

Agenda
Hightstown Borough Council

January 21, 2020

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

Executive Session	Resolution 2020-35	Authorizing a Meeting that Excludes the Public
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Personnel – Police Chief and DPW Superintendent

Approval of the Agenda

Minutes	December 16, 2019 – Executive Session December 16, 2019 – Public Session
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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.
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Resolutions	2020-36	Payment of Bills
	2020-37	Resolution of the Borough of Hightstown, in the County of Mercer, Designating a Conditional Redeveloper for Bloc 30, Lots 1-7, Block 30 Lots 10-13 and Block 21, Lots 1-13, 20 & 26 on the Tax Map of the Borough and Authorizing the Execution of an Interim Costs Agreement with Respect Thereto
	2020-38	Rescinding Resolution 2019-181
	2020-39	Authorizing an Agreement for Inspection and Contract Administration Services Associated with Improvements to Stockton Street & Joseph Street
	2020-40	Amending Resolution 2019-115
	2020-41	Authorizing Payment #5 and Change Order #1 – Reivax Contracting (Stockton Street Water Main 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

Vacancy for Housing Authority
Accessory Structure Ordinance

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

Resolution 2020-35

*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 January 21, 2020 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 – Police Chief, Superintendent of Public Works

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 April 21, 2020, 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 January 21, 2020.

Debra L. Sopronyi
Borough Clerk

**Meeting Minutes
Hightstown Borough Council
December 16, 2019
6:30 p.m.**

The meeting was called to order by Mayor Quattrone at 6:30 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 Cicalese</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 and Fred Raffetto, Borough Attorney.

EXECUTIVE SESSION

Resolution 2019-219 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Jackson; Seconded by Councilmember Stults.

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

Resolution adopted 6-0.

Resolution 2019-219

*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 December 16, 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 – Administrator, Police Chief, Superintendent of Public Works
Contract Negotiations – Robbinsville

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 March 16, 2020, 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.

Mayor Quattrone called the public meeting to order at 7:36 p.m. and again read the Open Public Meetings Statement.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Stults; Seconded by Councilmember Jackson.

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

Agenda approved 6-0.

APPROVAL OF MINUTES

November 18, 2019 – Public Session

Moved by Council President Misiura; Seconded by Councilmember Cicalese.

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

Minutes approved 6-0.

December 2, 2019 – Executive Session

Moved by Councilmember Stults; Seconded by Councilmember Bluth.

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

Minutes approved 6-0.

December 2, 2019 – Public Session

Moved by Councilmember Jackson; Seconded by Councilmember Bluth.

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

Minutes approved 6-0.

PUBLIC COMMENT I

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

JP Gibbons, 602 North Main Street – Spoke regarding Resolution 2019-224. The Resolution identified the property where the first aid squad is located. This property is owned by a volunteer organization. It seems unclear as to what will happen to that property.

Doug Mair, 536 South Main Street – Stated that the assessed value of the first aid squad is about \$300,000. Will the volunteer organization be paid this amount? Will the Borough use eminent domain to take possession of the property? Where will the squad be housed? Council needs to let the public know.

Connie Moyer, 535 North Main Street - Spoke regarding the No Parking Ordinance. The Masonic Lodge held an event over the weekend where the overflow of parking used the street. They need this parking when events are held. Residents of North Main Street should not be penalized for the addition of bike lanes. Please take another look at this.

Pete Klapsogearge – 418 North Main Street – The introduction was a 3-3 vote. Council needs to reconsider this. Can't there be no parking for certain hours to accommodate for overflow parking or holidays?

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

ORDINANCES

Ordinance 2019-21 Public Hearing and Final Reading – An Ordinance Amending and Supplementing Chapter 7 Entitled “Traffic”, Section 7-13 Entitled “Parking Prohibited at all Times on Certain Street” of the Revised General Ordinances of the Borough of Hightstown, New Jersey

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

Doug Mair, 536 South Main Street – spoke in opposition of this ordinance.

Beverly Asselstine, 326 Franklin Street – She is a member of the Planning Board and the Complete Street Committee and spoke in favor of the ordinance.

Joseph Miczak, Apollo Lodge – Spoke in opposition of this ordinance.

JP Gibbons, 602 North Main Street – spoke in opposition of this ordinance.

Tony Katawick, Apollo Lodge – spoke in opposition of this ordinance.

Harold Barton, 410 North Main Street – spoke in opposition of this ordinance.

Milton Matamoros, 135 Purdy Street – spoke in opposition of this ordinance.

Scott Caster, 12 Clover Lane – spoke in opposition of this ordinance.

Tom Billinger, 513 South Main Street – Spoke in opposition of this ordinance.

Jordan Smith, 552 North Main Street – Spoke in opposition of this ordinance.

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

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

Discussion ensued.

Councilmember Misiura stated that he supports the complete streets policy. Council approved a resolution supporting complete streets. Bike lanes were one of the first projects. The Borough needs to follow through with the policy set.

Councilmember Stults applauds the efforts of complete streets. The State has adopted complete streets policy creating an additional problem while trying to solve another problem. Stated that he is not comfortable with this ordinance even with the changes.

Councilmember Bluth stated that she does not support this ordinance. She supports the bike lanes and complete streets, but this causes more problems than it solves.

Councilmember Cicalese stated that Hightstown has adopted the complete streets policy. While he hears the resident's concerns, he supports this ordinance.

Councilmember Musing thanked everyone for coming. Change is tough especially when it changes people's quality of life. Council is trying to do the best they can for the community. He is a firm believer in an individual's rights but parking on a County road is not one of them. When the Mill comes, that will change people's quality of life and it is uncomfortable. Council is putting a lot of time and effort into trying to do what is best for the community.

Mayor Quattrone stated that he broke the tie for the introduction. We have to at least try this. If he has to vote again tonight, he will be voting yes.

Roll Call Vote: Councilmembers Cicalese, Misiura, Musing and Mayor Quattrone voted yes; Councilmembers Bluth Jackson and Stults voted no.

Ordinance adopted 4-3.

Ordinance 2019-21

BOROUGH OF HIGHTSTOWN

COUNTY OF MERCER

STATE OF NEW JERSEY

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 7 ENTITLED “TRAFFIC”,
SECTION 7-13 ENTITLED “PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS” OF
THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY**

WHEREAS, the Hightstown Borough Complete Streets Committee has recommended that buffered bike lanes be added to both sides of North Main Street from Monmouth Street north to the Borough line; and

WHEREAS, the addition of said bike lanes would require prohibiting parking on North Main Street from the Borough Line to Monmouth Street Southbound and Monmouth Street to Sunset Avenue Northbound; and

WHEREAS, the Mayor and Council agree that said recommendations would make safer bicycle facilities in Hightstown Borough.

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

Section 1. That Chapter 7, entitled “Traffic”, Section 7-11, entitled “Parking Time Limited on Certain Streets”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Section 7-13

PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

Subsections:

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

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

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

Name of Street	Side	Location
Academy Street	North	Mercer Street to easternmost Post Office driveway
Academy Street	North	Railroad Avenue to 100 feet east
Academy Street	North	For a distance of 170 feet west of Mercer Street
Academy Street	South	Mercer Street to Railroad Avenue

Academy Street	East	From Park Avenue to Stockton Street
Academy Street	East	From Rogers Avenue to Railroad Avenue
Academy Street	East	From Stockton Street to Rogers Avenue
Academy Street	West	From Park Avenue to Grant Avenue
Bank Street	North	From North Main Street to Mechanic Street
Bank Street	North	From the westerly curbline of the driveway entrance of the water plant, a distance of 30 feet east and 30 feet west
Bank Street	South	From North Main Street to Academy Street
Center Street	West	From Stockton Street to Morrison Avenue
Church Street	East	From Rogers Avenue to Stockton Street
Clinton Street	North	From Cole Avenue to Maxwell Avenue
	South	From the westerly curbline of Cole Avenue for a distance of 70 feet east
Cole Avenue	Both	From Franklin Street to Clinton Street
Dutch Neck Road	North	From the southerly curbline of Stockton Street 665 feet southwesterly

Dutch Neck Road	Southeast	From Gilman Place to Stockton Street
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Name of Street	Side	Location
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Etra Road	Both	From South Main Street to the Borough line
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First Avenue	North	From Outcalt Street to Joseph Street
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Forman Street	West	From the southerly curblineline of Stockton Street for 205 feet south
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Grape Run Road	North	From Westerlea Avenue to Pershing Avenue
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Grape Run Road	South	From the easterly curblineline of Westerlea Avenue to a point 120 feet east
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Grape Run Road	Both	From Westerlea Avenue to Mercer Street
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Hagemount Avenue	West	From Lincoln Avenue to Rocky Brook Court
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Harron Avenue	East	From Stockton Street to Morrison Avenue
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Hutchinson Street	East	From Grant Avenue to Park Avenue
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Joseph Street	East	From Stockton Street to Second Avenue
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Leshin Lane	North	From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue
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Leshin Lane	South	From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue
Monmouth Street	North	From North Main Street to a point opposite the east curbline of Broad Street
Monmouth Street	South	From the east curbline of Manlove Avenue 652.67 feet east
Monmouth Street	South	From Pennsylvania Railroad to Broad Street
North Main Street	East	From the northerly curbline of Franklin Street to a point 80 feet north
North Main Street	West	From a point 239.5 feet north of the north curbline of Stockton Street to a point 242 feet north
North Main Street	North	From Monmouth Street to Sunset Avenue
North Main Street	South	From the Borough Line to Monmouth Street
Oak Lane	East	From Stockton Street to the north curbline of Lincoln Avenue; thence from Lincoln Avenue for 397 feet north
Oak Lane	West	From the northerly curbline of Stockton Street to a point 450 feet north
Outcalt Avenue	East	For a distance of 50 feet north or south of the First Avenue and Second Avenue intersections
Outcalt Street	West	From Rogers Avenue to Morrison Avenue

Park Avenue	South	From the westerly curbline of Academy Street to a point 50 feet west
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Name of Street	Side	Location
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Pershing Avenue	West	From Grape Run Road to South Street
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Purdy Street	East	From Bank Street to Reed Street
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Railroad Avenue	East	From Stockton Street to Academy Street
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Railroad Avenue	West	From Stockton Street to Rogers Avenue
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Reed Street	North	From Mechanic Street to Rev. Powell Drive
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Rev. Powell Drive	East	From Reed Street to Chamberlin Avenue
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Rogers Avenue	North	From Stockton Street to Mercer Street
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Second Avenue	North	From Outcalt Street to Joseph Street
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Second Avenue	North	From Summit Street to Joseph Street
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South Main Street	West	From Ward Street to Mercer Street
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South Street	North	From Mercer Street to South Main Street
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Stockton Street	North	From Mercer Street to South Main Street for 199 feet west
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Stockton Street	South	From Main Street to the west curbline of Dutch Neck Road; thence on Dutch Neck Road for 624 feet
Ward Street	North	From Mercer Street to South Main Street
Ward Street	North	From the easterly curbline of South Main Street to a point 793.25 feet east
Ward Street	South	From the southeasterly curbline of Mercer Street to a point 57 feet east
Ward Street	South	From the easterly curbline of South Main Street to a point 2,241 feet east
Westerlea	West	Leshin Lane to Grape Run Road

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

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

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

RESOLUTIONS

Resolution 2019-220 Payment of Bills

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese.

