

Agenda

Hightstown Borough Council

May 18, 2020

Teleconference

6:30 p.m.

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 on the Borough website.

Roll Call

Flag Salute

Approval of the Agenda

Minutes April 23, 2020 – Executive Session
 April 23, 2020 – Public Session
 May 4, 2020 – Executive Session
 Ma 4, 2020 – Public Session

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

Ordinances **2020-01 Final Reading and Public Hearing 2020-01** An Ordinance Amending and Supplementing Chapter 28, Entitled “Zoning”, of the “Revised General Ordinances of the Borough of Hightstown, New Jersey”, Relating to Various Types of Accessory Structures

2020-03 First Reading and Introduction An Ordinance Amending the Land Use Ordinance of the Borough of Hightstown to Add Affordable Housing Procedural and Eligibility Requirements, to Implement the Third Round of Affordable Housing in Accordance with the Fair Housing Act of 1985

Resolutions **2020-114** Payment of Bills

2020-115 Authorizing a Memorandum of Understanding between Hightstown Borough and Robbinsville Township for Negotiations Regarding a Police and Court Facility and Dispatch Services

Consent Agenda **2020-116** Authorizing Change Order #2 (Final) – VGM Group – Roof Replacement, AWWTP

2020-117 Waiving the Requirement for a Waste Disposal Sticker to Dispose of Bulk, White Goods and Metal Fees Until Further Notice Due to the COVID-19 Pandemic

- 2020-118** Petitioning the Board of Public Utilities to Enact Regulations Requiring a 100% Rate of High Speed Internet Accessibility to Each Municipality Throughout New Jersey

Old Business

NJDOT Grant Engineer Direction (5/4/2020)

Lincoln, Hagemont, Rocky Brook Project - Tree Issue (6/3/2019; 6/17/2019; 10/21/2019)

Budget Meeting Dates (03/01/2020; 03/16/2020; 4/13/2020)

Mayor/Council/Administrative Reports

Adjournment

Meeting Minutes
Hightstown Borough Council
April 23, 2020
6:30 p.m.

The meeting was called to order by Mayor Quattrone at 6:32 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 on the Borough’s website.” Do to COVID-19 and self-distancing protocols, this meeting was held remotely through freeconferencecall.com.

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; George Lang, CFO; Angela LoConte, Tax Collector; Mairead Thompson, Tax Clerk and Fred Raffetto, Borough Attorney.

APPROVAL OF AGENDA

Mayor Quattrone requested that a Rental Registration be added to new business.

Council President Musing moved the agenda as amended; Councilmember Jackson seconded.

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

Agenda approved as amended 6-0.

PUBLIC COMMENT I

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

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

NEW BUSINESS

Delinquent Property Tax interest and Grace Period

Councilmember Musing stated that during this time, many residents are not receiving a paycheck. Property taxes are needed to sustain the Borough. He questioned if we need to charge such a high interest rate for late payments.

Mayor Quattrone stated that he opposes changing the interest rate.

Councilmember Bluth stated that she feels that we need to do something to help the residents. She would like to see a 0% interest rate for late payments.

George Lang, CFO, stated that the Memo from the Tax Collectors and Treasurer's Association of New Jersey, dated April 22, 2020, summed up the reasons why the Borough should not change the interest rate on delinquent tax payments. Changing the delinquent interest rate would have a negative impact on the Borough financially. The Borough still needs to pay County and School taxes on time. Mr. Lang also informed Council that if we were to change the delinquent interest rate, we would need to notify residents of the change by mail. We would also need to notify all residents again when the rate is changed back. This is an added expense for the Borough.

Angela LoConte, Tax Collector, stated that once that delinquent interest goes away, no interest can ever be applied to the balance due for that quarter. She also fears that banks will hold the tax payments if the delinquent rate is 0%.

Councilmember Stults stated that he read the memo from the TCTANJ and he feels strongly about the unintended consequences. People who have the ability to pay won't until they absolutely have to. This is not a good idea.

Councilmember Misiura stated that he agrees with Councilmember Stults. He is not in favor of reducing or eliminating the delinquent interest rate at this time.

Councilmember Jackson agrees with Councilmembers Stults and Misiura. Not a good idea at this time.

Councilmember Cicalese stated that he feels for people being affected by losing their jobs. After reading the TCTANJ memo he believes this is not a good idea due to the potential shortfall for the Borough.

Councilmember Bluth stated that she read the memo from the TCTANJ also and respects everyone's opinion but she has not changed her mind. She is here to represent the residents and she feels that people will not take advantage of the situation.

Council President Musing thanked everyone for their input and he does understand their reasonings. He stated that we don't have to cut the rate to 0%, there is a lot of in between. Doing nothing is not the right thing either. We need to try to do something.

Mayor Quattrone stated that maybe we can discuss this again in the future if the situation is prolonged into the next quarter's payment.

Councilmember Misiura motioned to end this discussion; Councilmember Cicalese seconded.

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

Discussion on reducing the delinquent tax rate ended 4-2.

Rental Property Registration

Mayor Quattrone stated that he has been approached by several landlords in town asking that the Rental Property Registration be waived this year. Deputy Clerk, Peggy Riggio, stated that the renewals are due by April 30th. The Construction Office has already received many renewals along with the \$100 fee. Debra Sopronyi, Borough Administrator/Clerk, stated that the State statute for rental inspections is 2 years. Hightstown Borough changed it's ordinance to have registration and inspection annually. Council President Musing stated that Hightstown has a history of overcrowding which is why we changed our code to have annual registration and inspections. This is an incurred cost of running a business. He is not in favor of waiving this. He has also spoken to Construction Official, George Chin, and he does not want this to change. After further discussion, Council agreed to leave the Rental Registration as is.

EXECUTIVE SESSION

Resolution 2020-106 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Jackson; Seconded by Councilmember Bluth.

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

Resolution adopted 6-0.

Resolution 2020-106

*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 April 23, 2020 via teleconference, 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 – AWWTP Superintendent

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 July 23, 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.

Council adjourned into Executive Session at 7:15 p.m.

Council returned to the public session at 8:22 p.m.

ADJOURNMENT

Council President Musing moved to adjourn at 8:23 p.m.; Councilmember Cicalese seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk

Meeting Minutes
Hightstown Borough Council
May 4, 2020
6:30 p.m.

The meeting was called to order by Mayor Quattrone at 6:36 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." Do to COVID-19 and self-distancing protocols, this meeting was held remotely through freeconferencecall.com.

	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; George Lang, CFO; Carmela Roberts, Borough Engineer and Fred Raffetto, Borough Attorney.

The Flag Salute followed roll call.

Mayor Quattrone applauded our front-line workers for their dedication during the COVID-19 pandemic.

APPROVAL OF AGENDA

Councilmember Bluth moved to amend the agenda adding a discussion of extending the grace period for 2nd quarter taxes. Councilmember Misiura seconded.

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

Agenda amended 6-0.

Council President Musing moved the accept the agenda as amended; Councilmember Bluth seconded.

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

Agenda approved as amended 6-0.

APPROVAL OF MINUTES

April 6, 2020 – Executive Session

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese

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

Minutes approved 6-0

April 6, 2020 – 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

April 13, 2020

Moved by Councilmember Misiura; Seconded by Councilmember Stults

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

Minutes approved 6-0

ENGINEERING ITEMS

Improvements to Springcrest Drive, Taylor Avenue, Spruce Court and Glen Drive

Borough Engineer, Carmela Roberts, reviewed her letter to Council dated January 21, 2020. In addition to roadway improvements, Ms. Roberts looked into needed water and sanitary sewer improvements. The pump station at Springcrest Drive can be decommissioned by installing new sewer mains to connect to the system on Westerlea Drive. She reviewed the cost of the decommissioning versus the annual maintenance and future upgrades. She pointed out that if this was decommissioned there would be no future expenses for the sanitary system there. Discussion ensued. It was stated that a resident at an adjoining property is interested in purchasing the property. Ms. Sopronyi stated that this would not be a buildable lot, it would just extend the owners property line. The property value is approximately \$10,000. CFO, George Lang, stated that with interest rates being so low, the Borough would be able to finance this portion of the project on our own. It is not a big enough project to finance with NJEIT.

Councilmember Misiura moved to decommission the pump station at Springcrest Drive; Councilmember Bluth seconded.

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

Decommissioning of the pump station at Springcrest Drive approved 6-0.

NJDOT Municipal Aid Grant

Ms. Roberts reviewed her letter to Council dated April 30, 2020. Her letter included recommendations brought forward by the Complete Streets Committee also. Ms. Roberts recommends improvements to either Hausser

Avenue, Bennet Place and Prospect Drive or Schuyler Avenue and Orchard Avenue. The application is due July 1, 2020 and the fee to prepare one application would not exceed \$4,500. Discussion ensued. Borough Administrator/Clerk, Debra Sopronyi, stated that Public Works spends quite a bit of time on Hausser Avenue due to broken water mains. Ms. Roberts explained that both projects would include water main and sanitary work. She would not know the full extent of the sanitary work needed until a video of the current system is done. Council President Musing respects and appreciates the work that Ms. Roberts and Complete Streets is doing but questioned if we need to complete big projects year after year. He understands the need for great infrastructure but at present time with the pandemic is it possible to not submit an application this year and hold off on a major project. Ms. Roberts stated that the Borough receives grant money every year from NJDOT. She does not recommend skipping a year of doing a road project or walking away from NJDOT. Councilmember Cicalese stated that the Complete Streets Committee is in favor of Ms. Roberts recommendation. Council agreed that they need additional time to review the information provided. They will have direction for Ms. Roberts at the May 18th meeting.

PUBLIC COMMENT I

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

Scott Caster, 12 Clover Lane – Thanked Mayor, Council and the staff for the way the Borough is operating at this time. He is proud of Hightstown. Stated that the sidewalk Summit Street is dangerous and needs to be replaced.

Eugene Sarafin, 628 South Main Street – Loves the virtual meeting and being about to hear what is going on.

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

ORDINANCES

Public Hearing and Final Reading Ordinance 2020-02 An Ordinance of the Borough of Hightstown Re-Zoning Certain Properties, Adopting an Updated Zoning Map, and Amending and Supplementing Chapter 28, “Zoning,” of the Revised General Ordinances of the Borough of Hightstown New Jersey.”

Moved for adoption by Council President Musing; Seconded by Councilmember Bluth

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

Eugene Sarafin, 628 South Main Street – Stated that he has a problem with this ordinance. There is no reasoning behind the DTC and DTG. This should be tabled until an adequate presentation is done.

Eva Teller, 218 South Main Street – Stated that the residents do not understand this and need more time to ask questions. She asked this to be put off.

Jeff Bond, 210 South Main Street – read the following statement into the record:

“Having learned of your possible action on the proposed zoning map changes for the Borough just yesterday through an effected neighbor, and due to the gravity of its effect on my residence and other Borough residents, I hereby request that you postpone any action on this matter for at least 30 days. I do so realizing that this is a final hearing and I did not have to be legally noticed, but I was totally unaware that this proceeding was to take place this Monday, May 4, 2020. I also realize that the proposed map has been a part of the master plan since 2014, however, I have mentioned my objection to re-zoning the subject lots to commercial (DTC) many times to many of you. The response was always that I would be noticed at the proper time and have a chance to be heard. Lots 1 & 2 at the corner of South Main & West Ward Streets are both occupied on the first floors by dental offices and second

floors by apartments. These historic circa 1875 dwellings were both originally occupied by dentists who both lived and had their practices on the premises. In the early 1980's, both of these buildings became the present dental offices with the dentists living off premises. This fact required variances from the Board of Adjustment which they obtained and are still in effect today. In 2014, when the master plan was reviewed and the proposed map was drawn, apparently the thought was to make these two lots commercial since they were already dental offices. Any further review of this map since then apparently has made very little changes. We are essentially taking a 2014 map without looking into all the ramifications of 2020. My reasons for objection are the following: These two lots were essentially added to the DTC zone from an R-3 zone without regard to any natural borders such as streets or vacant lots. My residence, lot 3, is only separated by a common driveway from lot 2. The close proximity of the two lots is of major concern. Any owner of lot 2 if this map is approved could tear the house down and build a new commercial structure. Approval of this map could change the overall character of this neighborhood and effect not only me but my neighbors to the south contradistinction of the MLUL principles. Changing these two lots to commercial benefits no one including the owners and the residents of the Borough. I have lived in the Borough for 40 years and served on Council and many boards and commissions. I only ask that you give me time to consult with planning professionals to prepare my argument that changing the zoning of these two lots should not be adopted. Surely during the crisis we are under, a short postponement of this hearing for one month will not prejudice the Borough or its residents."

