,253.49	0.00	247,253.49	0.00	0.00	746.25	247,999.74

Project Description	Project No.	Rcvd Total	Held Total	Project Total
BARON INSPECTION FEES	BAR1307I	746.25	0.00	746.25
Total of All Projects:		<u>746.25</u>	<u>0.00</u>	<u>746.25</u>

Resolution 2019-53

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

**AUTHORIZING THE EXECUTION OF AN AMENDMENT TO
AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT
OF TRANSPORTATION (NJDOT), FOR CONSTRUCTION OF
THE PEDDIE LAKE DAM WALKING BRIDGE
REPLACEMENT**

WHEREAS, On January 30, 2019, The Federal Highway Administration authorized additional funding of 34,126.00 for construction of the Peddie Lake Dam Walking Bridge Replacement; and

WHEREAS, The NJDOT has forwarded to Hightstown Borough, an amendment to the Federal Aid Agreement for said additional funding; and

WHEREAS, NJDOT is requesting Hightstown Borough to execute and attest to four (4) copies of said Agreement Amendment.

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

1. That the Mayor is hereby authorized to execute and the Municipal Clerk to attest the Agreement Amendment on behalf of the Borough.
2. That all relevant officials are authorized to undertake any actions necessary to effectuate and implement the said Agreement Amendment.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on February 19, 2019.

Debra L. Sopronyi
Borough Clerk



State of New Jersey
 DEPARTMENT OF TRANSPORTATION
 1035 Parkway Avenue
 MOB 3rd Floor
 Trenton, New Jersey 08625

RECEIVED

FEB 04 2019

MUNICIPAL CLERK'S OFFICE

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

SHEILA Y. OLIVER
Lt. Governor

January 30, 2019

Debra Sopronyi
 Borough Administrator, Borough of Hightstown
 156 Bank Street
 Hightstown, NJ 08520

Re.: **LETTER OF ADDITIONAL AUTHORIZATION**
 Peddie Lake Dam Walking Bridge Replacement
 Borough of Hightstown, Mercer County
 Federal Project No. TAP-C00S (917)
 NJDOT Job No. 6504305
FAP-2014-Hightstown Borough-02367

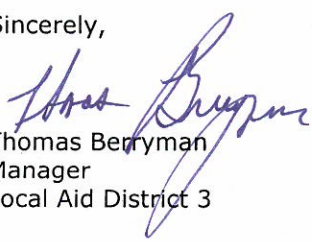
Dear Ms. Sopronyi:

On 01/25/2019, Federal Highway Administration authorized additional funding in the amount of \$34,126.00 for a total construction cost of \$408,576.00 and \$121,215.00 for construction inspection services, for the above captioned Federal Aid project in the Borough of Hightstown, Mercer County. Please return four (4) executed signed copies of the enclosed Modification No. 1 for its execution by the Department as soon as possible.

Additionally, the Borough's request for additional engineering inspection and contract administration fees cannot be granted as the scope of services have not increased warranting additional funds.

Should you have any questions regarding the above, please contact Kyle Skala at (732) 625-4283.

Sincerely,


 Thomas Berryman
 Manager
 Local Aid District 3

Enclosures
 Ref# 1571

NEW JERSEY DEPARTMENT OF TRANSPORTATION
LOCAL AID & ECONOMIC DEVELOPMENT
TRENTON, NEW JERSEY

AGREEMENT MODIFICATION

Contract ID: 18 70915

MODIFICATION NO.	1	FEDERAL PROJECT NO.	TAP-C00S (917)	DATE	January 30, 2019
PROJECT	Peddie Lake Dam Walking Bridge Replacement			FAP-2014-Hightstown Borough-02367	
LOCATION	Borough of Hightstown, Mercer County				
SPONSOR	Borough of Hightstown				
AGREEMENT DATE	7/10/2018	AGREEMENT NO.	18-DT-BLA-311		

IN ACCORDANCE WITH THE PROVISIONS OF THE ABOVE NOTED AGREEMENT, THE SPONSOR AND THE STATE AGREE TO THE CHANGES TO THE AGREEMENT AS FOLLOWS:

ARTICLE 6.1 (b)

2. The total cost of the project by the Recipient for completion of the Project Scope of Work in this Agreement shall not exceed \$495,665.00, with an approved budget as follows:

Federal Project No.	Project Sponsor	Contract	In-House	Total	Date Authorized	Date for Completion
TAP-C00S (917)	Borough of Hightstown	\$495,665.00 (\$374,450.00 Construction/ \$121,215.00 CE)	\$0.00	\$495,665.00	3/5/2018	3/5/2022

CHANGE TO:

ARTICLE 6.1 (b)

2. The total cost of the project by the Recipient for completion of the Project Scope of Work in this Agreement shall not exceed \$529,791.00, with an approved budget as follows:

Federal Project No.	Project Sponsor	Contract	In-House	Total	Date Authorized	Date for Completion
TAP-C00S (917)	Borough of Hightstown	\$529,791.00 (\$408,576.00 Construction/ \$121,215.00 CE)	\$0.00	\$529,791.00	3/5/2018 – Original 1/25/2019 - Revised	3/5/2022

Original Agreement Amount	\$495,665.00
Modified Agreement Amt. (Mod. Nos.)	n/a
This Modification Amount (No. 1)	\$34,126.00
Present Agreement Total Amt.	\$529,791.00
Original Agreement Compl. Date	3/5/2022
Revised Agreement Compl. Date	3/5/2022

ACCEPTED

(Sponsor) Date

RECOMMENDED

(Kyle Skala, Project Management Specialist 2
District 3, Local Aid) Date

(Thomas Berryman, Manager
District 3, Local Aid) Date

CERTIFICATION OF FUNDS

Director of Accounting and Auditing Date

FOR PROGRAM USE ONLY:

Document No.
Registration No.

CERTIFICATION ACCEPTANCE PROJECTS
This Mod. is approved for Federal participation

Laine Rankin, Director, Local Aid & Economic Development Date