Councilmember Misiura questioned a payment for t-shirts for the Harvest Fair charged to Seminars, Workshops, Conventions. Borough Administrator/Clerk, Debra Sopronyi, stated that the Environmental Commission ordered special shirts for the environmental commission to wear for the harvest fair and presented the bill after they were received. While we did not condone the purchase, we had to pay the bill. Ms. Sopronyi further stated that it came out of the budget for the Environmental Commission. Mr. Musing questioned the amount of \$283.56 for t-shirts. Would like to have a future conversation regarding the commissions using Borough funds to purchase shirts for themselves.

Roll Call Vote: Councilmember Bluth, Cicalese, Jackson, Misiura and Musing voted yes. Councilmember Stults abstained.

Resolution adopted 5-0 with 1 abstention.

Resolution 2019-220

*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 \$211,718.62 from the following accounts:

Current		\$41,330.99
W/S Operating		32,070.33
General Capital		113,048.90
Water/Sewer Capital		0.00
Grant		0.00
Trust		1,550.00
Housing Trust		0.00
Animal Control		135.60
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>23,582.80</u>
Total		<u>\$211,718.62</u>

Resolution 2019-221 Authorizing Change Order #2 and Payment #3 Final – S. Brothers, Inc. (Improvements to Maple Avenue and Sunset Avenue)

Moved by Councilmember Jackson; Seconded by Councilmember Stults.

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

Resolution adopted 6-0.

Resolution 2019-221

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

AUTHORIZING CHANGE ORDER #2 AND PAYMENT #3 FINAL – S. BROTHERS, INC. (IMPROVEMENTS TO MAPLE AVENUE AND SUNSET AVENUE)

WHEREAS, on August 20, 2018, the Borough Council awarded a contract for the Improvements to Maple Avenue and Sunset Avenue to S. Brothers, Inc., of South River, New Jersey at the price of \$410,864.25; and

WHEREAS, the contractor has submitted change order #2 extending the contract by 318 calendar days from December 28, 2018 to November 12, 2019 due to poor weather, winter demobilization, unforeseen existing conditions and expanded scope as requested by the Borough;

WHEREAS, the contractor has submitted payment request #3 Final, in the total amount of \$11,868.92; and

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

WHEREAS, the Borough Engineer has recommended approval of payment #2 in the amount of \$11,868.92; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that change order #2 payment #3 Final, to S. Brothers, Inc. of South River, New Jersey in the amount of \$11,868.92, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2019-222 Authorizing Payment #4 – Reivax Contracting (Stockton Street Water Main Replacement)

Moved by Councilmember Bluth; Seconded by Councilmember Jackson.

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

Resolution adopted 6-0.

Resolution 2019-222

BOROUGH OF HIGHTSTOWN

*COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING PAYMENT #4 – REIVAX CONTRACTING (STOCKTON STREET
WATER MAIN REPLACEMENT)**

WHEREAS, on April 24, 2019, the Borough Council awarded a contract for the Stockton Street Water Main Replacement to Reivax Contracting of Newark, New Jersey at the price of \$933,750.00; and

WHEREAS, the contractor has submitted payment request #4 for partial payment through November 18, 2019 for site clearing, police traffic directors, test holes, 8" HDPE water main, valves, fittings, hydrant assemblies, 1" polyethylene water services and permanent pavement restoration in the total amount of \$79,504.85; and

WHEREAS, the Borough Engineer has recommended approval of payment #4 to Reivax Contracting of Newark, New Jersey for \$79,504.85; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request #4 to Reivax Contracting of Newark, New Jersey for \$79,504.85, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2019-223 Authorizing Payment No. 3 Assuncao Brothers, Inc. (Construction of Peddie Lake Dam Walking Bridge Replacement)

Moved by Councilmember Jackson; Seconded by Councilmember Bluth.

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

Resolution adopted 6-0.

Resolution 2019-223
*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY*

**AUTHORIZING PAYMENT NO. 3 ASSUNCAO BROTHERS, INC. (CONSTRUCTION
OF PEDDIE LAKE DAM WALKING BRIDGE REPLACEMENT)**

WHEREAS, on August 20, 2018, the Borough Council awarded a contract for the construction of the Peddie Lake Dam Walking Bridge Replacement to Assuncao Brothers, Inc. of Edison, New Jersey in the Amount of \$408,575.84; and

WHEREAS, the contractor has submitted a request payment in the amount of \$81,200.94 for partial work performed from October 1, 2019 – November 31, 2019; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown a payment in the amount of \$81,200.94 to Assuncao Brothers, Inc. of Edison, New Jersey is hereby approved as detailed herein.

Resolution 2019-224 Resolution of the Borough of Hightstown, in the County of Mercer, Designating Certain Property as an Area in Need of Redevelopment

Moved by Councilmember Cicalese; Seconded by Councilmember Stults.

Discussion ensued. This resolution adds the yellow house on Bank Street, the First Aid Squad and the Public Works building to the area in need of redevelopment. They are not part of any current plant. This is case there is a need in the future. A lot would have to happen for this to occur. There has been no talk of eminent domain. He stated that he is not sure where that rumor came from.

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

Resolution adopted 6-0.

Resolution 2019-224
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER,
DESIGNATING CERTAIN PROPERTY AS AN AREA IN NEED OF REDEVELOPMENT**

WHEREAS, pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, by Resolution 2003-19 duly adopted on December 1, 2003, as amended by Resolution 2018-72, adopted on March 19, 2018, the Borough Council ("Borough Council") of the Borough of Hightstown (the "Borough") designated the properties known as Tax Block 54, Lots 6-10, 13, 14.01, 16.01 & 23; Block 40, Lots 14-28; Block 33, Lots 1-30 & 32-36; Block 30, Lots 1-13; Block 28, Lots 56 & 57; and Block 21, Lots 1-14, 20 & 26 on the Borough's official tax map (collectively, the "Redevelopment Area"), as an "area in need of redevelopment"; and

WHEREAS, a revised redevelopment plan ("Redevelopment Plan") containing development standards for that portion of the Redevelopment Area which is known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 of the Borough Council on April 20, 2015, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006 and October 6, 2008, and which was subsequently further amended by ordinances adopted March 6, 2017 and April 2, 2018; and

WHEREAS, on March 10, 2017, the Borough and RBG Hightstown, LLC ("RBG") entered into that certain Amended and Restated Redevelopment Agreement (the "Redevelopment Agreement"), pursuant to which, among other things, RBG agreed to redevelop the portion of the Redevelopment Area consisting of Block 30, Lots 1-7, Block 30, Lots 10-13, and Block 21, Lots 1-13, 20 & 26 on the Borough's official tax map (collectively, the "Original Project Area"), which constitutes part of Sub-Area I (Bank Street), by constructing thereon a project including approximately 47,500 square feet of retail space, approximately 266 residential units, and associated parking and other infrastructure improvements, consistent with the Concept and Phasing Plan attached as Exhibit 2 to the Redevelopment Agreement (the "Original Project"); and

WHEREAS, RBG subsequently transferred its rights and obligations under the Redevelopment Agreement to the PRC Group ("PRC"),

WHEREAS, PRC has expressed a desire to also redevelop the parcels designated on the Borough's tax map as Block 8, Lots 12-14, and Block 18, Lots 8-12 (collectively, the "Additional Property"), located adjacent to or

otherwise near the Original Project Area, to more effectively redevelop the area; and

WHEREAS, by Resolution 2019-122, adopted on June 17, 2019, the Borough authorized and directed the Borough's Planning Board (the "Planning Board") to undertake a preliminary investigation to determine, among other things, whether the portion of the Additional Property consisting of Block 8, Lots 12-14, meets criteria for designation as an area in need of redevelopment; and

WHEREAS, the Planning Board received a report prepared by the Clarke Caton Hintz, P.C. ("CCH"), entitled "Preliminary Investigation of an Area in Need of Redevelopment, Main Street Redevelopment Bank Street Sub-Area 1 Second Expansion", dated December 9, 2019 (the "Report") regarding whether the Additional Property should be designated an area in need of redevelopment; and

WHEREAS, on December 9, 2019, the Planning Board conducted a hearing in accordance with N.J.S.A. 40A:12A-6b to determine whether the Additional Property meets criteria for designation as an area in need of redevelopment; and

WHEREAS, at the above-described public hearing, Brian Slaugh, P.P., from CCH, testified that the various parcels comprising the Additional Property meet the criteria for redevelopment area designation set forth in N.J.S.A. 40A:12A-5c, 5d, 5e and 5h and that, moreover, even if the parcels comprising the Additional Property did not meet any such criteria, they would still qualify under N.J.S.A. 40A:12A-3 as they are collectively necessary for the effective redevelopment of the Redevelopment Area; and

WHEREAS, on December 9, 2019, the Planning Board determined that the various parcels comprising the Additional Property meet the criteria set forth in N.J.S.A. 40A:12A-5c, 5d, 5e, and 5h and that, under N.J.S.A. 40A:12A-3, the various parcels comprising the Additional Property are collectively necessary for the effective redevelopment of the Redevelopment Area, and recommended that the Borough Council so designate the Additional Property; and

WHEREAS, on December 9, 2019, the Planning Board adopted a resolution memorializing the aforementioned findings and conclusions (the "Planning Board Resolution"); and

WHEREAS, the Borough Council agrees with the conclusions of the Planning Board that the various parcels comprising the Additional Property meet the aforementioned criteria for redevelopment area designation and that the Additional Property is collectively necessary for the effective redevelopment of the Redevelopment Area pursuant to N.J.S.A. 40A:12A-3, and the Borough Council finds that such conclusions are supported by substantial evidence, as described in more detail in the Planning Board Resolution; and

WHEREAS, the Borough Council further agrees with the recommendations of the Planning Board that the Additional Property be designated as an area in need of redevelopment under the Redevelopment Law and the Borough Council now desires to so designate the Additional Property and to ratify actions taken by CCH and the Planning Board in connection therewith.

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Additional Property is hereby designated as an area in need of redevelopment under the Redevelopment Law.

Section 3. In connection with the Additional Property, the Borough is authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

Section 4. Actions taken by CCH and the Planning Board to conduct the above-described preliminary investigation

and review, including (i) the investigation of Block 18, Lots 8-12 by CCH, (ii) the consideration of same by the Planning Board at the December 9, 2019 hearing and (iii) the omission, from the preliminary investigation, of the parcels known as Block 28, Lots 32-40 and 48-55 and Block 30, Lot 14, are hereby ratified.