Nancy Walker Laudenberger, 632 South Main Street – Asked that this be tabled and sent back to Planning Board for Reexamination. She then read the following statement into the record:

"My name is Nancy Walker Laudenberger, I live at 632 South Main Street and I own with my husband John Laudenberger 200 South Main Street. I am speaking tonight to ask that this Ordinance 2020-02 be tabled and sent back to the Planning Board to be re-examined. I understand that this Ordinance is the result of the periodic general re-examination of the Borough's 2014 Master Plan. From what I have been told from Peggy Riggio, I was noticed about this meeting because a property within 200 feet of mine had their zoning designation changed. From reading Exhibit "A" it is noted that my property Block 56 Lot 1 was designated R-3 in 2019 and to be changed to Downtown Core in 2020. Also noted in Exhibit "A" is the column "Re-zoned because of re-examination of the 2014 Master Plan." In that column there is a "Yes" indicating, I think, that my property Block 56 Lot 1 had been noticed about a change in designation in 2014. I never received such notice. The changes that would occur would mean that as owners, current and future, could cover 90% of the property with a structure with no front or side set-backs required. As a steward of the property at 200 South Main Street and as a resident at 632 South Main Street I am most unhappy with how this process has been handled."

Chris Falco, 219 Mercer Street – Asked what the DTG means for residents. Why is this being done? Parking on Mercer Street is already confined.

Councilmember Stults would like to table this vote at least until the first meeting in June.

Council President Musing stated that the reexamination has been online since 2014. This was done to make the Borough more business friendly increasing our ratables. Council has been working on the new maps for two years now. He is not sure what tabling this vote will do; no new information will be brought forward.

Councilmember Stults stated that residents need a chance to understand major changes that will be happening to their property. This should be done face to face.

Councilmember Misiura stated that this has been going on for a long time. If residents would like to bring new information forward, they should. The more information we have the better. Council and the public should be prepared for the continuation of this hearing to be done in this teleconference format. We do not know how long we will need to practice social distancing.

Mayor Quattrone questioned if the Borough is required to notice the hearing again. Borough Attorney, Fred Raffetto, stated that if the vote is tabled, a new notice is not required.

Councilmember Stults moved to table the vote until the June 1, 2020 meeting. Councilmember Jackson seconded.

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

Ordinance tabled until June 1, 2020 – 6-0.

Council President Musing requested the Borough Planner, Brian Slaugh and Planning Board Attorney Jolanta Maziarz be in attendance at the June 1st meeting.

RESOLUTIONS

Resolution 2020-107 Payment of Bills

Moved by Councilmember Musing; Seconded by Councilmember Jackson

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

Resolution adopted 5-0 with 1 abstention.

Resolution 2020-107

*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 \$958,559.57 from the following accounts:

Current		\$839,411.48
W/S Operating		103,808.66
General Capital		0.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		15,271.93
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>67.50</u>
Total		<u>\$958,559.57</u>

Resolution 2020-89 Concurring with the Hiring of One New Full-Time Rank and File Police Officer

Moved by Councilmember Musing; Seconded by Councilmember Bluth.

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

Resolution adopted 6-0.

Resolution 2020-89

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

**CONCURRING WITH THE HIRING OF ONE NEW
FULL-TIME RANK AND FILE POLICE OFFICER**

WHEREAS, a Declaration of Emergency was issued by the Borough of Hightstown Emergency Management Coordinator on March 17, 2020 due to the Pandemic caused by Coronavirus COVID-19; and

WHEREAS, the Declaration of Emergency granted to the Borough Administrator authorization and empowerment to hire any employees and to enter into service agreements with any independent contractors as may be necessary to address the needs of the municipality during the Declaration; and

WHEREAS, Chief Gendron submitted a written request and recommendation that the Borough Administrator appoint Martin Moreno, of West Windsor, New Jersey as a Hightstown Borough full-time rank and file Police Officer; and

WHEREAS, due to the status of the emergency and the absence of a rank and file officer due to an injury, the Borough Administrator determined that there was a need to hire a full-time rank and file police officer for the Borough to continue to provide adequate police services to the community; and

WHEREAS, The Borough Administrator appointed, and the Mayor swore in by oath, Martin Moreno, of West Windsor, New Jersey as a Hightstown Borough Police Officer effective March 24, 2020; and

WHEREAS, The Borough Administrator advised the Borough Council of this appointment on March 27, 2020; and

WHEREAS, The Mayor and Borough Council concur with the Administrator's determination and hiring of Martin Moreno as a Hightstown Borough Police Officer; and

WHEREAS, appointee Martin Moreno is a certified Class II officer who will require a waiver issued by the New Jersey Police Training Commission ("PTC"); and

WHEREAS, a PTC waiver is issued to officers who have graduated from a PTC approved academy and who only require a few courses of instruction for full certification; and

WHEREAS, it is the intention of the Borough that appointee Moreno shall be enrolled in said Academy to commence with courses of instruction as soon as possible; and

WHEREAS, the employment of appointee Moreno shall be conditioned upon his passing all applicable Borough requirements; and

WHEREAS, the employment of appointee Moreno shall additionally be conditioned upon qualifying for PTC waivers, as indicated above; and

WHEREAS, the employment of appointee shall additionally be conditioned upon appointee Moreno executing the Hightstown Borough Police Department Employment and Payment Reimbursement Agreement; and

WHEREAS, the Hightstown Borough Council believes that the hiring of the new police officer as referenced above is in the best interests of the health, safety and welfare of the Borough's residents.

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

1. That the Mayor and Borough Council concur with the Chief of Police's recommendation, and the Borough Administrator's determination, of the need for an additional full-time rank and file police officer, contingent upon the conditions set forth in this Resolution.

2. That the employment of the new officer is hereby confirmed and shall be conditioned upon passing all applicable Borough requirements.

3. That the employment of appointee Moreno shall additionally be conditioned upon his qualifying for PTC waivers, as indicated above.

4. That the employment of appointee Moreno shall additionally be conditioned upon appointee Moreno executing the Hightstown Borough Police Department Employment and Payment Reimbursement Agreement.

5. That all other terms and conditions of employment relating to the new hire shall be as set forth in the existing FOP Agreement.

6. That all appropriate Borough officials are hereby authorized and directed to take all appropriate actions in furtherance of the intentions set forth in this Resolution.

7. That a certified copy of this Resolution shall be provided to each of the following:

- a. Appointee Martin Moreno;
- b. Chief Frank Gendron;
- c. Police Commissioner Lee Stults;
- d. Eric Bernstein, Esq., Borough Labor Counsel; and
- e. Frederick C. Raffetto, Esq., Borough Attorney.

Resolution 2020-108 Resolution of the Borough of Hightstown, in the County of Mercer and the State of New Jersey, Authorizing Termination of Amended and Restated Redevelopment Agreement with RBG Hightstown LLC for Block 30, Lots 1-7 & 10-13, and Block 21, Lots 1-13 & 26 on the Borough's Official Tax Map

Moved by Councilmember Misiura; Seconded by Councilmember Stults.

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

Resolution adopted 6-0.

Resolution 2020-108

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

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, IN THE
COUNTY OF MERCER AND THE STATE OF NEW JERSEY,
AUTHORIZING TERMINATION OF AMENDED AND RESTATED
REDEVELOPMENT AGREEMENT WITH RBG HIGHTSTOWN, LLC
FOR BLOCK 30, LOTS 1-7 & 10-13, AND BLOCK 21, LOTS 1-13 & 26
ON THE BOROUGH'S OFFICIAL TAX MAP**

WHEREAS, pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., 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; Block 8, Lots 12-14; Block 18, Lots 8-12 on the Borough's official tax map (collectively, the "Redevelopment Area"), as an "area in need of redevelopment"; and

WHEREAS, a 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 on April 20, 2015, which revised those redevelopment plans previously adopted by the Borough for such portion of the Redevelopment Area; and

WHEREAS, on March 10, 2017, the Borough and RBG Hightstown, LLC ("RBG") entered into that certain Amended and Restated Redevelopment Agreement (the "Amended and Restated 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 and 10-13, and Block 21, Lots 1-13 and 26 on the Borough's official tax map (collectively, the "Project Area"), which constitutes part of Sub-Area I (Bank Street), by constructing thereon a mixed-use redevelopment project including, a mix of retail and residential space, and associated parking and other infrastructure improvements (the "RBG Project"); and

WHEREAS, a copy of the Amended and Restated RBG Redevelopment Agreement was recorded in the Mercer County Clerk's office on September 12, 2017 in Deed Book 6299, Pages 1434 - 1494; and

WHEREAS, RBG subsequently sold its interest in the Project Area to 3PRC, LLC ("3PRC"); and

WHEREAS, RBG no longer owns any portion of the Project Area, is not actively pursuing the RBG Project and, thus, cannot perform its obligations set forth in the Amended and Restated RBG Redevelopment Agreement; and

WHEREAS, 3PRC has since indicated to the Borough its desire to redevelop the Project Area; and

WHEREAS, on January 21, 2020, the Borough adopted a resolution: (i) designating 3PRC as a "conditional redeveloper" of the Project Area (in addition to Block 21, Lot 20) and (ii) authorizing the execution of an Interim Costs Agreement (an "Interim Costs Agreement") between the Borough and 3PRC to reimburse the Borough for any and all costs incurred by the Borough in connection with the negotiation and execution of a redevelopment agreement with 3PRC; and

WHEREAS, on February 20, 2020, the Borough and PRC executed the Interim Costs Agreement and are currently negotiating a redevelopment agreement for the Project Area (in addition to Block 21, Lot 20); and

WHEREAS, 3PRC has indicated that its lender and title company require, as a condition to making a construction loan in connection with the redevelopment of the Project Area, that the Borough formally terminate the Amended and Restated RBG Redevelopment Agreement; and

WHEREAS, the Borough now desires to terminate RBG's designation as redeveloper of the Project Area and the Amended and Restated RBG Redevelopment Agreement, and to authorize the Mayor to execute any and all documents necessary to discharge the recorded Amended and Restated RBG Redevelopment Agreement.

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 Amended and Restated RBG Redevelopment Agreement is hereby terminated and RBG's designation as redeveloper of the Project Area is hereby terminated.

Section 3. The Borough Council hereby authorizes the Mayor to execute any and all documents necessary to discharge the recorded Amended and Restated RBG Redevelopment Agreement consistent with this resolution.

Section 4. This resolution shall take effect immediately.

Resolution 2020-109 Authorizing Employment Agreement with William Searing, AWWTP Superintendent

Moved by Councilmember Musing; Seconded by Councilmember Cicalese.

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

Resolution adopted 6-0.

Resolution 2020-109

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

**AUTHORIZING EMPLOYMENT AGREEMENT WITH WILLIAM SEARING,
AWWTP SUPERINTENDENT**

WHEREAS, it is the desire of the Mayor to reappoint William Searing of Hightstown, NJ to continue to serve as AWWTP Superintendent for a period of three years from January 1, 2020 to December 31, 2022; and

WHEREAS, specific terms and conditions of employment for the AWWTP Superintendent have been set forth in the attached proposed written Employment Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council hereby provides its advice and consent to the Mayor's reappointment of William Searing of Hightstown, NJ to continue to serve as the AWWTP Superintendent for the Borough of Hightstown, subject to the provisions specified in the attached employment agreement.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, the attached Employment Agreement on behalf of the Borough.

CONSENT AGENDA

Councilmember Jackson moved Resolutions 2020-110 and 2020-111 as a Consent Agenda; Councilmember Cicalese seconded.

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

Resolutions adopted 6-0.

Resolution 2020-110

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

APPOINTING FIRE SUBCODE OFFICIAL

WHEREAS, due to the resignation, effective March 30, 2020, of James Yates, as Fire Subcode Official, there will exist a vacancy in that office; and

WHEREAS, the Construction Official has recommended that Robert Weber be appointed to the position of Fire Subcode Official; and

WHEREAS, Mr. Weber is duly licensed by the New Jersey Department of Community Affairs to perform that function, holding State license #008478.

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

1. Robert Weber is hereby appointed as Fire Subcode Official for the Borough of Hightstown effective March 30, 2020
2. A certified copy of this Resolution shall be submitted to the State of New Jersey Department of Community Affairs.

Resolution 2020-111

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

AUTHORIZING CHANGE ORDER #1 – VGM GROUP – ROOF REPLACEMENT, AWWTP

WHEREAS, on February 18, 2020, Borough Council awarded a contract for a roof replacement at the Hightstown AWWTP through the Mercer County Cooperative Contract Purchasing system to VMG Group of Roselle, New Jersey in the amount of \$67,693.98; and

WHEREAS, the contractor has submitted change order #1 for additional work due to unforeseen existing conditions

in the amount of \$8,197.00 which increases the total contract to \$75,890.98; and

WHEREAS, the Borough Administrator has recommended approval of Change order #1; 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 change #1 to VMG Group of Roselle, New Jersey for \$8,197, is hereby approved as detailed herein,

DISCUSSION

Extending the Grace Period for 2nd Quarter Taxes

Councilmember Bluth stated that the Governor's Executive Order 130 permits municipalities to extend the grace period of 2nd quarter property taxes to June 1st. This would provide our residents with an additional 20 days to pay their taxes.