Section 5. This resolution shall take effect immediately.

CONSENT AGENDA

Councilmember Stults moved Resolutions 2019-225, 2019-226, 2019-227, 2019-228, 2019-229 and 2019-230 as a Consent Agenda; Councilmember Jackson seconded.

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

Resolutions adopted 6-0.

Resolution 2019-225

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

REQUESTING APPROVAL FOR INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2019 BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown hereby request the Director of the Division of Local Government Services to approve the insertion of a special item of revenue and equal appropriation in the budget of the Borough of Hightstown for the year 2019 as follows:

Source	Amount	Revenue Title	Appropriation Title
New Jersey Department of Law and Public Safety	\$1,591.15	State Body Armor Replacement Fund Program	State Body Armor Replacement Fund Program

Resolution 2019-226

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

AUTHORIZING REFUND OF TAX OVERPAYMENT

WHEREAS, an overpayment of 2019 taxes were made for Block 47.01/7, 319 Second Avenue in the amount of

\$2,032.53, by the mortgage company; and

WHEREAS, the property owner a 100% disabled vet and tax-exempt; and

WHEREAS, the mortgage company, First American Title Company, 50 Millstone Road, Building 200, Suite 150, East Windsor, NJ 08520, has requested that a refund be issued for the overpayment in the amount of \$2,032.53; and

WHEREAS, the Tax Collector has requested that said overpayment be refunded in the amount of \$2,032.53.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Tax Collector and Finance Officer are hereby authorized to issue a refund in the amount of \$2,032.53 to First American Title Company, 50 Millstone Road, Building 200, Suite 150, East Windsor, NJ 08520, representing the tax overpayment as set forth herein.

Resolution 2019-227

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

**AUTHORIZING AN AGREEMENT WITH THE MERCER COUNTY CULTURAL
AND HERITAGE COMMISSION FOR A LOCAL ARTS PROGRAM GRANT**

WHEREAS, the Mercer County Cultural and Heritage Commission has awarded the Hightstown Cultural Arts Commission a grant in the amount of \$2,000.00; and

WHEREAS, it is required that the Borough execute an agreement with the Mercer County Cultural and Heritage Commission for said grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor is hereby authorized to execute the Mercer County Cultural and Heritage Commission Local Arts Program Grant agreement for the Hightstown Borough Cultural Arts Commission.

Resolution 2019-228

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

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
STATEWIDE INSURANCE FUND**

WHEREAS, through Resolution 2016-218, the Borough of Hightstown joined the Statewide Insurance Fund; and

WHEREAS, said membership terminates as of January 1, 2019*, unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Borough of Hightstown agrees to renew its membership in Statewide Insurance Fund for a period of three (3) years beginning January 1, 2020, and ending January 1, 2023*, and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to Statewide Insurance Fund evidencing the Municipality's intention to renew its membership.

This resolution agreed to the 16th day of December, 2019, by a vote of:

 6 Affirmative

 Abstain

 0 Negative

 Absent

* 12:01 a.m.

Resolution 2019-229

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

A RESOLUTION APPOINTING A RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Hightstown, (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Mercer and State of New Jersey, as follows:

1. Borough of Hightstown hereby appoints Skylands Risk Management, Inc. its local Risk Management Consultant.
2. The Borough Clerk and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2020 in the form attached hereto.

**2020 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 16th day of December, 2019, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, Hightstown Borough, ("MEMBER") and Skylands Risk Management, Inc. ("RISK MANAGEMENT CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.

- (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
 - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
 - (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2020 to January 1, 2021**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Margaret M. Riggio, Deputy Clerk

Lawrence D. Quattrone, Mayor

Hightstown Borough, **Member Representative**

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

Resolution 2019-230

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

AUTHORIZING A TRANSFER OF FUNDS IN THE 2019 BUDGET

WHEREAS N.J.S.A. 40A:4-58 provides that the governing body may authorize a transfer of funds in the budget during the last two months of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the following transfers in the 2019 budget are hereby authorized:

<u>Current:</u>	<u>From</u>	<u>To</u>
Municipal Clerk		
Other Expenses	1,000.00	
Tax Assessor		
Other Expenses	2,000.00	
Gasoline		
Other Expenses	1,100.00	
Administrative & Executive		
Other Expenses		100.00
Office Supplies		
Other Expenses		1,000.00
Data Processing		
Other Expenses		3,000.00

TOTALS	\$	4,100.00	\$	4,100.00
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PUBLIC COMMENT PERIOD II

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

Frank Rivera, 110 Broad Street – Stated that this is democracy in action. Council listened, discussed, reasoned and made statements. He is very proud of Council.

Scott Caster, 12 Clover Lane – Stated that having bike lanes on one end of town and not the other is inconsistent and unsafe. Bikes should not be on sidewalks downtown. We have an ordinance, why isn't it enforced.

JP Gibbons, 602 North Main Street - Stated that he is ashamed of Council. Residents showed up voicing their opposition on the parking ban on North Main Street. You wasted the public's time. He will fire up the residents to come to Council meetings in the future.

Milton Matamoros, 135 Purdy Street – Stated that he knows it is not easy to make a decision, and he applauds Councilmembers Bluth, Jackson and Stults for their vote. Spoke regarding the First Aid Squad. They are not looking for recognition. Stated that the squad is happy but scared because they do not know what is going on with the redevelopment.

Keith LePrevost, 213 Greeley Street – Congratulated the Complete Streets Committee. If they are so concerned about safety, they should look into getting the sidewalks at Association Park fixed. The t-shirts for the Environmental Commission were to show the updated silver certification for Sustainable Jersey. The volunteers put in many hours of work. They do things in town that the Borough refuses to do. Don't complain about petty expenses.

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

DISCUSSION

Boards and Committee Vacancies

Mayor Quattrone had sent his recommendations to Council. Most of the appointments are reappointments. Only filling one vacancy with a new member on Parks and Rec. Councilmember Musing questioned the reappointment of the Shade Tree Commissioner to the Environmental Commission. Stated that past issues with the Environmental Commission have not been resolved. After discussion, it was decided that this is how the resolution will be presented at the Reorg Meeting. It will be voted on at that time. Liaisons will remain the same. Looking for a volunteer for the Housing Authority. Councilmember Musing volunteered to serve as the liaison.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

Attended his first Board of Health Meeting. There will be a cancer screening clinic at St. Anthony's that needs further discussion. There is a blood drive at Mercer County Vo-Tech 12/19. Complete Streets had a kick off meeting for the mobility plan last week.

Councilmember Musing

Complete Streets, that was a tough vote tonight. Would like to see Mercer County do something with this. We need to be self-critical and correct our actions if a mistake has been made.

Councilmember Jackson

Parks and Rec approved a park use permit for the Girl Scouts on December 20th at Association Park. They are meeting there to go caroling through the neighborhood. Since they are meeting at 6:00 p.m. (after dusk), made a motion to give permission for them to be there after park hours. Seconded by Councilmember Stults. Roll call vote: Councilmembers Bluth, Cicalese, Jackson, Misiura, Musing and Stults voted yes. Motion to permit the girl scouts to use Association Park after dusk carried 6-0.

Councilmember Bluth

Environmental Commission and Cultural Arts will meet this week.

Councilmember Stults

Applauds Council for great discussions. Looking forward to seeing what is coming. Downtown Hightstown Business group has a new leader, Jim Truslow. January 28, 2020 the group will have the Springlake BID presentation at the Peddie School. The Mill subcommittee will meet Wednesday at 4:00 at OPG. We would like to applaud the Police Department. He witnessed a crime a few weeks ago, called the Chief and the police were there within minutes.

Council President Misiura

Stated that the meeting went the way he thought it would. Complete Streets is a policy of the Borough. If we support a policy we need to implement it properly. The County is spending money to help the Borough. Planning Board met and approved a variance for the Dunkin Donuts sign. First Aid meets this week.

Deputy Clerk, Peggy Riggio

Dog and Cat renewal notices have been mailed. They are due in January. Food Establishment renewals are due in January as well as Taxi license renewals. The annual Reorganization Meeting is January 1, 2020 at 12 noon.

Borough Administrator/Clerk, Debra Sopronyi

The Borough will be renewing our insurance through Statewide Insurance. After an evaluation, we found Statewide to be the most beneficial. Cultural Arts once again received a grant from the County. This grant has increased every year over the last 3 years. We have received official notification that Bill Searing, AWWTP Superintendent will be retiring in May 2020. Still working on getting a contract in place for an Animal Control Officer.

Mayor Quattrone

We talked about safety and bicycles and parking. If you have cars parked along the highway and bikes riding alongside the cars and a car door opens, you're going to have a problem. Roads are going to be shared with bicycles. This is going to be County wide. Every time the County is paving roads, they will be looking to add bike

lanes. First Aid redevelopment area – this is only an area that we feel is in need of redevelopment. NJDOT is trying to slow traffic down. It's not just about bicycles. Likes the decorations downtown. Thank you to Downtown Hightstown for putting up the lights.

ADJOURNMENT

Councilmember Cicalese moved to adjourn at 10:07 p.m.; Seconded by Councilmember Stults. All Ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk

Resolution 2020-36

*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 \$17,954.35 from the following accounts:

Current		\$11,473.03
W/S Operating		475.92
General Capital		6,000.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		0.00
Housing Trust		0.00
Animal Control		5.40
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>0.00</u>
Total		<u>\$17,954.35</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 January 21, 2020.

Debra L. Sopronyi
Borough Clerk

Date: January 21, 2020

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 1/21/2020

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
FIRST AMERICAN TITLE COMPANY	12/31/2019	19-01930	30674	\$ 2,032.53
TREASURER, STATE OF NJ, DCA	12/31/2019	19-02026	30675	\$ 777.00
BANK OF AMERICA	12/31/2019	19-02046	30677	\$ 3,664.29
COMCAST	12/31/2019	19-02027	30678	\$ 195.30
DEPT OF CHILDREN & FAMILIES	12/31/2019	19-02062	30679	\$ 50.00
HOME DEPOT CREDIT SERVICES	12/31/2019	19-02005	30680	\$ 170.39
JCP&L	12/31/2019	19-02031	30682	\$ 3,155.84
NJ LEAGUE OF MUNICIPALITIES	12/31/2019	19-02024	30683	\$ 115.00
BRIAN PICKERING	12/31/2019	19-02059	30684	\$ 112.68
YOSTEMBSKI, ROBERT	12/31/2019	19-01963	30685	\$ 1,200.00
TOTAL				<u><u>\$11,473.03</u></u>

<u>WATER AND SEWER MANUAL</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
STATE OF NJ PWT	12/31/2019	19-02028	30676	\$ 475.92
TOTAL				<u><u>\$ 475.92</u></u>

<u>ESCROW</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
TOTAL				<u><u>\$ -</u></u>

<u>GRANT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
TOTAL				<u><u>\$ -</u></u>

<u>TRUST</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
TOTAL				<u><u>\$ -</u></u>

<u>ANIMAL CONTROL TRUST</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
NJ DEPT OF HEALTH & SR SERV	12/31/2019	19-02061	1314	\$ 5.40
TOTAL				<u><u>\$ 5.40</u></u>

<u>GENERAL CAPITAL</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
THE MUSIAL GROUP	12/31/2019	19-01488-04	6373	\$ 6,000.00
TOTAL				<u><u>\$ 6,000.00</u></u>

<u>WATER AND SEWER CAPITAL</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
TOTAL				<u><u>\$ -</u></u>

MANUAL TOTAL				<u><u>\$17,954.35</u></u>
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Resolution 2020-37

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, DESIGNATING A CONDITIONAL REDEVELOPER FOR BLOCK 30, LOTS 1-7, BLOCK 30, LOTS 10-13, AND BLOCK 21, LOTS 1-13, 20 & 26 ON THE TAX MAP OF THE BOROUGH AND AUTHORIZING THE EXECUTION OF AN INTERIM COSTS AGREEMENT WITH RESPECT THERETO

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented (the “**Redevelopment Law**”) provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, by Resolution 2003-19 duly adopted on December 1, 2003, as amended by Resolution 2018-72, adopted on March 19, 2018, the Borough Council (“**Borough Council**”) of the Borough of Hightstown (the “**Borough**”) designated the properties known as Tax Block 54, Lots 6-10, 13, 14.01, 16.01 & 23; Block 40, Lots 14-28; Block 33, Lots 1-30 & 32-36; Block 30, Lots 1-13; Block 28, Lots 56 & 57; and Block 21, Lots 1-14, 20 & 26 on the Borough’s official tax map (collectively, the “**Original Redevelopment Area**”), as an “area in need of redevelopment”; and

WHEREAS, a revised redevelopment plan (“**Redevelopment Plan**”) containing development standards for that portion of the Original Redevelopment Area which is known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 of the Borough Council on April 20, 2015, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006 and October 6, 2008, and which was subsequently further amended by ordinances adopted March 6, 2017 and April 2, 2018; and

WHEREAS, on March 10, 2017, the Borough and RBG Hightstown, LLC (“**RBG**”) entered into that certain Amended and Restated Redevelopment Agreement (the “**Redevelopment Agreement**”), pursuant to which, among other things, RBG agreed to redevelop the portion of the Redevelopment Area consisting of Block 30, Lots 1-7, Block 30, Lots 10-13, and Block 21, Lots 1-13, 20 & 26 on the Borough’s official tax map (collectively, the “**Original Project Area**”), which constitutes part of Sub-Area I (Bank Street), by constructing thereon a project including approximately 47,500 square feet of retail space, approximately 266 residential units, and associated parking and other infrastructure improvements, consistent with the Concept and Phasing Plan attached as Exhibit 2 to the Redevelopment Agreement (the “**Original Project**”); and

WHEREAS, RBG subsequently sold the Original Project Area to 3PRC, LLC, an affiliate of the PRC Group (“**PRC**”); and

WHEREAS, PRC has expressed a desire to redevelop the Original Project Area in a manner generally consistent with the Redevelopment Agreement, as well as the parcels designated on the Borough’s tax map as Block 8, Lots 12-14, and Block 18, Lots 8-12 (the “**Additional Property**”), located adjacent to or otherwise near the Original Project Area, to more effectively redevelop the Original Project Area; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Borough identified and designated the Additional Property as an “area in need of redevelopment” although it has not yet adopted a redevelopment plan for the Additional Property; and

WHEREAS, the Borough determined that in order to coordinate the redevelopment of the Original Project Area in the most timely and efficient manner, it is in the best interests of the Borough to designate PRC as the conditional redeveloper of the Original Project Area, pending the negotiation and execution of, among other agreements, a Redevelopment Agreement between the Borough and PRC; and

WHEREAS, the Borough desires to authorize the execution of an interim costs agreement with PRC (in the form attached hereto as Exhibit A, the “**Interim Costs Agreement**”) to reimburse the Borough for any and all costs incurred by the Borough prior to the execution of a Redevelopment Agreement with PRC, including the

Borough's reasonably incurred out-of-pocket fees, costs and expenses related to the designation of PRC as the conditional redeveloper, the drafting of amendments to the Redevelopment Plan, if any, to be prepared by the Planning Consultant for consideration by the Planning Board, negotiation of the terms and conditions of a redevelopment agreement, financial or tax agreement, if applicable, and other documents related to the redevelopment of the Original Project Area and, if applicable, the Additional Property, including, but not limited to, fees for legal, real estate appraisal, accounting, engineering, planning and financial advisory services, including all such fees, costs and expenses incurred prior to the date of adoption of this resolution (the "**Interim Costs**"); and

WHEREAS, the Borough anticipates that it will amend the conditional redeveloper designation made herein to include the Additional Property upon the adoption of a redevelopment plan for the Additional Property.

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. PRC is hereby designated as the Conditional Redeveloper of the Original Project Area pending the execution of the Redevelopment Agreement with the Borough.

Section 3. The within designation is hereby made for a limited period of one hundred eighty (180) days, and is contingent upon PRC providing any additional Original Project related information as may be requested by the Borough.

Section 4. The within designation is further contingent upon (i) PRC agreeing to reimburse the Borough for any and all Interim Costs in accordance with the Interim Costs Agreement and (ii) negotiating a formal Redevelopment Agreement between the Borough and PRC.

Section 5. The Mayor of the Borough is hereby authorized and directed to execute the Interim Costs Agreement, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Borough's redevelopment counsel and other professionals.

Section 6. This resolution shall take effect immediately.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on January 21, 2020.

Debra L. Sopronyi
Borough Clerk

Exhibit A

INTERIM COSTS AGREEMENT (the “**Interim Costs Agreement**”), dated as of January 21, 2020, by and between:

THE BOROUGH OF HIGHTSTOWN, a municipal corporation of the State of New Jersey with offices at 156 Bank Street, Hightstown, New Jersey 08520 and its successors and assigns (the “**Borough**”),

and

3PRC, LLC, a limited liability company, c/o The PRC Group, 40 Monmouth Park Hwy, PO Box 70, West Long Branch, New Jersey 07764 and its successors and assigns (“**PRC**” or the “**Conditional Redeveloper**” and, together with the Borough, the “**Parties**”).

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, by Resolution 2003-19 duly adopted on December 1, 2003, as amended by Resolution 2018-72, adopted on March 19, 2018, the Borough Council (“**Borough Council**”) of the Borough of Hightstown (the “**Borough**”) designated the properties known as Tax Block 54, Lots 6-10, 13, 14.01, 16.01 & 23; Block 40, Lots 14-28; Block 33, Lots 1-30 & 32-36; Block 30, Lots 1-13; Block 28, Lots 56 & 57; and Block 21, Lots 1-14, 20 & 26 on the Borough’s official tax map (collectively, the “**Original Redevelopment Area**”), as an “area in need of redevelopment”; and

WHEREAS, a revised redevelopment plan (“**Redevelopment Plan**”) containing development standards for that portion of the Original Redevelopment Area which is known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 of the Borough Council on April 20, 2015, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006 and October 6, 2008, and which was subsequently further amended by ordinances adopted March 6, 2017 and April 2, 2018; and

WHEREAS, on March 10, 2017, the Borough and RBG Hightstown, LLC (“**RBG**”) entered into that certain Amended and Restated Redevelopment Agreement (the “**RBG Redevelopment Agreement**”), pursuant to which, among other things, RBG agreed to redevelop the portion of the Redevelopment Area consisting of Block 30, Lots 1-7, Block 30, Lots 10-13, and Block 21, Lots 1-13, 20 & 26 on the Borough’s official tax map (collectively, the “**Original Project Area**”), which constitutes part of Sub-Area I (Bank Street), by constructing thereon a project including approximately 47,500 square feet of retail space, approximately 266 residential units, and associated parking and other infrastructure improvements, consistent with the Concept

and Phasing Plan attached as Exhibit 2 to the Redevelopment Agreement (the “**Original Project**”); and

WHEREAS, RBG subsequently sold the Original Project Area to PRC; and

WHEREAS, the Borough determined that in order to coordinate the redevelopment of the Original Project Area in the most timely and efficient manner, it is in the best interests of the Borough to designate PRC as the conditional redeveloper of the Original Project Area, pending the negotiation and execution of, among other agreements, a Redevelopment Agreement between the Borough and PRC; and

WHEREAS, PRC has expressed a desire to redevelop the Original Project Area in a manner generally consistent with the RBG Redevelopment Agreement, as well as the parcels designated on the Borough’s tax map as Block 8, Lots 12-14, and Block 18, Lots 8-12 (collectively, the “**Additional Property**”), located adjacent to or otherwise near the Original Project Area, to more effectively redevelop the Original Project Area; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Borough identified and designated the Additional Property as set forth on the tax maps of the Borough, as an "area in need of redevelopment" although it has not yet adopted a redevelopment plan for the Additional Property; and

WHEREAS, the Borough wishes to engage in preliminary negotiations with PRC in furtherance of entering into a formal redevelopment agreement, with said preliminary negotiations to include the receipt and review of additional project specific information from PRC, as may be requested by the Borough; and

WHEREAS, the Parties have determined to establish an escrow fund with the Borough to provide for the payment of the Borough’s professional fees, costs and expenses related to, among other things, the designation of PRC as the conditional redeveloper of the Original Project Area and preliminary discussions relating to the preparation of any necessary amendments to the Redevelopment Plan and preliminary discussions relating to the negotiation and execution of a redevelopment agreement for the Original Project Area and, if applicable, the Additional Property (collectively, the “**Interim Costs**”); and

WHEREAS, on January 21, 2020, the Borough Council adopted a resolution: (i) conditionally designating PRC as Conditional Redeveloper of the Original Project Area, subject to the successful negotiation of a redevelopment agreement and (ii) authorizing the execution of this Interim Costs Agreement; and

NOW, THEREFORE, for and in consideration of the mutual promises, representations, covenants and agreements contained herein and the undertakings of each Party to the other and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound hereby and to bind its successors and assigns, do mutually promise, covenant and agree as follows:

1. Payment of Interim Costs.

a. Immediately upon the execution and delivery of this Interim Costs Agreement, the Conditional Redeveloper shall deposit twenty-five thousand dollars (\$25,000) with the Borough, which the Borough will deposit into a non-interest-bearing escrow account established by it for the payment of its Interim Costs. Prior to the Borough's withdrawal of funds from the escrow for the payment of its Interim Costs, the Borough shall provide the Conditional Redeveloper with a copy of each invoice reflecting Interim Costs to be paid. Unless the Conditional Redeveloper promptly (which shall be deemed to be within ten (10) days of its receipt of any such copy) provides a written objection that any invoiced item is not an Interim Cost, the Borough shall be free to withdraw funds from the escrow account for the payment of such invoiced services. If, when and as often as may occur that the escrow account is drawn down to or below ten thousand dollars (\$10,000), then the Conditional Redeveloper, upon the Borough's request, shall immediately provide to the Borough for deposit such additional funds as are necessary to increase the balance in the escrow account to twenty five thousand dollars (\$25,000) for use in accordance with these terms. In the event that this Interim Costs Agreement either expires or is cancelled by the Borough, then all escrowed monies shall be returned to the Conditional Redeveloper following the payment from the escrow account of the Borough's Interim Costs incurred up to the time of said expiration or cancellation.

b. The term "Interim Costs", for the purposes of this Interim Costs Agreement, shall also include the Borough's reasonably incurred out-of-pocket fees, costs and expenses related to the designation of the Conditional Redeveloper as the conditional redeveloper of the Original Project Area, the negotiation of the terms and conditions of a redevelopment agreement, financial or tax agreement, if applicable, and other documents related to the redevelopment of the Original Project Area and the Additional Property, if applicable, including, but not limited to, fees for legal, accounting, engineering, planning and financial advisory services, including all such fees, costs and expenses incurred prior to the execution of this Interim Costs Agreement.