Council President Musing agreed that this would provide our residents some relief.

Councilmember Jackson stated that he would support this.

George Lang, CFO, stated that he is ok with this but Council needs to understand that if this payment is not received by June 1st, interest would revert back to May 1st.

Council agreed to move forward with a Resolution. Deputy Clerk, Peggy Riggio, numbered the Resolution 2020-113. Borough Attorney, Fred Raffetto read the resolution into the record.

Resolution 2020-113 Resolution Authorizing and Directing the Tax Collector to Extend the Second Quarter 2020 Grace Period

Moved by Councilmember Bluth; Seconded by Council President Musing.

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

Resolution adopted 6-0.

Resolution 2020-113

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

RESOLUTION AUTHORIZING AND DIRECTING THE TAX COLLECTOR TO EXTEND THE SECOND QUARTER 2020 GRACE PERIOD

WHEREAS, in an attempt to alleviate some of the financial burden on property taxpayers during the COVID-19 State of Emergency and Public Health Emergency crisis, Governor Philip D. Murphy executed Executive Order No. 130 on April 28, 2020, which authorizes municipalities to adopt a Resolution to extend the grace period associated with the second quarter 2020 tax payment, which is due as of May 1, 2020, to a date no later than June 1, 2020; and

WHEREAS, the Mayor and Council of the Borough of Hightstown are extremely sensitive to the financial

hardships that are being suffered by many property taxpayers during the current time, and wish to extend the grace period associated with the second quarter 2020 tax payment until June 1, 2020, in accordance with the authorization provided by Executive Order No. 130; and

WHEREAS, upon passage of this Resolution, the due date for the second quarter 2020 property tax payment shall remain as May 1, 2020, but the grace period associated with making said payment shall be extended to June 1, 2020, after which time interest shall accrue dating back to May 1, 2020 (and shall be calculated in accordance with the interest rates previously set by the Borough).

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

1. That the Tax Collector is hereby authorized and directed to extend the grace period associated with the second quarter 2020 property tax payment to June 1, 2020, after which time interest shall accrue dating back to May 1, 2020 (and shall be calculated in accordance with the interest rates previously set by the Borough).
2. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Director, Division of Local Government Services;
 - b. Angela LoConte, CTC;
 - c. George Lang, CFO;
 - d. Debra L. Sopronyi, RMC/CMC, QPA, CMR, Borough Clerk; and
 - e. Frederick C. Raffetto, Esq., Borough Attorney.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

The Complete Streets Committee met last week to discuss the NJDOT Municipal Aid Grant.

Councilmember Jackson

Parks and Rec have not met. All Fun Fridays have been cancelled for this summer.

Councilmember Bluth

Cultural Arts Commission and the Environmental Commission have not met. Hopes that everyone stays safe.

Councilmember Stults

Downtown Hightstown has not met but their Facebook page has been kept up to date and is sharing the Borough's information. Thanked all of the residents that called into the meeting tonight. Maybe we could continue to have Zoom Council meetings in the future.

Council President Musing

HPC has not met. The banners are finally up. He hopes that people have noticed them. Thanked Councilmember Bluth for amending the agenda to extend the grace period for tax payments.

Deputy Borough Clerk, Peggy Riggio

Dog and cat licenses will now have a \$15 late fee. Pursuant to direction from the State Health Department, there are no exemptions or modifications for rabies requirements. At this time, we are not licensing public pools. Health Officer, Jill Swanson, will be reaching out to those who are usually issued licenses informing them. The 2020 Census is still underway. If you have not answered your census, please take a minute to do so. The Primary Election has been moved to July 7th. The first Budget Workshop Meeting is scheduled for May 6th at 6:30 p.m. The meeting will be held via teleconference.

Borough Administrator/Clerk, Debra Sopronyi

It's been a busy few months rescheduling schedules and services. Public Works will start picking up vegetative waste. The schedule will be posted on the website. Bulk pick up has not resumed yet. Please keep an eye on the website for updates. There was an OEM meeting this morning updating everyone on the status of services and supplies. The parks in the Borough have been reopened. There will be a pop up COVID test site set up at St. Anthony's parking lot starting this Friday. This will be run by the County. Encouraged everyone to maintain social distancing.

CFO, George Lang

Stated that the budget is very challenging this year. He requested that the meeting scheduled for May 6th be cancelled. He will have the budget ready for the May 13th meeting.

Mayor Quattrone

Thanked everyone for doing a great job during this uncertain time. Thanked St. Anthony's for the use of their parking lot for the test site. Our police are doing a great job. Hightstown is doing their best. We are learning something new every day.

EXECUTIVE SESSION

Resolution 2020-112 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Stults; Seconded by Councilmember Cicalese

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

Resolution adopted 6-0.

Resolution 2020-112

*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 May 4, 2020 via teleconference, 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:

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 August 4, 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.

Council adjourned into Executive Session at 8:32 p.m.

Council returned to Public Session at 8:44 p.m.

ADJOURNMENT

Councilmember Cicalese moved to adjourn at 8:45 p.m.; Councilmember Stults seconded. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk

ORDINANCE 2020-01

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 28, ENTITLED “ZONING,” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY,” RELATING TO VARIOUS TYPES OF ACCESSORY STRUCTURES.

WHEREAS, the existing zoning and land use regulations of the Borough of Hightstown (the “Borough”) are set forth in Chapter 28, entitled “Zoning,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey;” and

WHEREAS, the Mayor and Council wish to make certain revisions thereto relating to various types of accessory structures.

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

Section 1. Chapter 28, entitled “Zoning,” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended and supplemented in the following limited respects (deletions are shown with ~~strikeout~~, additions are shown with underline):

Chapter 28 ZONING

Section 28-2 DEFINITIONS AND WORD USAGE

[Note to Codifier: The remainder of this Section shall remain unaltered, with the exception of the information shown in underline below, which is to be inserted in alphabetical order.]

Subsection 28-2-2 Definitions.

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, free standing, open-air structure.

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

Section 28-3
DISTRICTS ESTABLISHED; ZONING MAP

[Note to Codifier: Subsections 28-3-1 through 28-3-4 shall remain unaltered.]

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:

[Note to Codifier: This Subsection shall remain unaltered.]

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) Playground equipment, including but not limited to swing sets, non-elevated children's playhouses, etc.; however, no zoning permit shall be required.

3. Conditional Uses.

[Note to Codifier: This Subsection shall remain unaltered.]

b. Other Restrictions.

[Note to Codifier: The remainder of this Subsection shall remain unaltered.]

[Note to Codifier: Sections 28-4 through 28-9 shall remain unaltered.]

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.
<u>28-10-20</u>	<u>Yard Structures.</u>

[Note to Codifier: Subsections 28-10-00 through 28-10-19 shall remain unaltered. New Subsections 28-10-20 and 28-10-21 are hereby added as follows (additions are shown with underline)]:

Subsection 28-10-20 Yard Structures.

a. Yard structures shall include free standing gazebos, pergolas or arbors.

- b. With the exception of arbors, yard structures are permitted only in the rear yard and cannot be closer than 10'-0" to any property line. These location restrictions shall not pertain to arbors.
- c. The maximum size of yard structures is 256 square feet or 20% of the rear yard, whichever is smaller. The maximum height is sixteen (16) feet.
- 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.

[Note to Codifier: The remainder of Chapter 28 shall remain unaltered.]

Section 2. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

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

Section 4. This Ordinance shall become effective upon final passage and publication in accordance with the law.

Introduction: February 18, 2020

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

ORDINANCE 2020-03

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

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

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

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

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

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

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

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

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

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

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

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

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

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

that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

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

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

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

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

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

AFFORDABLE UNIT: A housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

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

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

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

DCA: The State of New Jersey Department of Community Affairs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

QUALIFIED PURCHASER OR RENTER: A person who:

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

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

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

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

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

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

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

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

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

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

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

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

28-17 AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS

28-17-1 Purpose and General Provisions.

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

28-17-2 Affordable Housing Required.

1. Any residential development approved by the Planning Board of the Borough of Hightstown, including those developments consisting in whole or in part of beds counted as a residential dwelling, shall set aside dwelling units for persons of low and moderate income as defined in this Article, except for development within a redevelopment district. Affordable housing within a redevelopment district shall be as established in a

redevelopment agreement between the Borough and the redeveloper. Unless otherwise stated or as may be required within specific zoning districts, the minimum set aside shall be 15% of the total number of units if the affordable units will be for rent and 20% of the total number of units if the affordable units will be for sale. In assisted living residence developments, the set-aside shall be a minimum of 10% of the total number of units. At least half of all affordable units shall be affordable to low or very low income households. Except when part of a larger development of a tract zoned or otherwise permitted to be developed at a residential density of 6 units per acre or more, developments of single-family detached and/or duplex or two-family dwellings shall be exempt from the inclusionary development requirements of this section, but shall pay an affordable housing development fee. Properties shall not be permitted to be subdivided to avoid compliance with the inclusionary development requirements of this section.

2. All developers with sites identified for affordable housing pursuant to the most recent Housing Element and Fair Share Plan adopted by the Planning Board and Borough Council of Hightstown, according to their respective duties, shall provide affordable housing units in accordance with the plan. All development, whether residential, commercial, or industrial shall construct units or pay a development fee in accordance with this Article, except as otherwise exempted.
3. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Borough of Hightstown to grant such rezoning, variance or other relief.
4. This Borough-wide mandatory set-aside requirement does not supersede the effects or requirements of any inclusionary overlay zoning districts for any inclusionary multi-family residential development that occurs within the boundaries of those districts.
5. In the event that the inclusionary set-aside percentage (15% or 20%, as the case may be) of the total number of residential units does not result in a full integer, the developer may choose one of two options of addressing the fractional unit:
 - a. The developer shall round the set-aside upward to construct a whole additional affordable unit; or
 - b. If the set-aside includes a fractional unit less than 0.5, the developer may round the set-aside downward and construct the lesser whole number of affordable units, but must also make a payment in lieu of constructing the fractional additional unit (“fractional payment in lieu”).
 - c. The fractional payment in lieu amount shall be calculated as the fractional unit multiplied by the payment in lieu amount of \$250,000.00, increased annually by the construction Consumer Price Index.
 - d. For example, if seven total units are developed at an inclusionary site, a 20% set-aside would require 1.4 affordable units. Per the requirements above:
 1. The developer may round up the 0.4 unit to one whole affordable unit and construct a total of two affordable units, in accordance with this section; or
 2. The developer may round the set-aside downward, construct only one affordable unit and pay into the Borough’s affordable housing trust fund a fractional in lieu payment equal to the dollar amount established hereinabove multiplied by 0.4 units.

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

1. The Borough Council shall yearly appoint a Borough Administrative Agent to monitor sales and resales of affordable housing units, and the leasing of units to tenants. The Borough Administrative Agent may be the Municipal Housing Liaison, but is not required to be the same person.
2. The Borough Administrative Agent shall monitor the designated Administrative Agent of the developer in the initial sales and rental transactions for low- and moderate-income dwellings in accordance with N.J.A.C. 5:80-26.14, as it may be amended or superseded. The developer's Administrative Agent shall have all of responsibilities as put forth in this rule. After the initial sales and rental transactions, the Borough

Administrative Agent, the activities of the Administrative Agent for any re-sales or re-rentals. If the Borough Administrative Agent is the Administrative Agent for the municipality, then he or she shall assume all of the duties and responsibilities set forth in N.J.A.C. 5:80-26.14 following the initial renting, sales and occupancy of low- and moderate-income dwellings. The affordability controls set forth in this chapter shall be administered and enforced by the Administrative Agent regardless of association. The primary responsibility of the Administrative Agent shall be to ensure that the restricted units are sold or rented, as applicable, only to low- and moderate-income households in accordance with the Fair Housing Act.