2. Notice. Any notice provided to the Borough hereunder shall be submitted in writing to:

Borough of Hightstown
156 Bank Street
Hightstown, New Jersey 08520
Attn: Borough Administrator

with copies to:

Frederick C. Raffetto, Esq.
Ansell, Grimm & Aaron, P.C.
1500 Lawrence Avenue, CN 7807
Ocean, New Jersey 07712

and

Kevin P. McManimon, Esq.
 McManimon, Scotland & Baumann, LLC
 75 Livingston Avenue, 2nd Floor
 Roseland, New Jersey 07068

Notices to the Conditional Redeveloper shall be submitted in writing to:

Stanley J. Koreyva, President & COO
 The PRC Group
 40 Monmouth Park Highway
 West Long Branch, New Jersey 07764

with a copy to:

Peter Wersinger, Esq.
 The PRC Group
 40 Monmouth Park Highway
 West Long Branch, New Jersey 07764

3. General. This Interim Costs Agreement (i) shall be in effect as long as the Conditional Redeveloper is designated the conditional redeveloper or until it is terminated by the Borough; and (ii) may be amended or supplemented only by an instrument in writing executed by the Conditional Redeveloper and the Borough. The Conditional Redeveloper's obligation to fund the escrow account described herein is not contingent upon the outcome of negotiations or the actual execution of a redevelopment agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Interim Costs Agreement to be executed, all as of the date first above written.

ATTEST:

BOROUGH OF HIGHTSTOWN

By: _____
Name: Lawrence D. Quattrone, Mayor
Date:

ATTEST:

3PRC, LLC

By: _____
Name:
Title:
Date:

Resolution 2020-38

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

RESCINDING RESOLUTION 2019-181

WHEREAS, Resolution 2019-181 authorized an agreement for inspection and contract administration services associated with improvements to Stockton Street and Joseph Street to Roberts Engineering Group, LLC of Hamilton, NJ ; and

WHEREAS, the Borough has been notified by NJDOT that the overhead rates for Roberts Engineering Group, LLC have not been certified.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey hereby rescind resolution 2019-181.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on January 21, 2020.

Debra L. Sopronyi
Borough Clerk

Resolution 2020-39

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

**AUTHORIZING AN AGREEMENT FOR INSPECTION AND CONTRACT
ADMINISTRATION SERVICES ASSOCIATED WITH IMPROVEMENTS TO
STOCKTON STREET & JOSEPH STREET
(FEDERAL PROJECT #TAP-0571(300); NJDOT JOB CODE #6504307)**

WHEREAS, Hightstown Borough is making improvements to Stockton Street and Joseph Street; and

WHEREAS, Hightstown Borough advertised for proposals for Inspection and Contract Administration Services through the appropriate fair and open process and seven (7) proposals were received on September 19, 2019; and

WHEREAS, Responses to the requests for proposals were rated based on the following criteria: Qualifications/Experience of Firm in Similar Work, Qualifications/Experience/Ability of Key Personnel, Understanding of Scope of Work and Project Needs, Technical Approach, Experience of Firm with NJDOT and FHWA Procedures, and Presentation of Proposal by the evaluation team; and

WHEREAS, the Borough wishes to appoint Omsum Engineering, LLC of Piscataway, New Jersey to provide engineering inspection and contract administration services for the project; and

WHEREAS, the cost for said services shall not exceed \$72,692.24 without further authorization of the Governing Body; and

WHEREAS, this project is being funded by a Safe Routes to School grant from the New Jersey Department of Transportation and the award of this contract is conditional upon approval by the New Jersey Department of Transportation

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized to execute an agreement Omsum Engineering, LLC of Piscataway, New Jersey to provide engineering inspection and contract administration services for the Stockton Street and Joseph Street project in an amount not to exceed \$57,011.96 subject to approval by the New Jersey Department of Transportation.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on January 21, 2020.

Debra L. Sopronyi
Borough Clerk

Resolution 2020-40

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

AMENDING RESOLUTION 2019-115

WHEREAS, Resolution 2019-44, appointed the Musial Group as Architect and Contract Administrator for the municipal facilities project located at 230 Mercer Street; and

WHEREAS, Resolution 2019-44 also authorized concept design at a cost not to exceed \$40,000; and

WHEREAS, Resolution 2019-115 authorized the remainder of the project at a total cost not to exceed \$459,895.00; and

WHEREAS, it is now the desire of Borough Council to change the scope of work to include concept designs for a Police sub-station increasing the contract by \$13,000.00; and

WHEREAS, it is necessary to amend the contract amount to not exceed \$472,895.00 without further authorization of the Governing Body; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract amount in Resolution 2019-115 is hereby amended to not exceed \$472,895.00 without further authorization of the Governing Body.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on January 21, 2020.

Debra L. Sopronyi
Borough Clerk

Resolution 2020-41

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

AUTHORIZING PAYMENT #5 AND CHANGE ORDER #1 – REIVAX CONTRACTING (STOCKTON STREET WATER MAIN REPLACEMENT)

WHEREAS, on April 24, 2019, the Borough Council awarded a contract for the Stockton Street Water Main Replacement to Reivax Contracting of Newark, New Jersey at the price of \$933,750.00; and

WHEREAS, the contractor has submitted change order #1 which increases the contract by \$369.96; and

WHEREAS, the contractor has submitted payment request #5 for partial payment through December 19, 2019 for, police traffic directors, test holes, 8" HDPE water main, valves, fittings, hydrant assemblies, 1" polyethylene water services and permanent pavement restoration in the total amount of \$216,413.74; and

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

WHEREAS, the Borough Engineer has recommended approval of payment #5 to Reivax Contracting of Newark, New Jersey for \$216,413.74; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request #5 to Reivax Contracting of Newark, New Jersey for \$216,413.74, is hereby approved as detailed herein, and the CFO is authorized to issue same.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on January 21, 2020.

Debra L. Sopronyi
Borough Clerk

**THE
MUSIAL
GROUP
ARCHITECTURE**

13 January 2020

E-MAIL ONLY

Debra L. Sopronyi, RMC/QPA/CMR
Administrator/Borough Clerk
Borough of Hightstown
156 Bank Street
Hightstown, NJ 08520

RE: Architectural Proposal for Concept Design Police Sub-Station

Dear Ms. Sopronyi:

As requested at our recent meeting following is our proposal to provide the Borough with concept designs for the new Police Sub-station. We understand that there is a possibility that the Borough will enter into an agreement with Robbinsville to provide a police headquarters for both municipalities.

Therefore there will be a need for much less square footage at this site and only having requirements for the following spaces:

- A patrol office with two desks and room for copier and filing cabinets
- Storage Room – 8' x 8'
- DVRT office for counseling 10' x 10' must also be available after hours
- A small unisex toilet should be in close proximity to this space.
- Security must be provided so there is no access to other parts of the building after hours
- Site plan will be revised showing fewer parking spaces since there is no longer a need for additional parking for shift changes or additional police vehicles.
- Since the parking lot will become smaller we will look at the possibility of using an above ground detention basin instead of the below grade system.
- A phone will be provided in the vestibule to allow direct communication with dispatch
- We will recalculate the toilet fixture count size the building has gotten smaller.

We have estimated the man hours this office will have to spend to come up with a couple of options for the Borough to review and respectfully request an additional fee of \$13,000.00, to undertake this work. Of the \$13,000 we have allocated \$4,000 for our consultants. On your approval we will immediately start work on this redesign.

Noel S. Musial, A.I.A., PP, NCARB
President

Noel S. Musial II, A.I.A., NCARB
Principal

Larry Lane, A.I.A.
Project Architect

John A. Krupka, PE
Project Engineer

191 Mill Lane
Mountainside, NJ 07092
T 908.232.2860
F 908.232.2845
themusialgroup.com

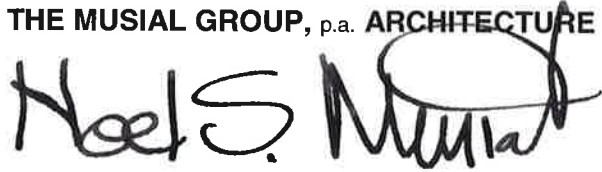
**THE
MUSIAL
GROUP
ARCHITECTURE**

Hightstown Municipal Complex
Additional Services
13 January 2020
Page 2 of 2

Thank you for giving us this opportunity and we look forward to the successful and timely completion of this project, I remain,

Very truly yours,

THE MUSIAL GROUP, p.a. ARCHITECTURE

A handwritten signature in black ink that reads "Noel S. Musial". The signature is written in a cursive, flowing style. The "N" is large and loops around the "o". The "S" is a simple, continuous loop. The "M" is also large and loops around the "u". The "i" and "a" are smaller and more delicate. The "l" is a simple vertical stroke.

Noel S. Musial, AIA, NCARB, PP
President

cc: Noel Musial II, AIA, NCARB
Larry Lane, AIA



MEMORANDUM

TO: Mayor and Council
Borough of Hightstown

FROM: Carmela Roberts, P.E., C.M.E. *CR*
Borough Engineer

DATE: January 14, 2020

RE: Stockton Street Water Main Replacement
Payment No. 5
Our File No.: H1676

Attached please find the following in reference to Payment No. 5 and Change Order No. 1 which is a partial payment through December 19, 2019 for police traffic directors, 8" HDPE water main, valves, fittings, fire hydrant assemblies, 1" polyethylene water services, and permanent pavement restoration.