3. The Borough Council may establish a reasonable fee to program participants for the administration of the affordability controls program.
4. The Borough Council shall approve the credentials of any person who is an Administrative Agent by resolution prior to such person engaging in such work in the Borough of Hightstown.
5. The Administrative Agent, whether the Borough Administrative Agent, developer's agent, or a delegated agent, shall have the responsibility to income qualify low and moderate-income households, to place income eligible households in low- and moderate-income units upon initial occupancy, to provide for the initial occupancy of low- and moderate-income units with income qualified households, to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls, to assist with advertising and outreach to low- and moderate-income households, and to enforce the terms of the deed restriction and mortgage loan. The Administrative Agent shall provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements and landlord/tenant law.
6. The Borough Administrative Agent shall coordinate his or her activities with any outside Administrative Agent to ensure the accurate tracking of the progress of affordable housing in the municipality, answer inquiries regarding affordable housing from the public or direct same to the appropriate official or agency, and comply with the affordable housing monitoring and reporting requirements of the state.
7. In order to ensure an orderly transfer of control responsibility from a municipality to an administrative agent, from one administrative agent to another administrative agent, or other transfer, the requirements as set forth in N.J.A.C. 5:80-26.17 shall apply as are necessary before or during the transition. The Administrative Agent's enforcement responsibility for implementing such practices and procedures shall not be delegated or otherwise transferred to any other party, except to a successor administrative agent and as approved by the Borough Council.
8. By accepting state funds for affordable housing purposes, or by submitting to the jurisdiction of the NJ Council on Affordable Housing or its successor agency, the Borough of Hightstown shall be deemed to have delegated to the Administrative Agent the day-to-day responsibility for implementing practices and procedures designated to ensure effective compliance with the controls set forth in this Article. The governing body of the municipality, however, shall retain the ultimate responsibility for ensuring effective compliance with the requirements as set forth in UHAC and any settlement agreements pertaining to affordable housing matters.
9. The Borough Administrative Agent shall complete and return to the NJ Council on Affordable Housing (COAH), its successor, or court of competent jurisdiction all forms necessary for monitoring requirements related to dwelling units in affordable housing projects and the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough of Hightstown's approved housing program, as well as to the expenditure of revenues and implementation of the approved plan.
10. The Borough Administrative Agent shall keep records of the affirmative marketing activities undertaken in accordance with the affirmative marketing plan established by any developer's administrative agent. The records shall include, but not be limited to, the following:
 - a. Electronic reporting of affordable housing activity; any required paper forms;
 - b. Copies of any press releases, brochures, flyers, print advertisements and application forms used in the affirmative marketing program.
 - c. The income and demographic characteristics of each household applying for and occupying

income-restricted housing.

- d. An evaluation of any necessary adjustments required to the affirmative marketing program as communicated by the Administrative Agent.

28-17-4 Submission of Affordable Housing Plan.

1. The developer of low- and moderate-income housing units shall submit to the Borough Administrative Agent a description of the means to be used to insure that the required low- and moderate-income units are sold or rented only to low- and moderate-income households for a period of not less than 30 years, that such units meet bedroom distribution and phasing requirements, and comports with the requirements of this Article pertaining to the provisions, leasing, selling and transferring units among eligible low- and moderate-income households.
2. The Affordable Housing Plan shall indicate how the developer will comply with the procedures of this Article for selecting occupants of low- and moderate-income housing and the required affirmative marketing requirements. The requirements for affirmative marketing are found in §28-17-16. Whenever a developer proposes a third party operator or manager of affordable housing units, the Borough Council shall specifically approve such operator and manager. The Borough Council may delegate this approval to the Borough Administrative Agent.
3. The following information shall promptly be provided to the Borough Administrative Agent by the developer or sponsor of any project containing any affordable units' subject to the requirements of this Article, upon the later of either final municipal land use approval or issuance of a grant contract by a governmental authority:
 - a. The total number of units in the project, and number of restricted units, broken down by bedroom size, identifying which are low- and which are moderate-income dwellings, and including street addresses of restricted dwellings;
 - b. Floor plans of all affordable dwellings, including complete and accurate identification of uses and dimensions of all rooms;
 - c. A project map identifying the locations of low- and moderate-income and market dwellings;
 - d. A list of project principals or partners, together with a list of all other affordable projects in which they have been involved over the previous five years;
 - e. Projected construction schedule;
 - f. Proposed pricing for all units, including any purchaser options and add-on items;
 - g. A list of all public funding sources and copies of grant or loan agreements for those sources;
 - h. Condominium fees or homeowner association and any other maintenance or other fees;
 - i. Estimated real property taxes for sale units;
 - j. Sewer, trash disposal and any other utility assessments;
 - k. Flood insurance requirement, if applicable;
 - l. A description of all HVAC systems;
 - m. Location of any common areas and elevators;
 - n. Proposed form of lease for any rental units;
 - o. The name of the person who will be responsible for official contact with the Borough Administrative Agent for the duration of the project;
 - p. The name and qualifications of the developer's administrative agent, if applicable; and

- q. The State-approved Planned Real Estate Development public offering statement and/or master deed where available or applicable.
4. The developer shall submit the marketing plan to the Borough Administrative Agent at least 45 days prior to the advertising of the availability of the units. The Borough Administrative Agent will approve or modify the plan within 30 working days of receipt of the plan or within such time as additionally granted by the developer.

28-17-5 Household Income Limitations.

1. The incomes of low- and moderate-income households occupying affordable housing shall not exceed the income limits as of January 1 of the current year.
2. Median Income Determination. Income limits for all units for which income limits are not already established through a federal program exempted from the Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1 shall be updated by the Borough annually following the publication of determinations of median income by the U.S. Department of Housing and Urban Development (HUD) and calculation by the Affordable Housing Professionals of New Jersey in the absence of such calculation by COAH.
3. Affordable Housing Purchase or Rent. Very low-income housing units shall be reserved for households with a gross household income less than or equal to 30% of the median regional income. Very low-income households shall be considered a subset of low-income units. Of the number of very low-income households, at least 50% shall be for family households. Low-income housing units shall be reserved for households with a gross household income less than or equal to 50% of the median regional income. Moderate-income units shall be reserved for households with a gross household income more than 50% but equal to or less than 80% of the median income.
4. Assisted Living Facilities. Income determination and eligibility for assisted living facilities shall also comply with the New Jersey Housing and Mortgage Finance Agency's Assisted Living Underwriting Guidelines and Financing Policy, dated May 28, 1996, as it may be amended or superseded. The monthly fee for rent, meals, and basic services for the affordable units in the assisted living facility shall not exceed 80% of household income. For the purposes of this section, 62.5% of the fee shall be assumed to be for meals and basic services and 37.5% of the fee for rent.

28-17-6 Household Income Verification.

1. Any Administrative Agent shall secure the information from applicant households necessary and appropriate to determine that restricted dwellings are occupied by properly sized households with appropriate very low, low or moderate income levels. No household may be referred to a restricted dwelling, or may receive a commitment with respect to a restricted dwelling, unless that household has received a signed and dated certification, as set forth in this section, and has executed the certificate in the form provided.
2. Any Administrative Agent shall use a random selection process to select occupants of very low-, low- and moderate-income housing.
3. Any Administrative Agent shall prepare a standard form of certification and shall sign and date one for each household when certified. This certification shall be known as a Certificate of Eligibility and shall be a prerequisite for the purchase or rental of an income-restricted dwelling. An initial certification shall be valid for no more than 180 days unless a valid contract for sale or lease has been executed within that time period. In this event, certifications shall be valid until such time as the contract for sale or lease is ruled invalid and no occupancy has occurred. Certifications may be renewed in writing at the request of a certified household for an additional period of 180 days at the discretion of the Borough Administrative Agent or Administrative Agent.
4. When reviewing an applicant household's income to determine eligibility, any Administrative Agent shall compare the applicant household's total gross annual income to the regional very low-, low- and moderate-income limits then in effect, as approved by the court of competent jurisdiction. For the purposes of this subchapter, income includes, but is not limited to, wages, salaries, tips, commissions, alimony, regularly

scheduled overtime, pensions, social security, unemployment compensation, Temporary Assistance for Needy Families (TANF), verified regular child support, disability, net income from business or real estate, and income from assets such as savings, certificates of deposit, money market accounts, mutual funds, stocks, bonds and imputed income from non-income producing assets, such as equity in real estate.

5. Except as otherwise specifically stated in this subchapter, the sources of income considered by the Borough Administrative Agent or Administrative Agent shall be the types of regular income reported to the Internal Revenue Service and which is eligible to be used for mortgage loan approval. Household annual gross income shall be calculated by projecting current gross income over a 12-month period.
6. Assets not earning a verifiable income shall have an annual imputed interest income using a current average annual savings interest rate. Assets not earning income include, but are not limited to, present real estate equity. Applicants owning real estate shall produce documentation of a market value appraisal and outstanding mortgage debt. The difference shall be treated as the monetary value of the asset and the imputed interest added to income. If the applicant household owns a primary residence with no mortgage on the property valued at or above the regional asset limit, a Certificate of Eligibility shall be denied by the Borough Administrative Agent or Administrative Agent, unless the applicant's existing monthly housing costs (including principal, interest, taxes, homeowner and private mortgage insurance, and condominium and homeowner association fees as applicable) exceed 33% of the household's eligible monthly income.
7. Rent from real estate shall be considered income, after deduction of any mortgage payments, real estate taxes, property owner's insurance and reasonable property management expenses as reported to the Internal Revenue Service. Other expenses are not deductible. If actual rent is less than fair market rent, the Borough Administrative Agent or Administrative Agent shall impute a fair market rent.
8. Income does not include benefits, payments, rebates or credits received under any of the following:
 - a. Federal or State low income energy assistance programs;
 - b. Food stamps, payments received for foster care, relocation assistance benefits;
 - c. Income of live-in attendants, scholarships, student loans, and personal property, including but not limited to, automobiles; and
 - d. Lump-sum additions to assets such as inheritances, lottery winnings, gifts, insurance settlements, and part-time income of persons enrolled as full-time students.
 - e. Income, however, does include interest and other earnings from the investment of any of the foregoing benefits, payments, rebates, or credits.
9. Any Administrative Agent shall require each member of an applicant household who is 18 years of age or older to provide documentation to verify the member's income, including income received by adults on behalf of minor children for their benefit. Household members 18 years of age or older who do not receive income must produce documentation of current status. Income verification documentation may include, but is not limited to, the following for each and every member of a household who is 18 years of age or older:
 - a. Four consecutive pay stubs, not more than 120 days old, including bonuses, overtime or tips, or a letter from the employer stating the present annual income figure;
 - b. Copies of Federal and State income tax returns for each of the preceding three tax years;
 - c. A letter or appropriate reporting form verifying monthly benefits such as Social Security, unemployment, TANF, disability or pension income (monthly or annually);
 - d. A letter or appropriate reporting form verifying any other sources of income claimed by the applicant, such as alimony or child support;
 - e. Income reports from banks or other financial institutions holding or managing trust funds, money market accounts, certificates of deposit, stocks or bonds; and
 - f. Evidence or reports of income from directly held assets such as real estate or businesses.
 - g. Court ordered payments for alimony or child support to another household, whether or not it is being paid regularly, shall be excluded from income for purposes of determining income eligibility.

10. At the discretion of the Borough Administrative Agent or Administrative Agent, households may also be required to produce documentation of household composition for determining the correct dwelling size and applicable median income guide.
11. Tenant Income Eligibility. In addition to the foregoing requirements, tenant income eligibility shall be in accordance with the median income limits of N.J.A.C. 5:80-26.13. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median household income by household size. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the regional median household income by household size. Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the regional median household income by household size.
12. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - a. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - b. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - c. The household is currently in substandard or overcrowded living conditions;
 - d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - e. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
13. The applicant shall file documentation sufficient to establish the existence of the circumstances in -2.a through -2.e above with the Administrative Agent, who shall counsel the household on budgeting.

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

- A. If the household is found to be eligible for low- and moderate-income housing, they shall be issued a Certificate of Eligibility and placed on the affordable housing waiting list, except in the event that such a certificate is withheld or removed in accordance with this section. Eligible persons that live or work within the East Central Housing Region (Region 4) shall have preference over those that live or work in another housing region.
- B. Applicants shall be selected in the order in which their applications are certified and in accordance with the provisions of this section.
- C. Households remaining on a waiting list shall update its application no later than April 30 each year, including the most recent federal income tax return of each member of the proposed household and such other updated income and other information requested on the application.
- D. Households on the waiting list who have not submitted the required information by May 15 each year shall be notified by certified mail, mailed to the address on file that they have until June 30 of that year to provide the information or they shall be removed from the waiting list.