Change Order No. 1 increases the contract by \$369.96. The change order adjusts various pay items to as-built quantities and provides supplemental pay items for changes as requested by the Borough Water Department during construction. Supplemental pay items were needed because Borough record information was not accurate. It was found that the Borough records did not accurately show alignment and sizes of existing water mains. Furthermore, additional supplemental items are added in order to save existing copper water services where they were found to be in good condition and in areas where they could be easily transferred from the old water main to the new water main.

1. Change Order No. 1
2. Payment No. 5
3. Invoice No. 5
4. Certified Payrolls
5. Wage Rate Interviews

I recommend payment be made to Reivax Contracting in the amount of \$216,413.74.

Should you have any questions, please do not hesitate to call.

cc: Debra Sopronyi, RMC, CMR, QPA, Borough Administrator/Clerk
Peggy Riggio, RMC, CMR, Borough Deputy Borough Clerk
Mickie O'Conner, Borough Accounts Payable
George Lang, Borough CFO
Monika Patel, Borough Assistant Finance Officer
Ken Lewis, Borough Superintendent of Public Works
Cameron Corini, PE, Roberts Engineering Group, LLC
Paul Weitz, Roberts Engineering Group, LLC
Kelly Pham, Roberts Engineering Group, LLC

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

1. ISSUING OFFICE Borough of Hightstown	2. PROJECT NO. 1104001-010	3. CONTRACT NO. 2	4. MODIFICATION NO. 1
5. TO (CONTRACTOR) Reivax Contracting Corporation		6. PROJECT LOCATION AND DESCRIPTION Stockton Street Water Main Replacement	
7. A proposal is required for making the hereinafter described change in accordance with specification and drawing revisions cited herein or listed in attachment hereto. Submit your proposal in space indicated on page 2, attach detailed breakdown of prime and sub-contract costs (See the clause of this contract entitled, "Changes". DO NOT start work under this proposed change until you receive a copy signed by the Contracting Officer or a directive to proceed).			
<u>01-14-2020</u> Date		<u>Carmela Roberts, P.E., Borough Engineer</u> Type Name and Title	
		 Signature	
8. DESCRIPTION OF CHANGE: <i>Pursuant to the clause of this contract covering changes, the contractor shall furnish all labor and material, and all work necessary to accomplish the following described work:</i> This change order adjust various pay items to as-built quantities and provides supplemental pay items for changes as requested by the Borough of Hightstown during construction. The supplemental pay items are required as a result of inaccurate records drawings being used during the design phase. During construction, it was found that historic records did not accurately show size and location of existing mains, valves, and interconnections. In addition, it was found that many existing water services were copper where records showed they would be galvanized steel. Instead of removing the existing copper, the Borough directed the contractor to transfer the copper services from the old main to the new main only when it could be done without adding a new copper coupling. If the existing copper was too short, the line would be replaced as shown on the drawings. Supplemental items S-2 and S-3 accommodate this change and allowed for an overall savings related to water service construction. The Borough also requested the use of ductile iron water main pipe instead of HDPE where the new HDPE main meets existing cross mains at intersections. A new 6" insertion valve was installed to account for an unknown 6" pipe and three existing fire hydrants were requested to be replaced which were deemed to be in poor condition. Additionally, extra water service pipe was required to connect the Grace N. Rogers and Walter C. Black Elementary Schools to the new water main. As a result of the above, the contract price is revised as follows:			

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

ITEM NO.	ITEM DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	TOTAL COST
DEDUCTS				
5	Police Traffic Directors	100 HOUR	\$95.00	\$9,500.00
11	8" x 8" Wet Tap and Valve	1 EA	\$7,000.00	\$7,000.00
27	1" Crosslinked Polyethylene Water Service	300 LF	\$60.00	\$18,000.00
45	Allowance	1 LS	\$50,000.00	\$50,000.00
			TOTAL DEDUCT	\$84,500.00
EXTRAS				
23	8" Cap	1 EA	\$1.00	\$1.00
24	6" Cap	1 EA	\$1.00	\$1.00
25	4" Cap	5 EA	\$1.00	\$5.00
26	Fire Hydrant Assembly	3 EA	\$7,000.00	\$21,000.00
28	2" Crosslinked Polyethylene Water Service	47 LF	\$170.00	\$7,990.00
			TOTAL EXTRA	\$28,997.00
SUPP.				
S-1	6" Insertion Valve	1 LS	\$8,350.00	\$8,350.00
S-2	Connect Existing Copper Water Service to New Water Main	14 EA	\$600.00	\$8,400.00
S-3	Water Service Curb Valve and Box	7 EA	\$600.00	\$4,200.00
S-4	4" DIP	2 LF	\$90.00	\$180.00
S-5	6" DIP	56 LF	\$125.00	\$7,000.00
S-6	8" DIP	172 LF	\$130.00	\$22,360.00
S-7	10" DIP	3 LF	\$300.00	\$900.00
S-8	12/11/19 2" Water Service Installation for Grace N. Rogers Elementary School	1 LS	\$2,018.38	\$2,018.38
S-9	12/12/19 2" Water Service Installation for Walter C. Black Elementary School	1 LS	\$2,464.58	\$2,464.58
			TOTAL SUPPLEMENTAL	\$55,872.96

TOTAL COST OF THIS MODIFICATION \$369.96 (Increase)

The contract time is hereby: increase ☐ decrease ☐ or remains the same ☒ by 0 calendar days as a result of this modification.

The foregoing modification is hereby accepted:

 CONTRACTOR		 OWNER		(NJPE SEAL)	ENGINEER
BY: <u>Xavier P. Menta</u>	BY: _____	BY: <u>Carmel Roberts</u>	BY: _____	DATE: <u>01-14-2020</u>	DATE: _____
DATE: <u>1/9/2020</u>	DATE: _____	DATE: _____	DATE: _____	DATE: _____	DATE: _____

APPROVAL: _____
STATE OF NEW JERSEY _____ DATE _____

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

9. ISSUING OFFICE Borough of Hightstown	10. PROJECT NO. 1104001-010	11. CONTRACT NO. 2	12. MODIFICATION NO. 1
13. CONTRACTOR'S PROPOSAL – Change in Contract Price (Detailed breakdown, attach additional sheets as necessary)			
(Proposed) Please refer to attached emails, memos, and invoices from contractor detailing supplemental line items.			
NET INCREASE \$ <u>369.96</u>		NET DECREASE \$ <u>0</u>	
		CALENDER DAYS INCREASE <u>0</u> DAYS	
DATE: <u>1/9/2020</u>	TYPE NAME AND TITLE: Xavier Pimenta, Vice President Reivax Contracting Corporation		SIGNATURE: 

CONTRACT MODIFICATION PROPOSAL AND ACCEPTANCE

14. ISSUING OFFICE & PROJECT NO. Borough of Hightstown, 1104001-010	15. CONTRACT NO. 2	16. MODIFICATION NO. 1
17. ORIGINAL CONTRACT BID PRICE \$ 933,750.00 TOTAL OF PREVIOUS CHANGE ORDERS \$ 0.00 TOTAL CONTRACT COST INCLUDING CHANGE ORDERS ... \$ 934,119.96		
18. NECESSITY FOR CHANGE AND REASON FOR OMISSION FROM PLANS AND SPECIFICATIONS: Deducts, Extras, and Supplemental items were primarily the result of unforeseen existing conditions and asbuilt requirements. In addition, the Borough requested to keep existing copper services where connections to the new water main were possible. Extra Pay Items Nos. 23, 24, and 25 are for additional caps as a result of using ductile iron piping to connect the new HDPE main to existing cross mains. Extra Pay Item No. 26 is for three Fire Hydrant Assemblies. The existing fire hydrants were found to be in poor condition during the field inspection and the Borough requested the hydrants to be replaced. Extra Pay Item No. 28 accounts for the installation of additional unknown services which were required at the Grace N. Rogers Elementary and Walter C. Black Elementary Schools. Supplemental Pay Item S-1 is for a 6" Insertion Valve which was required for an unanticipated existing 6" water main. Supplemental Pay Items S-2 and S-3 are for the connections of existing copper services to the new water main and curb stops and boxes. The Borough requested to keep existing copper water services which were long enough to connect to the newly installed water main without couplings. Supplemental Pay Items S-4, S-5, S-6, and S-7 are for 4", 6", 8", and 10" Ductile Iron Pipe. The Borough requested the new connections between the new HDPE main and existing mains on cross streets be made with ductile iron pipe rather than HDPE as planned. Supplemental Pay Items S-8 and S-9 were for water service installations to the Grace N. Roberts Elementary and Walter C. Black Elementary Schools which were completed after school operation hours per the request of the Board of Education. Historic records showed one service for each location. However, during construction, it was found that each school had multiple service connections.		
19. OTHER IMPACTS RESULTANT OF THIS CHANGE: None.		
20. RESUME OF NEGOTIATIONS OR RECOMMENDATIONS (Loanee's Representative) : Negotiations between Reivax Contracting Corporation and Roberts Engineering Group were conducted throughout the duration of construction. See attached documentation.		
DATE:	TYPE NAME AND TITLE OF LOANEE'S REPRESENTATIVE: Carmela Roberts, P.E., C.M.E., Borough Engineer	SIGNATURE:



1670 Whitehorse-Hamilton Square Rd.
Hamilton, New Jersey 08690
609-586-1141 fax 609-586-1143
www.RobertsEngineeringGroup.com

PAYMENT No. 5
STOCKTON STREET WATER MAIN REPLACEMENT
Borough of Hightstown, Mercer County, New Jersey
January 14, 2020
File No.: H1676