- E. Any household whose income or priority category has changed such that the household has become eligible for a different category of housing or priority list shall be placed on the appropriate list without penalty or favor as of the date of the original application.
- F. Any household whose income has increased to the degree that it is no longer eligible for low or moderate income housing shall be removed from the waiting list.
- G. If the Borough Administrative Agent or Administrative Agent has reason to believe that the information on file is erroneous or incomplete, he or she shall have the right to conduct an investigation and request any additional information deemed necessary to obtain accurate household information. If an applicant does not cooperate in such investigation or refuses to reply with the requested additional information within 30 days of said request, the applicant shall be removed from the list.
- H. All applications shall be notarized and certified complete and accurate. Anyone knowingly submitting incomplete, inaccurate, incorrect or false information may be removed from eligibility for very low-, low- and moderate-income dwellings. All information submitted to the Borough Administrative Agent or Administrative Agent for the purposes of determining applicant eligibility shall be strictly confidential and not considered a public record.
- I. Prior to the time of availability of a very low-, low- and moderate-income dwelling, the Borough Administrative Agent or Administrative Agent shall notify by certified mail the top three households on the waiting list for the type of dwelling available, its location and the estimated date it will be available. If a purchaser or tenant cannot be found from the top three households on the waiting list, notice shall be sent to the fourth, fifth, etc., household until a purchaser or tenant is found. The household shall, within 14 days of mailing, notify the Borough Administrative Agent or Administrative Agent, in writing, of its intent to occupy the dwelling and, if selected, its intent to comply with the requirements of paragraph –I, below, within 15 days. Any household which fails to respond to the notice or chooses to reject a specific dwelling by informing the Administrative Agent in writing, shall retain its priority and shall be notified of available dwellings in the future, except that if a household chooses to reject a dwelling or fails to respond three times, it shall be removed from the list and must reapply and re-qualify if it wishes to be placed on the list at a new qualified priority.
- J. At the time of notice to a household of the availability of an appropriate type of dwelling and if the household notifies the Administrative Agent of its intent to occupy the dwelling and that household is selected for occupancy, each household member shall update the records on file and recertify the accuracy of the information as required herein. Information shall be reviewed and the eligibility status reconfirmed. The household selected shall only at that point proceed to make the legal and financial arrangements to acquire or lease the dwelling.
- K. If a household selected for occupancy is unable to obtain financing, it shall lose its eligibility for that dwelling, after notice, but shall retain its priority status for a similar appropriate dwelling as other dwellings become available and as long as the household remains eligible. When notified of the availability of another dwelling, updating and recertifying data as outlined in Subsection –H above is required.
- L. A certificate of eligibility may be withheld by the Borough Administrative Agent or Administrative Agent as a result of an applicant's inability to demonstrate sufficient present assets for down payment or security deposit purposes.
- M. A certificate of eligibility may be withheld by the Borough Administrative Agent or Administrative Agent as a result of an applicant's inability to verify funds claimed as assets, household composition or other facts represented.
- N. A certificate of eligibility shall be denied by the Borough Administrative Agent or Administrative Agent as a result of any willful and material misstatement of fact made by the applicant in seeking eligibility.

28-17-8 Unit Standards and Requirements.

- A. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be very low and low-income units, while the remainder may be moderate-income units.

- B. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
1. The combined number of efficiency and one-bedroom units is no greater than 20 percent of the total low- and moderate-income units;
 2. At least 30 percent of all low- and moderate-income units are two bedroom units;
 3. At least 20 percent of all low- and moderate-income units are three bedroom units; and
 4. The remainder, if any, may be allocated at the discretion of the developer.
- C. Age-restricted low- and moderate-income units may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the affordable development. The standard may be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit.
- D. In determining the initial rents and initial sales prices for compliance with the affordable average requirements for restricted units other than assisted living facilities, the following standards shall be used:
1. An efficiency shall be affordable to a one-person household;
 2. A one-bedroom dwelling shall be affordable to a one and one-half person household;
 3. A two-bedroom dwelling shall be affordable to a three-person household;
 4. A three-bedroom dwelling shall be affordable to a four and one-half person household;
 5. A four-bedroom dwelling shall be affordable to a six-person household.
 6. In referring certified households to specific income-restricted units, to the extent feasible and without causing an undue delay in occupying the dwelling, the Borough Administrative Agent shall strive to:
 - a. Provide an occupant for each unit's bedroom;
 - b. Provide children of different sex with separate bedrooms; and
 - c. Prevent more than two persons from occupying a single bedroom.
- E. Size of Units. The minimum size of affordable housing units, which is necessary to ensure the public health safety and welfare of its occupants, shall be as indicated in the following table.

Minimum Size of Affordable Housing Units.

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

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

for market units, certificates of occupancy for affordable units shall be required in the following minimum ratios:

Required Percentage of Affordable to Market Units

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

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

Unit Type and Household Size

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

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

the same tenure as the market housing units.

28-17-9 Initial Selling and Renting Determinations.

- A. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures as set forth in the Uniform Housing Affordability Controls.
- B. Required pricing stratification.
 - 1. The maximum rent for affordable units within each affordable development shall be affordable to households earning no more than 60% of median income and the average rent for low- and moderate-income units shall be affordable to households earning no more than 52% of median income. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low income and moderate income units, provided that at least 13% of all low- and moderate-income units shall be affordable to households earning no more than 30% of median income.
 - 2. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of median income. Each affordable development shall achieve an affordability average of 55% for restricted ownership units. In achieving this affordability average, moderate income ownership units shall be available for at least three different prices for each bedroom type, and low income ownership units shall be available for at least two different prices for each bedroom type.
- C. Initial Pricing and Annual Increases of Affordable Dwellings.
 - 1. Owner-occupied dwellings initial pricing. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the dwelling, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement as noted above.
 - 2. Rental dwellings initial pricing. The initial rent for a restricted rental dwelling shall be calculated so as not to exceed 30% of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement.
 - 3. Owner-occupied dwellings annual increase. The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
 - 4. Rental dwellings annual increase. The rent of low and moderate income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed 9% in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.
 - 5. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by the NJ Department of Community Affairs for its Section 8 program.
- D. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices.

1. The initial purchase price for a restricted ownership dwelling shall be approved by the Borough Administrative Agent.
 2. The Borough Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
 3. The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income homeowners and the market homeowners.
- E. The owners of restricted ownership units may apply to the Borough Administrative Agent to increase the maximum sales price for the dwelling on the basis of eligible capital improvements. Eligible capital improvements shall be those that render the dwelling suitable for a larger household or the addition of a bathroom.

28-17-10 Affordability Controls for Ownership Units.

- A. The affordability control period for a restricted ownership dwelling shall commence on the date the initial certified household takes title to the dwelling.
- B. Each restricted ownership dwelling shall remain subject to the requirements of UHAC until the Borough of Hightstown elects to release the dwelling from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.5(g). Prior to such municipal election, a restricted ownership dwelling shall remain subject to the requirements of N.J.A.C. 5:80-26.5, for a period of at least 30 years, and for a period of at least 10 years or the sale and repayment of any loan proceeds for owner-occupied units that were rehabilitated. Where a dwelling unit is entered into an extension of expiring controls program, the time period for the ownership restriction shall be at least 30 years from the date that the existing or prior restriction would have expired.
- C. The affordability control period for a restricted ownership dwelling shall commence on the date the initial certified household takes title to the dwelling.
- D. Each restricted ownership dwelling shall remain in compliance with and subject to the requirements of N.J.A.C. 5:80-26.5 for control periods, N.J.A.C. 5:80-26.6 for price restrictions, N.J.A.C. 5:80-26.7 for buyer income eligibility, N.J.A.C. 5:80-26.8 for limitations on indebtedness and subordination, N.J.A.C. 5:80-26.9 for capital improvements, and N.J.A.C. 5:80-26.10 for maintenance.
- E. Limitations on Indebtedness Secured by Ownership Dwelling; Subordination.
 1. Prior to incurring any indebtedness to be secured by a restricted ownership dwelling, the Borough Administrative Agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
 2. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership dwelling to exceed 95% of the maximum allowable resale price of that dwelling, as such price is determined by the Borough Administrative Agent in accordance with N.J.A.C. 5:80-26.6(b).
- F. Capital Improvements to Ownership Units.
 1. The owners of restricted ownership units may apply to the Borough Administrative Agent to increase the maximum sales price for the dwelling on the basis of capital improvements made since the purchase of the dwelling. Eligible capital improvements shall be those that render the dwelling suitable for a larger household or that adds an additional bathroom. In no event shall the maximum sales price of an improved housing dwelling exceed the limits of affordability for the larger household.
 2. Upon the resale of a restricted ownership dwelling, all items of property that are permanently affixed to the dwelling or were included when the dwelling was initially restricted (for example, refrigerator,

range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Borough Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the dwelling and not included in the base price may be made a condition of the dwelling resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Borough Administrative Agent. Unless otherwise approved by the Borough Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the dwelling resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

G. Notice of Resale, Recapture Covenant and 95/5 Purchase Options.

1. The owner of the property is required to notify the Borough Administrative Agent by certified mail of any intent to sell the property 90 days prior to entering into an agreement for the first non-exempt sale of the Property after the conclusion of the period of affordability controls on restricted units in effect at the time the Property was first restricted as part of the Affordable Housing Program.
2. The municipal construction code official shall inspect the available affordable resale unit for construction and property maintenance code violation(s). The code official shall submit in writing to the owner and the Borough Administrative Agent a listing of the violation(s). The estimated cost of the repairs not completed by the owner prior to resale shall be deducted from the resale price. The cost of repairs not undertaken by the owner will be determined by estimator(s) and/or contractor(s) supplied by the Borough Administrative Agent and charged back to the seller.
3. Upon the first such non-exempt sale of the Property, 95% of the difference between, (i), the actual sale price; and (ii), the regulated maximum sales price that would be applicable were the period of affordability controls on restricted units still in effect, shall be paid at closing to the Borough of Hightstown; or, to the NJ Department of Community Affairs or NJ Housing and Mortgage Finance Agency, when acting as receiving agent for the municipality. Exempt sales shall be as listed in §28-17-13.
4. Such non-exempt sale is subject to the options provided for in N.J.A.C. 5:80-26.20 (Option to buy 95/5 units), N.J.A.C. 5:80-26.21 (Municipal Option on 95/5 units), N.J.A.C. 5:80-26.22 (State Option on 95/5 Units), N.J.A.C. 5:80-26.23 (Non-Profit Option on 95/5 Units), N.J.A.C. 5:80-26.24 (Seller Option on 95/5 Units), N.J.A.C. 5:80-26.25 (Municipal Rejection of Repayment Option on 95/5 Units) and N.J.A.C. 5:80-26.26 (Continued Application of Options to Create, Rehabilitate or Maintain 95/5 Units) of UHAC.

28-17-11 Affordability Controls on Rental Dwellings.

- A. Each restricted rental dwelling shall remain subject to the requirements of UHAC until the Borough of Hightstown elects to release the dwelling from such requirement pursuant to action taken in compliance with N.J.A.C. 5:80-26.11(e). Prior to such a municipal election, a restricted rental dwelling shall remain subject to the requirements of N.J.A.C. 5:80-26.11, for a minimum of 30 years, and for a period of at least 10 years or the sale and repayment of any loan proceeds for renter-occupied units that were rehabilitated.
- B. Each restricted rental dwelling shall remain in compliance with and subject to the requirements of N.J.A.C. 5:80-26.11 for control periods, N.J.A.C. 5:80-26.12 for restrictions on rents, and N.J.A.C. 5:80-26.13 for tenant income eligibility.
- C. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Mercer. A copy of the filed document shall be provided to the Borough Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- D. A restricted rental dwelling shall remain subject to the affordability controls of this Article, despite the occurrence of any of the following events:

1. Sublease or assignment of the lease of the dwelling;
2. Sale or other voluntary transfer of the ownership of the dwelling; or
3. The entry and enforcement of any judgment of foreclosure.

E. Rent Restrictions for Rental Units; Leases.

1. A written lease shall be required for all restricted rental units, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental dwelling shall be provided to the Borough Administrative Agent.
2. No additional fees or charges shall be added to the approved rent without the express written approval of the Borough Administrative Agent.
3. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted dwelling and shall be payable to the Borough Administrative Agent to be applied to the costs of administering the controls applicable to the dwelling as set forth in this Article.

28-17-12 Accessibility Requirements.

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

- A. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Sub-code, N.J.A.C. 5:23-7.
- B. All restricted townhouse dwellings and all restricted units in other multistory buildings in which a restricted dwelling is attached to at least one other dwelling shall have the following features:
 1. An adaptable toilet and bathing facility on the first floor;
 2. An adaptable kitchen on the first floor;
 3. An interior accessible route of travel on the first floor;
 4. An interior accessible route of travel shall not be required between stories within an individual dwelling;
 5. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 6. An accessible entranceway in accordance with N.J.S.A. 52:27D-311a, et seq. and the Barrier Free Sub-code, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
 - a. Where a dwelling has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling, an accessible entrance shall be installed.
 - b. To this end, the developer of restricted units shall deposit funds within the affordable housing trust fund of the Borough of Hightstown sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - c. The funds deposited under sub-paragraph –(b) above shall be used by the Borough for the sole purpose of making the adaptable entrance of any affordable dwelling accessible when requested to do so by a person with a disability who occupies or intends to occupy the dwelling and requires an accessible entrance.

7. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from an adaptable to an accessible entrance to the Construction Code Official.
8. Once the Construction Code Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made into the municipality's affordable housing trust fund by the Chief Financial Officer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.
9. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that physical or environmental conditions of the site render it impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

28-17-13 Exempt Transactions.

- A. The following transactions shall be deemed "non-sales" for purposes of these regulations and the owner receiving title by virtue of any of the following transactions shall be entitled to a statement of exemption to the owner receiving title by virtue of any of the following transactions:
 1. Transfer of ownership of an affordable sales unit between husband and wife;
 2. Transfer of ownership of an affordable sales unit between former spouses ordered as a result of a judicial decree of divorce (and not including sales to third parties);
 3. Transfer of ownership of an affordable unit between family members as a result of inheritance;
 4. Transfer of ownership of an affordable unit through an executor's deed to a Class A beneficiary;
 5. Transfer of ownership of an affordable unit through an order of the Superior Court or other court, in a foreclosure proceeding or transfer in lieu of foreclosure after a foreclosure proceeding has commenced.
- B. Except for the income level of the family acquiring title by an exempt transaction, the exempt transfer will not eliminate any restrictions set forth herein including, but not limited to, the unit remaining the prime resident and the requirement for resale to low and moderate income families as applicable and all such restrictions shall remain in effect following the exempt transfer except as stated in subsection -A.5.
- C. Should a mortgagee acquire title pursuant to subsection -A.5 it may re-sell the unit to any family, regardless of income, with the municipality having the right of first refusal. The sales price to the municipality is the amount necessary to cure the foreclosure. This includes all principal and interest due to the mortgagee and other lien holders, repayment of equity to the owner prior to foreclosure and the costs of foreclosure. If the municipality does not purchase the unit, the mortgagee may sell the unit without any of the restrictions set forth in this section. The amount of the sale above that which is necessary to cure the foreclosure will be turned over to the municipality to be used for low and moderate income housing.

28-17-14 Leasing Restriction.

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

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

- A. Nothing in these rules should be construed to limit the rights and duties of the owner and tenant to maintain the dwelling in accordance with all appropriate New Jersey State or municipal construction and property maintenance codes.

- B. Notwithstanding anything to the contrary in this Article, any member of a household occupying a dwelling under this Article and subject to the regulations of the Borough of Hightstown is subject to eviction for any reasons allowed under applicable New Jersey law. The provisions of this Article are not intended to confer any additional rights or obligations on property owners or tenants other than those mandated by statute or required by the courts of the State of New Jersey or the duly adopted regulations of any of its agencies.

28-17-16 Affirmative Marketing for Affordable Housing.

- A. Purpose. The purpose of this Section is to establish administrative procedures to ensure a wide dissemination of knowledge of affordable housing units as they become available to the low and moderate income population, and that the selection of tenants or homeowners, as the case may be, meets the requirements of UHAC.
- B. An Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital, or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. An Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region.
- C. Affirmative Marketing Requirements. Within the overall framework of the municipality's affirmative marketing program, all affordable housing units in Hightstown Borough shall be marketed in accordance with the provisions in this Section unless otherwise provided for in N.J.A.C. 5:80-26-1. An Affirmative Marketing Plan shall be created for each development that contains or will contain low and moderate income units, including those that are part of the Borough's prior round Housing Element and its current Housing Element and those that may be constructed in future developments not yet anticipated. This Affirmative Marketing Plan shall also apply to any rehabilitated units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units when Hightstown is allocated a rehabilitation component.
- D. Plan Preparation. The Borough Administrative Agent or Administrative Agent shall prepare an Affirmative Marketing Plan for each affordable housing program, as applicable, comporting with N.J.A.C. 5:80-26.15, for review and approval by the Borough Administrative Agent. The Borough Administrative Agent of the Borough shall oversee the work of a developer's Administrative Agent provided that the person has been approved by the Borough Administrative Agent. Regardless of the drafting agent, the Affirmative Marketing Plan is intended to be used by developers of affordable housing restricted to low and moderate income households located within the municipality. The Administrative Agent responsible for specific affordable housing programs or developments shall ensure that the affirmative marketing of all affordable units is consistent with these provisions.
- E. Affirmative Marketing Implementation. The Affirmative Marketing Plan includes regulations for qualification of income eligibility, price and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance to N.J.A.C. 5:80-26. All newly created affordable units will comply with the thirty-year affordability control required by UHAC, N.J.A.C. 5:80-26-5 and 5:80-26-11. This plan will be adhered to by all private, non-profit or municipal developers of affordable housing units and will cover the period of deed restriction or affordability controls on each affordable unit. The Affirmative Marketing Plan for each affordable housing development shall meet the following minimum requirements:
1. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 4, comprised of Mercer, Monmouth and Ocean Counties.
 2. Although the Borough has the ultimate responsibility for implementing all aspects of Hightstown's affordable housing program, the Administrative Agent designated by the Borough Administrative Agent shall assure that the affirmative marketing of all affordable units is consistent with the Affirmative Marketing Plan for the municipality.
 3. The Administrative Agent shall provide a list of counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

4. The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy. Advertising and outreach shall take place during the first week of the marketing program and each month thereafter until all of the affordable units have been leased or sold.
5. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Borough of Hightstown.
6. The Affirmative Marketing Plan for each affordable housing development shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
7. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in Hightstown; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
8. The Borough Administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organizations(s) in the Region 4 Housing Area for the use of the Borough and other Administrative Agents. In addition, the list shall also include Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Trenton, Greater Red Bank, Asbury Park/Neptune, Bayshore, Greater Freehold, Greater Long Branch Branches of the NAACP, Shiloh Baptist Church, and the Supportive Housing Association, which entities shall receive specific notice of all available affordable housing units along with copies of application forms. This list shall be updated periodically. The list shall contain organizations that will aid in the affirmative marketing program with particular emphasis on contacts with outreach to groups and individuals that are least likely to apply for affordable housing within the region. A representative sample of the organizations on the list not otherwise requiring specific notice herein shall be contacted as part of the affirmative marketing effort as approved by the Borough Administrative Agent.
9. The Affirmative Marketing Plan shall be approved by the Borough Administrative Agent prior to implementation.

28-17-17 Violations of Affordable Housing Regulations.

- A. Upon the occurrence of a breach of any of the regulations governing the affordable dwelling by an owner, developer or tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an owner, developer or tenant of a low- or moderate-income dwelling and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the court:

- a. A fine of not more than \$1,000.00 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - b. In the case of an owner who has rented his or her low- or moderate-income dwelling in violation of the regulations governing affordable housing units, payment into the Borough of Hightstown's Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - c. In the case of an owner who has rented his or her low or moderate income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
 2. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the dwelling, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low and moderate income unit.
 3. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the County Sheriff, at which time the low and moderate income unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- C. The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien upon the dwelling and any prior liens on the dwelling. The excess, if any, shall be applied to reimburse the Borough for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the Borough in full as aforesaid, the violating owner shall be personally responsible for the deficiency, in addition to any and all costs incurred by the Borough in connection with collecting said deficiency. The remainder, if any, up to a maximum of the amount the owner would be entitled to if he or she were to sell the dwelling as permitted by N.J.S.A. 5:80-26.1 et seq., shall be placed in escrow by the Borough for the owner and shall be held in such escrow for a period of two years or until such time as the owner shall make a claim with the Borough for the same. Failure of the owner to claim said sum within the two-year period shall automatically result in a forfeiture of said remainder to the municipality and paid into the Affordable Housing Trust Fund. Any interest accrued or earned on the remainder while being held in escrow shall belong to and shall be paid to the Hightstown Borough Affordable Housing Fund whether the remainder is paid to the owner or forfeited to the Borough. Any excess funds derived over and above the sum due the owner shall be paid over to the Borough's Affordable Housing Trust Fund.
- D. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low and moderate income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing dwelling. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- E. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

- F. Failure of the very low-, low- and moderate- income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser which may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- G. The owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- H. Right to Cure. The Borough may, at its option, advance and pay all sums necessary to protect, preserve and retain the dwelling as an affordable dwelling, subject to the terms of this Article. All sums so advanced and paid by the Borough shall become a lien against said dwelling and shall have a higher priority than any lien except the first purchase money mortgage lien and liens by duly authorized government agencies. Such sums may include but are not limited to insurance premiums, taxes, assessments (public or private) and costs of repair necessary to bring the dwelling up to any and all applicable local, state or federal codes and liens which may be or become prior and senior to any first purchase money mortgage as a lien on the dwelling or any part thereof. If, in the event of a default or nonpayment by the owner of an affordable dwelling, any first mortgagee or other creditor of an owner of an affordable dwelling exercises its contractual or legal remedies available, the owner shall notify the Administrative Agent and the Borough Solicitor of the Borough, in writing, within 10 days of notification by the first mortgagee or creditor and no later than 10 days after service of any summons and complaint, and the Borough shall have the option to purchase, redeem or cure any default upon such terms and conditions as may be agreeable to all parties in interest and/or to acquire the first purchase money mortgage to the dwelling, thereby replacing the first mortgagee as the first mortgagee of the dwelling. The Borough shall have the same priority of lien as was held by the first mortgagee at the time the Borough acquires such first purchase money mortgage and shall have the right of subrogation with respect to any other claim or lien it satisfies or acquires.
- I. Provisions for First Purchase Money Mortgages.
 - 1. The terms and restrictions of this section shall be subordinate only to a first purchase money mortgage lien on any affordable dwelling and in no way shall impair the first mortgagee's ability to exercise the contract remedies available to it in the event of default as set forth in the first purchase money mortgage. The first mortgagee and/or mortgage servicer shall serve written notice upon the Borough within 10 days after the first purchase money mortgage is two months in arrears and again within 10 calendar days of the filing of a complaint seeking foreclosure of the first purchase money mortgage held on an affordable dwelling. However, a judgment of foreclosure upon the property shall in no instance terminate the conditions and requirements of this Article maintaining the dwelling as an affordable, income-restricted residence.
 - 2. The obligation of the first mortgagee and servicer to notify the Borough shall cease automatically and immediately upon the sale of the first purchase money mortgage to the Federal National Mortgage Association or in the secondary mortgage market, unless the rules and regulations or guidelines of the Federal National Mortgage Association are amended so as to not prohibit or exclude placing such obligation upon the holder of the mortgage or its service representative, in which case, an instrument duly evidencing the same shall be recorded with the Register of Deeds, Mercer County, New Jersey, before any such obligation shall exist. Provided that the first mortgagee is obligated to give the Borough the above-mentioned notices, the first mortgagee shall also serve written notice of any proposed foreclosure sale upon the Borough at least 30 days prior to the first scheduled date of such sale. The first mortgagee shall serve notice upon the Borough within 30 days of the sale of the first purchase money mortgage to the Federal National Mortgage Association or in the secondary mortgage market.
 - 3. The Borough of Hightstown or any instrumentality designated by the Borough shall have the right to purchase any mortgage which is in default at any time prior to the entry of a foreclosure judgment or within the redemption period thereafter. Notification of a default and of the institution of a foreclosure action and of a sheriff's sale shall be served, in writing, upon the Borough Clerk and

Municipal Attorney. The Borough of Hightstown shall at all times be considered a party in interest and shall have the right to be joined as a party defendant and/or shall have the right to intervene in any foreclosure action seeking foreclosure of a first mortgage and/or shall have the right to redeem and acquire the owner's equity of redemption or to acquire the dwelling from the owner upon such terms and conditions as may be determined by the Borough.

4. Surplus funds. In the event of a foreclosure sale by the holder of the first purchase money mortgage, the owner shall be personally obligated to pay to the Borough any excess funds, but only to the extent that such excess funds exceed the difference between what the owner could have resold his dwelling for under this Article at the time of the foreclosure sale and the amount necessary to redeem and satisfy the first purchase money mortgage debt, including costs of foreclosure and costs of repairs necessary to bring the dwelling up to any and all applicable local, state or federal codes. For the purposes of this subsection, excess funds shall be the total paid to the sheriff in excess of the amount required to pay and satisfy the first purchase money mortgage, including the costs of foreclosure, even if junior creditors actually receive payment from said surplus funds to the exclusion of the owner. The Borough is hereby given a first priority lien, second only to the first mortgagee for any taxes or public assessments by a duly authorized governmental body up to the full amount of excess funds. This obligation of the owner to pay this full amount to the Borough shall be deemed to be a personal obligation of the owner of record at the time of the foreclosure sale, and the Borough is hereby empowered to enforce this obligation in any appropriate court of law or equity as though the same were a personal contractual obligation of the owner. Neither the first mortgagee nor the purchaser at the foreclosure sale shall be responsible or liable to the Borough for any portion of this excess. The Borough shall deposit any funds received in the Affordable Housing Trust Fund and use it for the purposes as set forth in the Housing Element and Fair Share Plan.

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

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

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

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

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Resolution 2020-114

*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 \$152,906.09 from the following accounts:

Current		\$25,821.83
W/S Operating		22,734.97
General Capital		56,966.72
Water/Sewer Capital		45,041.72
Grant		0.00
Trust		1,976.05
Housing Trust		0.00
Animal Control		364.80
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>0.00</u>
Total		<u>\$152,906.09</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 May 18, 2020.

Margaret Riggio
Deputy Borough Clerk

Date: May 18, 2020

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 5/18/2020

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
COMCAST BUSINESS	5/6/2020	20-00247	31133	\$ 168.35
EMPIRE TITLE & ABSTRACT	5/6/2020	20-00557	31134	\$ 1,919.78
TREASURER, STATE OF NJ, DCA	5/6/2020	20-00551	31135	\$ 1,055.00
PMC INC	5/6/2020	20-00554	31136	\$ 119.74
STAPLES BUSINESS ADVANTAGE	5/6/2020	20-00377	31137	\$ 45.66
STAPLES BUSINESS ADVANTAGE	5/6/2020	20-00529	31137	\$ 143.90

TOTAL	<u>\$3,452.43</u>
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WATER AND SEWER OPERATING

TOTAL	<u>\$ -</u>
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ESCROW

TOTAL	<u>\$ -</u>
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GRANT

TOTAL	<u>\$ -</u>
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TRUST

TOTAL	<u>\$ -</u>
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ANIMAL CONTROL TRUST

TOTAL	<u>\$ -</u>
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LAW ENFORCEMENT TRUST

TOTAL	<u>\$ -</u>
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PUBLIC DEFENDER TRUST

TOTAL	<u>\$ -</u>
-------	-------------

GENERAL CAPITAL

TOTAL	<u>\$ -</u>
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WATER AND SEWER CAPITAL

TOTAL	<u>\$ -</u>
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MANUAL TOTAL	<u>\$3,452.43</u>
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P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
Range: First to Last Rcvd: Y Held: Y Aprv: N
Format: Detail without Line Item Notes Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name										
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
A0025 AT&T MOBILITY										
20-00580 05/08/20 ACCT 287258726345 4/12/2020										
1 FIRE INSPECTOR 4/12/2020	41.24	0-01-25-256-002-094	B	Computer Service,Support & Software	R	05/08/20	05/14/20		x04202020	N
2 POLICE DEPT 4/12/2020	302.85	0-01-31-440-001-079	B	Telephone-VERIZON WIRELESS	R	05/08/20	05/14/20		x04202020	N
3 WATER TREATMENT PLANT 4/12/20	115.36	0-09-55-501-003-545	B	Telephone-w/S-VERIZON	R	05/08/20	05/14/20		x04202020	N
4 DEPT OF PUBLIC WORKS 4/12/20	235.49	0-01-31-440-001-079	B	Telephone-VERIZON WIRELESS	R	05/08/20	05/14/20		x04202020	N
5 ADV WASTE WATER TREATMENT PLNT	89.72	0-09-55-501-003-545	B	Telephone-w/S-VERIZON	R	05/08/20	05/14/20		x04202020	N
	784.66									
Vendor Total:		784.66								

ATLAN005 ATLANTIC COAST POLYMERS, INC										
20-00538 04/30/20 POLYLIFT 500 POLYMER REMOVER										
1 POLYLIFT 500 POLYMER REMOVER	325.00	0-09-55-501-002-535	B	Chemicals Miscellaneous	R	04/30/20	05/14/20		25833	N
2 POLYLIFT 500 POLYMER REMOVER	17.86	0-09-55-501-002-535	B	Chemicals Miscellaneous	R	05/14/20	05/14/20		25833	N
	342.86									
Vendor Total:		342.86								

BANK0005 BANK OF AMERICA										
20-00560 05/06/20 APR 2020 INVOICES 3938 & 5289										
1 NORTHERN TOOL SPRAYERS 3938	745.00	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		22063386	N
2 FACE SHIELD, GLASSES ETC 3938	49.68	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		7800378-0781858	N
3 ELASTIC CORD SOPRONYI 3938	35.98	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		4711203-7697016	N
4 ENVELOPES BEAR GRAPHICS 3938	287.37	0-01-20-125-001-036	B	Office Supplies	R	05/06/20	05/14/20		1152513	N
5 FREE CONFERENCE CALL 3938	5.00	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		56447207	N
6 FACE SHIELD, GLASSES, ETC 3938	135.66	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		7800378-0781858	N
7 WATERPROOF WORK BACKPACK 3938	37.99	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		7597253-6457807	N
8 DIAMOND DISINFECTANT 3938	498.00	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		60444	N
9 REUSABLE RESPIRATOR 3938	80.62	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		8394527-9445003	N
10 INK CARTRIDGE EPSON 5289	69.98	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	05/06/20	05/14/20		6401736-0058636	N
11 ENGAGEMENT CABLE MOWER 5289	8.98	0-01-28-369-001-139	B	Mower Repairs	R	05/06/20	05/14/20		8559605-3806638	N
12 PANARI BELT FOR CRAFTSMAN 5289	17.98	0-01-28-369-001-139	B	Mower Repairs	R	05/06/20	05/14/20		9989117-0087406	N

Vendor # Name										
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
BANKO005 BANK OF AMERICA Continued										
20-00560	05/06/20	APR 2020 INVOICES 3938 & 5289	Continued							
13 PANARI BELT FOR CRAFTSMAN 5289		5.99	0-01-28-369-001-139	B Mower Repairs	R	05/06/20	05/14/20		9989117-0087406	N
		1,966.25								
Vendor Total:		1,966.25								
CLARK005 CLARKE CATON HINTZ										
20-00537	04/30/20	PUBLIC MTG ATTENDANCE HOUSING								
1 PUBLIC MTG ATTENDANCE HOUSING		545.74	0-01-20-155-001-029	B Attendance at Council Meetings	R	04/30/20	05/14/20		77818	N
Vendor Total:		545.74								
COMCA010 COMCAST										
20-00583	05/08/20	ACCT 930909813 4/15/2020 HPD								
1 ACCT 930909813 4/15/2020 HPD		195.30	0-01-20-140-001-060	B Internet Services and web Services	R	05/08/20	05/14/20		99523688	N
Vendor Total:		195.30								
COMCA005 COMCAST BUSINESS										
20-00603	05/13/20	8499 05 244 0157826 4/23/20								
1 8499 05 244 0157826 OAK LN		109.57	0-09-55-501-002-545	B Internet Services	R	05/13/20	05/14/20		499052440157826	N
Vendor Total:		109.57								
D0050 DEPT OF CHILDREN & FAMILIES										
20-00591	05/13/20	MARRIAGE REPORT 1ST QTR 2020								
1 MARRIAGE REPORT 1ST QTR 2020		150.00	0-01-55-003-000-001	B Due To NJ - Marriage Licenses	R	05/13/20	05/14/20		1ST QTR 2020	N
Vendor Total:		150.00								
DFFLM005 DFFLM, LLC										
20-00555	05/05/20	RUNNING BOARDS								
1 RUNNING BOARDS C161A STEP ASY		313.00	C-04-55-888-004-444	B 2019-20 DPW 4WD W/PLOW	R	05/05/20	05/14/20		78431	N

Vendor # Name										
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
DFFLM005 DFFLM, LLC Continued										
20-00555	05/05/20	RUNNING BOARDS	Continued							
2	RUNNING BOARDS C161A STEP ASY	313.00	C-08-55-959-000-541	B 2019-19 4 WD VEHICLE	R	05/05/20	05/14/20		78431	N
		626.00								
Vendor Total:		626.00								
E0576 EAST WINDSOR REGIONAL SCHOOL										
20-00467	04/09/20	MARCH 2020 FUEL USE								
1	MARCH 2020 FUEL USE - FIRE	289.60	0-01-31-460-001-166	B Motor Fuel - Fire Dept.	R	04/09/20	05/14/20		MAR 2020	N
2	MARCH 2020 FUEL USE - POLICE	851.40	0-01-31-460-001-145	B Motor Fuel - Police	R	04/09/20	05/14/20		MAR 2020	N
3	MARCH 2020 FUEL USE - 1ST AID	172.64	0-01-31-460-001-148	B Motor Fuel - Emergency Medical	R	04/09/20	05/14/20		MAR 2020	N
4	MARCH 2020 FUEL USE - GARBAGE	674.82	0-01-31-460-001-147	B Motor Fuel - Public Works	R	04/09/20	05/14/20		MAR 2020	N
5	MARCH 2020 FUEL USE - STREETS	486.16	0-01-31-460-001-147	B Motor Fuel - Public Works	R	04/09/20	05/14/20		MAR 2020	N
6	MARCH 2020 FUEL USE - PARKS	8.29	0-01-31-460-001-147	B Motor Fuel - Public Works	R	04/09/20	05/14/20		MAR 2020	N
7	MARCH 2020 FUEL USE - WATER	65.71	0-09-55-501-001-512	B Motor Fuel	R	04/09/20	05/14/20		MAR 2020	N
8	MARCH 2020 FUEL USE - SEWER	77.75	0-09-55-501-002-512	B Motor Fuel	R	04/09/20	05/14/20		MAR 2020	N
9	MARCH 2020 FUEL USE - CONST.	14.37	0-01-31-460-001-151	B MOTOR FUEL-CONSTRUCTION DEPARTMENT	R	04/09/20	05/14/20		MAR 2020	N
10	MARCH 2020 FUEL FACILITY FEE	120.00	0-01-31-460-001-144	B Upgrades to Fueling Facility	R	04/09/20	05/14/20		MAR 2020	N
		2,760.74								
20-00575	05/06/20	APRIL 2020 FUEL USE								
1	APRIL 2020 FUEL USE - FIRE	80.80	0-01-31-460-001-166	B Motor Fuel - Fire Dept.	R	05/06/20	05/14/20		APR 2020	N
2	APRIL 2020 FUEL USE - POLICE	322.77	0-01-31-460-001-145	B Motor Fuel - Police	R	05/06/20	05/14/20		APR 2020	N
3	APRIL 2020 FUEL USE - 1ST AID	166.26	0-01-31-460-001-148	B Motor Fuel - Emergency Medical	R	05/06/20	05/14/20		APR 2020	N
4	APRIL 2020 FUEL USE - GARBAGE	459.73	0-01-31-460-001-147	B Motor Fuel - Public Works	R	05/06/20	05/14/20		APR 2020	N
5	APRIL 2020 FUEL USE - STREETS	98.12	0-01-31-460-001-147	B Motor Fuel - Public Works	R	05/06/20	05/14/20		APR 2020	N
6	APRIL 2020 FUEL USE - PARKS	8.56	0-01-31-460-001-147	B Motor Fuel - Public Works	R	05/06/20	05/14/20		APR 2020	N
7	APRIL 2020 FUEL USE - WATER	4.48	0-09-55-501-001-512	B Motor Fuel	R	05/06/20	05/14/20		APR 2020	N
8	APRIL 2020 FUEL USE - SEWER	24.30	0-09-55-501-002-512	B Motor Fuel	R	05/06/20	05/14/20		APR 2020	N
9	APRIL 2020 FUEL FACILITY FEE	120.00	0-01-31-460-001-144	B Upgrades to Fueling Facility	R	05/06/20	05/14/20		APR 2020	N
		1,285.02								
Vendor Total:		4,045.76								
Q0176 EUROFINS QC, INC										
20-00509	04/22/20	WATER ANALYSIS								
1	INV. 2004060 - WATER ANALYSIS	132.00	0-09-55-501-001-532	B Outside Testing/Labs	R	04/22/20	05/14/20		2004060	N