Item No.	Description	Contract Quantity	Units	Total As-Built Quantity	As-Built This Period	Unit Price	Total Cost
1	Mobilization	1.00	LS	1.00	0.00	\$8,800.00	\$8,800.00
2	Site Clearing	1.00	LS	0.95	0.50	\$20,000.00	\$19,000.00
3	Project Video & Photographs	1.00	LS	1.00	0.00	\$1,800.00	\$1,800.00
4	Traffic Control	1.00	LS	1.00	0.50	\$2,700.00	\$2,700.00
5	Police Traffic Directors	1,000.00	HOURL	799.60	303.40	\$95.00	\$75,962.09
6	Inlet Protection	6.00	EA	0.00	0.00	\$1.00	\$0.00
7	Test Holes, If & Where Directed	200.00	CY	81.24	0.00	\$250.00	\$20,309.72
8	8" HDPE Water Main	2,005.00	LF	1,624.00	7.00	\$105.00	\$170,520.00
9	6" HDPE Water Main	15.00	LF	0.00	0.00	\$105.00	\$0.00
10	4" HDPE Water Main	24.00	LF	0.00	0.00	\$70.00	\$0.00
11	8" x 8" Wet Tap and Valve	3.00	EA	0.00	0.00	\$7,000.00	\$0.00
12	4" X 4" Wet Tap and Valve	3.00	EA	0.00	0.00	\$5,100.00	\$0.00
13	8" Insertion Valve	6.00	EA	3.00	0.00	\$9,000.00	\$27,000.00
14	4" Insertion Valve	4.00	EA	4.00	0.00	\$7,700.00	\$30,800.00
15	8" Gate Valve	16.00	EA	11.00	1.00	\$3,900.00	\$42,900.00
16	6" Gate Valve	4.00	EA	1.00	0.00	\$3,500.00	\$3,500.00
17	4" Gate Valve	2.00	EA	0.00	0.00	\$3,300.00	\$0.00
18	2" Gate Valve	1.00	EA	0.00	0.00	\$2,900.00	\$0.00
19	10" x 10" x 8" D.I. Tee	1.00	EA	1.00	0.00	\$1.00	\$1.00
20	8" X 8" HDPE Tee	4.00	EA	0.00	0.00	\$1.00	\$0.00
21	8" x 6" HDPE Tee	8.00	EA	0.00	0.00	\$1.00	\$0.00
22	8" x 4" HDPE Tee	2.00	EA	0.00	0.00	\$1.00	\$0.00
23	8" Cap	7.00	EA	8.00	8.00	\$1.00	\$8.00
24	6" Cap	1.00	EA	2.00	2.00	\$1.00	\$2.00
25	4" Cap	1.00	EA	6.00	6.00	\$1.00	\$6.00
26	Fire Hydrant Assembly	4.00	EA	7.00	1.00	\$7,000.00	\$49,000.00
27	1" Crosslinked Polyethylene Water Service	1,145.00	LF	845.00	775.00	\$60.00	\$50,700.00
28	2" Crosslinked Polyethylene Water Service	25.00	LF	72.00	72.00	\$170.00	\$12,240.00
29	Abandon Existing Water Main in Place	1.00	LS	1.00	1.00	\$7,500.00	\$7,500.00
30	Select Fill, If & Where Directed	100.00	CY	0.00	0.00	\$1.00	\$0.00
31	1-1/2" Clean Stone, If & Where Directed	100.00	CY	0.00	0.00	\$1.00	\$0.00
32	Concrete Curb, 4000 PSI, If & Where Directed	525.00	LF	0.00	0.00	\$28.00	\$0.00
33	Concrete Sidewalk, 4000 PSI, 4" Thick, If & Where Directed	200.00	SY	30.00	30.00	\$100.00	\$3,000.00
34	Permanent Pavement Restoration	1,970.00	SY	1,188.89	731.56	\$60.00	\$71,333.67
35	24" Wide Yellow Epoxy Pavement Striping	20.00	LF	0.00	0.00	\$7.00	\$0.00
36	24" Wide White Thermoplastic Pavement Striping	425.00	SF	0.00	0.00	\$5.00	\$0.00
37	8" Wide White Thermoplastic Pavement Striping	200.00	SF	0.00	0.00	\$4.00	\$0.00
38	4" Wide Double Yellow Epoxy Pavement Striping	5,400.00	LF	0.00	0.00	\$1.00	\$0.00
39	4" Wide White Epoxy Pavement Striping	175.00	LF	0.00	0.00	\$1.00	\$0.00
40	Arrow 'Only' Pavement Marking	1.00	EA	0.00	0.00	\$550.00	\$0.00
41	Topsiiling, 5" Thick	700.00	SY	0.00	0.00	\$1.00	\$0.00
42	Fertilizer, Seed and Mulch	700.00	SY	0.00	0.00	\$1.00	\$0.00
43	Fuel Price Adjustment	1.00	LS	0.00	0.00	\$5,000.00	\$0.00
44	Asphalt Price Adjustment	1.00	LS	0.00	0.00	\$7,500.00	\$0.00
45	Allowance	1.00	LS	0.00	0.00	\$50,000.00	\$0.00
S-1	6" Insertion Valve	1.00	LS	1.00	1.00	\$8,350.00	\$8,350.00
S-2	Connect Existing Copper Water Service to New Water Main	14.00	EA	14.00	14.00	\$600.00	\$8,400.00
S-3	Water Service Curb Valve and Box	7.00	EA	7.00	7.00	\$600.00	\$4,200.00
S-4	4" DIP	2.00	LF	2.00	2.00	\$90.00	\$180.00
S-5	6" DIP	56.00	LF	56.00	56.00	\$125.00	\$7,000.00

REIVAX CONTRACTING CORP.

INVOICE

68 Findernc Ave.
Bridgewater, NJ 08807

Date	Invoice #
12/16/2019	1908-05

Borough of Hightstown
156 Bank Sreet
Highstown, NJ 08520

Reivax Project #	Customer P.O.	Project Name	Customer Project #
19-08		19-08 Stockton Stree...	

Bid Item	Description	Qty	Rate	Previous Qty	Total Qty to...	Amount
19-08 Hights... RETAINAGE	Work Period of 11/19/19 to 12/13/19		220,830.35 -2.00%			220,830.35 -4,416.61
				Balance Due		
				\$216,413.74		

Phone #	Fax #
908-864-4253	908-864-4257

REIVAX CONTRACTING CORP.
68 Finderne Ave
Bridgewater, NJ 08807

TEL: 908-864-4253
FAX: 908-864-4257

PROJECT: Hightstown - Stockton Street Water Main Replacement

Item	Description	Quantity	UNIT	Unit Cost	Total	Invoice #1908-05 (Period of 11/19/19 to 12/13/19)	QTY 2 DATE	PAID 2 DATE	Short Pay's to Date	% COMPLETE
1	Mobilization	1	LS	\$ 8,800.00	\$ 8,800.00	0.00	\$ -	1.00	\$ 8,800.00	100%
2	Site Clearing	1	LS	\$ 20,000.00	\$ 20,000.00	0.50	\$ 10,000.00	0.85	\$ 19,000.00	95%
3	Project Video & Photographs	1	LS	\$ 1,800.00	\$ 1,800.00	0.00	\$ -	1.00	\$ 1,800.00	100%
4	Traffic Control	1	LS	\$ 2,700.00	\$ 2,700.00	0.50	\$ 1,350.00	1.00	\$ 2,700.00	100%
5	Police Traffic Directors - \$95/hrs	1,000	HOURS	\$ 95.00	\$ 95,000.00	303.40	\$ 28,822.79	799.60	\$ 75,962.09	80%
6	Inlet Protection	6	EA	\$ 1.00	\$ 6.00	0.00	\$ -	0.00	\$ -	0%
7	Test Holes, If & Where Directed	200	CY	\$ 250.00	\$ 50,000.00	0.00	\$ -	81.24	\$ 20,309.72	41%
8	8" HDPE Water Main	2,005	LF	\$ 105.00	\$ 210,525.00	7.00	\$ 735.00	1624.00	\$ 170,520.00	81%
9	8" HDPE Water Main	15	LF	\$ 105.00	\$ 1,575.00	0.00	\$ -	0.00	\$ -	0%
10	4" HDPE Water Main	24	LF	\$ 70.00	\$ 1,680.00	0.00	\$ -	0.00	\$ -	0%
11	8" x 8" Wet Tap and Valve	3	EA	\$ 7,000.00	\$ 21,000.00	0.00	\$ -	0.00	\$ -	0%
12	4" x 4" Wet Tap and Valve	3	EA	\$ 5,100.00	\$ 15,300.00	0.00	\$ -	0.00	\$ -	0%
13	8" Insertion Valve	6	EA	\$ 9,000.00	\$ 54,000.00	0.00	\$ -	3.00	\$ 27,000.00	50%
14	4" Insertion Valve	4	EA	\$ 7,700.00	\$ 30,800.00	0.00	\$ -	4.00	\$ 30,800.00	100%
15	8" Gate Valve	16	EA	\$ 3,900.00	\$ 62,400.00	1.00	\$ 3,900.00	11.00	\$ 42,900.00	69%
16	6" Gate Valve	4	EA	\$ 3,500.00	\$ 14,000.00	0.00	\$ -	1.00	\$ 3,500.00	25%
17	4" Gate Valve	2	EA	\$ 3,300.00	\$ 6,600.00	0.00	\$ -	0.00	\$ -	0%
18	2" Gate Valve	1	EA	\$ 2,900.00	\$ 2,900.00	0.00	\$ -	0.00	\$ -	0%
19	10" x 10" x 8" D.I. Tee	1	EA	\$ 1.00	\$ 1.00	0.00	\$ -	1.00	\$ 1.00	100%
20	8" x 8" HDPE Tee	4	EA	\$ 1.00	\$ 4.00	0.00	\$ -	0.00	\$ -	0%
21	8" x 6" HDPE Tee	8	EA	\$ 1.00	\$ 8.00	0.00	\$ -	0.00	\$ -	0%
22	8" x 4" HDPE Tee	2	EA	\$ 1.00	\$ 2.00	0.00	\$ -	0.00	\$ -	0%
23	8" Cap	7	EA	\$ 1.00	\$ 7.00	8.00	\$ 8.00	8.00	\$ 8.00	114%
24	8" Cap	1	EA	\$ 1.00	\$ 1.00	2.00	\$ 2.00	2.00	\$ 2.00	200%
25	4" Cap	1	EA	\$ 1.00	\$ 1.00	6.00	\$ 6.00	6.00	\$ 6.00	600%
26	Fire Hydrant Assembly	4	EA	\$ 7,000.00	\$ 28,000.00	1.00	\$ 7,000.00	7.00	\$ 49,000.00	175%
27	1" Crosslinked Polyethylene Water Service	1,145	LF	\$ 60.00	\$ 68,700.00	775.00	\$ 46,500.00	845.00	\$ 50,700.00	74%
28	2" Crosslinked Polyethylene Water Service	25	LF	\$ 170.00	\$ 4,250.00	72.00	\$ 12,240.00	72.00	\$ 12,240.00	288%
29	Abandon Existing Water Main in Place	1	LS	\$ 7,500.00	\$ 7,500.00	1.00	\$ 7,500.00	1.00	\$ 7,500.00	100%
30	Select Fill, If & Where Directed	100	CY	\$ 1.00	\$ 100.00	0.00	\$ -	0.00	\$ -	0%
31	1-1/2" Clean Stone, If & Where Directed	100	CY	\$ 1.00	\$ 100.00	0.00	\$ -	0.00	\$ -	0%
32	Concrete Curb, 4000 PSI, If & Where Directed	525	LF	\$ 28.00	\$ 14,700.00	0.00	\$ -	0.00	\$ -	0%
33	Concrete Sidewalk, 4000 PSI, 4" Thick, If & Where Directed	200	SY	\$ 100.00	\$ 20,000.00	30.00	\$ 3,000.00	30.00	\$ 3,000.00	15%
34	Permanent Pavement Restoration	1,970	SY	\$ 60.00	\$ 118,200.00	731.58	\$ 43,893.60	1188.88	\$ 71,333.67	60%
35	24" Wide Yellow Epoxy Pavement Striping	20	LF	\$ 7.00	\$ 140.00	0.00	\$ -	0.00	\$ -	0%
36	24" Wide White Thennoplastic Pavement Striping	425	SF	\$ 5.00	\$ 2,125.00	0.00	\$ -	0.00	\$ -	0%
37	8" Wide White Thennoplastic Pavement Striping	200	SF	\$ 4.00	\$ 800.00	0.00	\$ -	0.00	\$ -	0%
38	4" Wide Double Yellow Epoxy Pavement Striping	5,400	LF	\$ 1.00	\$ 5,400.00	0.00	\$ -	0.00	\$ -	0%
39	4" Wide White Epoxy Pavement Striping	175	LF	\$ 1.00	\$ 175.00	0.00	\$ -	0.00	\$ -	0%
40	Arrow/Only Pavement Marking	1	EA	\$ 550.00	\$ 550.00	0.00	\$ -	0.00	\$ -	0%
41	Topsoiling, 5" Thick	700	SY	\$ 1.00	\$ 700.00	0.00	\$ -	0.00	\$ -	0%
42	Fertilizer, Seed, and Mulch	700	SY	\$ 1.00	\$ 700.00	0.00	\$ -	0.00	\$ -	0%
43	Fuel Price Adjustment	1	ALLOW	\$ 5,000.00	\$ 5,000.00	0.00	\$ -	0.00	\$ -	0%
44	Asphalt Price Adjustment	1	ALLOW	\$ 7,500.00	\$ 7,500.00	0.00	\$ -	0.00	\$ -	0%
45	Allowance	1	ALLOW	\$ 50,000.00	\$ 50,000.00	0.00	\$ -	0.00	\$ -	0%
CHANGE ORDER REQUESTS				BASE TOTAL	\$ 933,780.00					
CR1	6" Insertion Valve (Completed During Payment #1)	1	LS	\$ 8,350.00	\$ 8,350.00	1.00	\$ 8,350.00	1.00	\$ 8,350.00	100%
CR2	Connect Existing Copper Water Service to New Water Main (Approved)	40	EA	\$ 600.00	\$ 24,000.00	14.00	\$ 8,400.00	14.00	\$ 8,400.00	35%
CR3	Water Service Curb Valve and Box (Approved)	41	EA	\$ 600.00	\$ 24,600.00	7.00	\$ 4,200.00	7.00	\$ 4,200.00	17%
CR4	4" DIP (Approved 10/29/19 by C.C.)	40	LF	\$ 90.00	\$ 3,600.00	2.00	\$ 180.00	2.00	\$ 180.00	5%
CR5	6" DIP (Approved 10/29/19 by C.C.)	40	LF	\$ 125.00	\$ 5,000.00	58.00	\$ 7,000.00	58.00	\$ 7,000.00	140%
CR6	8" DIP (Approved 10/29/19 by C.C.)	40	LF	\$ 130.00	\$ 5,200.00	172.00	\$ 22,360.00	172.00	\$ 22,360.00	430%
CR7	10" DIP (Approved)	40	LF	\$ 300.00	\$ 12,000.00	3.00	\$ 900.00	3.00	\$ 900.00	8%
CR8	Furnish & Install 6" Lateral (No approval yet)	1	EA	\$ 3,000.00	\$ 3,000.00	0.00	\$ -	0.00	\$ -	0%
CR9	Repair 6" Lateral (No approval yet)	1	EA	\$ 750.00	\$ 750.00	0.00	\$ -	0.00	\$ -	3.00
CR10	Furnish & Install 4" Lateral (No approval yet)	1	EA	\$ 2,600.00	\$ 2,600.00	0.00	\$ -	0.00	\$ -	4.00
CR11	Repair 4" Lateral (No approval yet)	1	EA	\$ 650.00	\$ 650.00	0.00	\$ -	0.00	\$ -	0%
CR12	12/11/19 2" Water Service Installation for Grace N. Roberts Elementary School	1	LS	\$ 2,018.38	\$ 2,018.38	1.00	\$ 2,018.38	1.00	\$ 2,018.38	100%
CR13	12/12/19 2" Water Service Installation for Waller C Black Elementary School	1	LS	\$ 2,464.58	\$ 2,464.58	1.00	\$ 2,464.58	1.00	\$ 2,464.58	100%
TOTAL						TOTAL	\$ 220,830.35		\$ 852,955.44	TOTAL PAID
RETAINER(2%)						RETAINER(2%)	\$ 4,416.61		\$ 13,059.11	TOTAL RETAINER
SUBTOTAL						SUBTOTAL	\$ 216,413.74		70%	PROJECT % COMPLETE

Revised 12/10/18

Revised 12/3/18

Revised 10/4/18

Subsection 28-2-2 Definitions.

As used in this chapter:

Arbor shall mean an accessory shelter that is made by growing plants or vines over a frame.

Gazebo shall mean an accessory building consisting of a detached, covered, freestanding, open-air structure.

Pergola shall mean an accessory structure of parallel colonnades supporting an open roof of crossing rafters or trelliswork.

Subsection 28-3-5 R-1 Residential District.

a. Permitted Uses. In the R-1 Residential District, the following uses, and no others, shall be permitted:

1. Principal Uses:

2. Accessory Uses:

(a) Carports, accessory garages and/or open parking spaces with necessary driveways for vehicles belonging to residents on the premises and their guests.

(b) Noncommercial solariums and home swimming pools, provided that suitable protective fencing at least four (4') feet high shall surround the pool.

(c) Home-based occupations as defined in Section 28-10-6 and professional offices, provided that the professional resides on the premises, and further provided that no more than one nonresident employee shall be permitted.

(d) Signs as provided in subsection 28-3.5b, 12.

(e) Fences and walls.

(f) Subject to lot coverage requirements, no more than two (2) storage sheds are permitted on a lot.

(g) Satellite dishes, subject to the restrictions and requirements set forth in subsection 28-10.18.

(h) Yard structures to include gazebos, pergolas or arbors, subject to the restrictions and requirements set forth in subsection 28-10.20.

(i) Tree houses, subject to the restrictions and requirements set forth in subsection 28-10.21.

Section 28-10

SPECIAL USE REGULATIONS

Subsections:

- 28-10-00 Special Use Regulations.
- 28-10-1 Schools.
- 28-10-2 Places of Worship.
- 28-10-3 Professional Offices; Private Schools.
- 28-10-4 Fences, Walls and Small Sheds.
- 28-10-5 Swimming Pools.
- 28-10-6 Home-Based Occupations.
- 28-10-7 Shelters for Victims of Domestic Violence Housing More Than Six (6) Persons But Less Than Sixteen (16) Persons Excluding Staff.
- 28-10-8 Sight Triangles.
- 28-10-9 Laundries; Dry-Cleaning Establishments.
- 28-10-10 Off-Street Parking and Off-Street Loading Facilities.
- 28-10-11 Motor Vehicle Filling Stations.
- 28-10-12 Automobile Repair Establishments.
- 28-10-13 Hotels and Motels.
- 28-10-14 Shopping Centers.
- 28-10-15 Portable Toilets.
- 28-10-16 Portable Storage Units and Dumpsters.
- 28-10-17 Temporary Trailers.
- 28-10-18 Satellite Dishes.
- 28-10-19 Permanently Installed Standby Generators.

28-10-20 Yard Structures

- a. Yard structures include free standing gazebos, pergolas or arbors.
- b. Yard structures are permitted only in the rear yard and cannot be closer than 10'-0" to any property line.

This is the same setback as required for swimming pools. Sheds and garages have a 5' minimum setback, but people do not sit or lounge in them. The 10' setback will provide a more personal comfort buffer to the neighbors.

- c. The maximum size is 256 square feet or 20% of the rear yard, whichever is smaller. The maximum height is sixteen (16) feet.

256 sq feet is a 16' x 16' structure. The R-4 zone has the smallest lots, with a lot width of 50' x 35' rear yard setback or 1750 sq ft. Other towns use 25% of the rear yard, which comes out to 437 sq ft. 20% comes out to 350 sq ft. The 20% maximum is to keep the roof structure from overwhelming the rear yard. Rear yards smaller than 1280 sq ft (about 36' wide x 35' rear yard setback) will start to be limited by 20% of the rear yard requirement or the 10' minimum property line setback.

It should be noted that there are properties on Monmouth St with only a 20' width. These properties will not be able to have a roofed structure unless the property line setback is reduced.

The maximum height of 16 feet is similar to the maximum height for other accessory structures and it will permit a double roof with a cupola.



- d. Yard structures with completely covered roofs will be included in the total lot coverage for all buildings. Yard structures with open roofs or lattice will be included in the total lot coverage for all structures and other improvements.

To help prevent this.



28-10-21 Tree Houses

- a. The tree house is permitted only in the rear yard and cannot be closer than 10'-0" to any property line.

This is the same setback as required for swimming pools. There was a complaint once from a resident that the neighbor's kids were peeping into his window from their property. This would add a buffer.

- b. Maximum size of the tree house is eighty (80) square feet. Maximum height to the highest element of the tree house is twelve 12 feet.

This would be an 8' x 10' tree house. The maximum height of a platform would be 9'-6" above the ground if it had a railing. It would be lower if a roof was built.

- c. The tree must be a mature, healthy deciduous or coniferous tree with a trunk diameter of sufficient size to be able to support the tree house. Anchorage and supports must be structurally sound and cannot damage the tree.

Revised from the last submission to be more performance based.

- d. Platforms require railings or wall enclosure a minimum of thirty (30) inches above the platform. The bottom of any window or opening must be thirty (30) inches above the platform.

To help prevent children from falling off of the platform.

- e. Electric, plumbing, lighting or gas service is not allowed in or on the tree house or tree.

- f. The zoning permit is only to allow the tree house to be built. Hightstown Borough is not responsible for the structural integrity of the tree house. Hightstown Borough assumes no responsibility for how the tree house is used. As a condition to the receipt of the zoning permit, the applicant shall execute a waiver, indemnification and hold harmless agreement in favor of the Borough of Hightstown (including Borough of Hightstown employees, officials and agents) relating to the construction, maintenance and the use of the tree house at the applicant's property. The waiver, indemnification and hold harmless agreement shall be in a form that is approved by the Borough Attorney and the Borough's insurance carrier. The zoning permit for a tree house is good for only two years. It must be renewed bi-annually. The tree house shall be removed when it is no longer being used.

Ridgewood requires renewal every 5 years. A yearly renewal will help speed up the removal of the tree house when it is no longer being used. It could also be required to be removed if the house is sold, but a nice tree house may be a selling point for the house for a buyer with children.

- g. Since the tree house will be visible to the neighbors, it will also be governed by the Hightstown Borough Property Maintenance Code.