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PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
Q0176 EUROFINS QC, INC Continued												
20-00509 04/22/20 WATER ANALYSIS Continued												
2 INV.	2010046	- WATER ANALYSIS	269.00	0-09-55-501-001-532		B Outside Testing/Labs	R	04/22/20	05/14/20		2010046	N
3 INV.	2010018	- WATER ANALYSIS	77.00	0-09-55-501-001-532		B Outside Testing/Labs	R	04/22/20	05/14/20		2010018	N
			478.00									
20-00543 04/30/20 WATER ANALYSIS												
1 INV.	2010405	- WATER ANALYSIS	167.00	0-09-55-501-001-532		B Outside Testing/Labs	R	04/30/20	05/14/20		2010405	N
2 INV.	2010507	- WATER ANALYSIS	167.00	0-09-55-501-001-532		B Outside Testing/Labs	R	04/30/20	05/14/20		2010405	N
			334.00									
Vendor Total:			812.00									
FIREA005 FIRE APPARATUS REPAIR, INC.												
20-00546 04/30/20 TS41 CAFS PM ESTIMATE 20-187												
1	TS41 CAFS PM ESTIMATE	20-187	1,575.00	0-01-25-252-002-121		B Preventive Maintenance	R	04/30/20	05/14/20		15579	N
Vendor Total:			1,575.00									
G0181 FRANKLIN-GRIFFITH, LLC												
20-00563 05/06/20 PVC PIPE												
1	10' 1" PVC PIPE		3.51	0-09-55-501-002-503		B Sewer Plant Maintenance	R	05/06/20	05/14/20		S115511252.001	N
2	PVC LB		3.72	0-09-55-501-002-503		B Sewer Plant Maintenance	R	05/06/20	05/14/20		S115511252.001	N
3	1" ELBOW		0.86	0-09-55-501-002-503		B Sewer Plant Maintenance	R	05/06/20	05/14/20		S115511252.001	N
			8.09									
Vendor Total:			8.09									
G0014 GAME TIME												
20-00334 03/12/20 DAWES PARK REPLACEMENT SLIDE												
1	QUOTE 100784-01-01		1,236.59	0-01-28-370-002-192		B Recreation Equipment	R	03/12/20	05/14/20		100784-01-01	N
Vendor Total:			1,236.59									
G1077 GEORGE S. COYNE CO., INC.												
20-00113 02/04/20 HYDROFLUOSILICIC ACID FLUORIDE B												
5 INV	335618 4/27/2020		947.76	0-09-55-501-001-528		B Fluorosilic Acid-	R	02/04/20	05/14/20		335618	N

Vendor # Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
G1077 GEORGE S. COYNE CO., INC. Continued													
20-00124	02/05/20	LIME HI-CALC HYDRATED	CARMEUSE		B								
5 INV	335617	4/27/2020		2,207.00	0-09-55-501-001-527	B Calcium Hydroxide - Lime		R	02/05/20	05/14/20		335617	N
Vendor Total:				3,154.76									
H1100 HOME DEPOT CREDIT SERVICES													
20-00477	04/15/20	APRIL 2020 PURCHASES											
1 INV.	9621827	- ANT BAITS/MARK		41.71	0-09-55-501-001-503	B Water Plant Maintenance		R	04/15/20	05/14/20		9621827	N
2 INV.	8510603	- EXT CORD		20.97	0-01-26-310-001-024	B Building Maintenance		R	04/15/20	05/14/20		8510603	N
				62.68									
20-00510	04/22/20	APRIL 2020 INVOICES											
1 INV.	3043277	- BOLTS/FILTER		11.36	0-01-26-310-001-024	B Building Maintenance		R	04/22/20	05/14/20		3043277	N
2 INV.	3510890	- BOILER DRAIN/		27.30	0-01-26-310-001-024	B Building Maintenance		R	04/22/20	05/14/20		3510890	N
3 INV.	0622531	- FLAGGING TAPE/		17.91	0-01-26-290-001-127	B Street Repair & Maintenance		R	04/22/20	05/14/20		0622531	N
4 INV	2043333	ROOF MOUNT FAN		196.00	0-09-55-501-002-503	B Sewer Plant Maintenance		R	04/22/20	05/14/20		2043333	N
				252.57									
20-00571	05/06/20	APRIL 2020 INVOICES											
1 INV.	4043251	- PD SUPPLIES		82.49	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER		R	05/06/20	05/14/20		4043251	N
2 INV.	4203316	- RETURN AWWTP		98.00	0-09-55-501-002-503	B Sewer Plant Maintenance		R	05/06/20	05/14/20		4203316	N
3 INV.	3623201	- SUPPLIES FOR		16.09	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER		R	05/06/20	05/14/20		3623201	N
4 INV.	3203365	- RETURN DPW		8.72	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER		R	05/06/20	05/14/20		3203365	N
5 INV.	3043751	- SNEEZESHIELD		7.34	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER		R	05/06/20	05/14/20		3043751	N
6 INV.	2010010	- SCREWS FOR		20.94	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER		R	05/06/20	05/14/20		2010010	N
7 INV.	8523128	- STREET FLOWERS		88.82	0-01-26-290-001-128	B Maint.-Downtn Irrigation Sys.		R	05/06/20	05/14/20		8523128	N
				108.96									
Vendor Total:				424.21									
J0378 J.W. KENNEDY & SON INC WELDING													
20-00569	05/06/20	CONTAINER RENTAL											
1 INV.	R4149	- CONTAINER RENTAL		12.00	0-01-26-290-001-050	B DPW Work Equipment		R	05/06/20	05/14/20		R4149	N
Vendor Total:				12.00									

Vendor # Name												
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099		
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl	
J0257 JCP&L												
20-00585 05/08/20 MASTER ACCT 200 000 055 364												
1	100 008 438 010 125 S MAIN ST	13.19	0-01-31-430-001-071	B	Electric-Borough Hall	R	05/08/20	05/14/20		95008558182	N	
2	100 008 438 283 MAIN &STOCKTON	26.38	0-01-31-430-001-071	B	Electric-Borough Hall	R	05/08/20	05/14/20		95008558182	N	
3	100 008 482 018 RT 33 &MAXWELL	24.74	0-01-31-430-001-071	B	Electric-Borough Hall	R	05/08/20	05/14/20		95008558182	N	
4	100 010 898 904 FRANKLIN ST &	27.34	0-01-31-430-001-071	B	Electric-Borough Hall	R	05/08/20	05/14/20		95008558182	N	
5	100 012 487 714 148 N MAIN ST	558.11	0-01-31-430-001-071	B	Electric-Borough Hall	R	05/08/20	05/14/20		95008558182	N	
6	100 012 487 862 FIREHOUSE	516.62	0-01-31-430-001-072	B	Electric-Fire House	R	05/08/20	05/14/20		95008558182	N	
7	100 012 52 457 BORO HALL EQUIP	211.71	0-09-55-501-002-504	B	Electricity	R	05/08/20	05/14/20		95008558182	N	
		1,378.09										
Vendor Total:		1,378.09										
JESCO005 JESCO INC												
20-00330 03/12/20 CYLINDER REPAIR - JD310SE												
1	INV. H99252	541.56	0-09-55-501-001-502	B	Vehicle Maintenance	R	03/12/20	05/14/20		H99252	N	
Vendor Total:		541.56										
J1050 JOHN THOMAS JONES												
20-00604 05/14/20 LAB MGR CONSULTING PPE 5/7/20												
1	LAB MGR CONSULTING PPE 5/7/20	630.00	0-09-55-501-002-528	B	Outside Consulting Services (B	R	05/14/20	05/14/20		PPE 5/7/2020	N	
Vendor Total:		630.00										
L0037 LINCOLN FINANCIAL GROUP												
20-00586 05/08/20 MAY 2020 LIFE INSURANCE												
1	MAY 2020 LIFE INSURANCE	269.23	0-01-23-210-003-115	B	Medical Ins-Empl Grp Health	R	05/08/20	05/14/20		MAY 2020	N	
2	MAY 2020 LIFE INSURANCE - WTP	18.16	0-09-55-501-001-514	B	INSURANCE	R	05/08/20	05/14/20		MAY 2020	N	
3	MAY 2020 LIFE INSURANCE -AWWTP	45.40	0-09-55-501-002-514	B	Insurance	R	05/08/20	05/14/20		MAY 2020	N	
		332.79										
Vendor Total:		332.79										

May 14, 2020
04:11 PM

Borough of Hightstown
Bill List By Vendor Name

Page No: 7
56

Vendor # Name										
PO #	PO Date	Description	Amount	Contract Charge Account	PO Type Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date Invoice	1099 Excl
M0054 MAIN STREET AWARDS, INC										
20-00579	05/07/20	3 X 9 PARK BENCH SIGNS								
1		3 X 9 PARK BENCH SIGNS	200.00	T-12-56-286-000-891	B PARK BENCH DONATIONS	R	05/07/20	05/14/20	6171	N
Vendor Total:			200.00							
M0010 MARYLAND BIOCHEMICAL CO.										
20-00489	04/15/20	DASK PRO BACTERIA BLOCKS								
1		4-8" DASK PRO BACTERIA BLOCKS	671.90	0-09-55-501-002-559	B ALGAECIDE/FUNGICIDE- MARYLAND BIOCHEM	R	04/15/20	05/14/20	4NN1061	N
2		SUPER BIO KLEEN 510	98.00	0-09-55-501-002-559	B ALGAECIDE/FUNGICIDE- MARYLAND BIOCHEM	R	05/14/20	05/14/20	4NN1061	N
3		FREIGHT	89.74	0-09-55-501-002-559	B ALGAECIDE/FUNGICIDE- MARYLAND BIOCHEM	R	05/14/20	05/14/20	4NN1061	N
			859.64							
Vendor Total:			859.64							
M0180 MCMASTER-CARR										
20-00541	04/30/20	ALUMINUM SHEETING								
1		INV. 38636333 - ALUM SHEETING	33.46	0-01-28-369-001-141	B Parks & Playgrd Maintenance	R	04/30/20	05/14/20	38636333	N
20-00565 05/06/20 CHEM RESISTANT BOOTS L. SOTO										
1		CHEMICAL RESISTANT BOOTS	31.68	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	05/06/20	05/14/20	39255449	N
2		SHIPPING	7.63	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	05/14/20	05/14/20	39255449	N
			39.31							
20-00587 05/12/20 STEEL SQUARE HEAD SCREWS										
1		STEEL SQUARE HEAD SCREWS	12.52	0-09-55-501-002-503	B Sewer Plant Maintenance	R	05/12/20	05/14/20	37289288	N
2		SHIPPING	6.55	0-09-55-501-002-503	B Sewer Plant Maintenance	R	05/12/20	05/14/20	37289288	N
			19.07							
Vendor Total:			91.84							
MUNIC005 MUNICIPAL MAINTENANCE CO.										
20-00094	02/03/20	QUOTE #42920Q-R2								
1		LABOR TO DISASSEMBLE	1,070.00	0-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/20	05/14/20	10392	N
2		REPAIR MOTOR: CLEAN &	1,340.00	0-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/20	05/14/20	10392	N
3		REPAIR PUMP- PEFORM THE FOLLOW	2,810.00	0-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/20	05/14/20	10392	N

Vendor # Name											
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Item Description		Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl	
P0275 POWER DMS											
20-00539 04/30/20 ANNUAL SUBSCRIPTION FEE 2020											
1 ANNUAL SUBSCRIPTION FEE 2020		2,727.50	0-01-25-240-001-029	B Maint. Contracts - Other	R	04/30/20	05/14/20		35410	N	
Vendor Total:		2,727.50									
P0044 PSE&G											
20-00582 05/08/20 ACCT 13 014 184 04 4/22/2020											
1 7341583509 140 N MAIN ST		205.26	0-01-31-446-001-143	B Gas/Heat - Fire House	R	05/08/20	05/14/20		503100071486	N	
2 7341583606 148 N MAIN ST #R		393.25	0-01-31-446-001-070	B Gas Heat - Borough Hall	R	05/08/20	05/14/20		503100071486	N	
3 7341583703 BANK ST.		241.90	0-09-55-501-001-505	B Gas Service	R	05/08/20	05/14/20		503100071486	N	
4 7341583800 OAK LN		<u>1,143.34</u>	0-09-55-501-002-505	B Gas Service	R	05/08/20	05/14/20		503100071486	N	
		1,983.75									
Vendor Total:		1,983.75									
REDAR005 RED ARROW TECHNOLOGIES, LLC											
20-00594 05/13/20 MONTHLY TECH SUPPORT MAY 2020											
1 TECH SUPPORT		1,359.69	0-01-20-140-001-094	B Computer Service & Support	R	05/13/20	05/14/20		4743	N	
2 INTERNET & WEB		1,074.94	0-01-20-140-001-060	B Internet Services and Web Services	R	05/13/20	05/14/20		4743	N	
3 TECH SUPPORT/INTERNET/WEB		347.95	0-09-55-501-002-530	B Computer Software/Maint/Equip	R	05/13/20	05/14/20		4743	N	
4 TECH SUPPORT/INTERNET/WEB		<u>257.96</u>	0-09-55-501-001-530	B Computer Software/Maint/Equip	R	05/13/20	05/14/20		4743	N	
		3,040.54									
Vendor Total:		3,040.54									
REPUB005 REPUBLIC SERVICES											
20-00121 02/05/20 ACCT 3-0689-0108950 2020 B											
5 INV 0689-003143633 4/12/2020		2,989.79	0-01-26-305-001-029	B Contract-Republic Services, NJ-Dumpsters	R	02/05/20	05/14/20		0689-003143633	N	
Vendor Total:		2,989.79									
S0002 SAFETY-KLEEN SYSTEMS, INC											
20-00578 05/06/20 PARTS WASHER SERVCIE											
1 PARTS WASHER SERVCIE		295.00	0-01-26-290-001-039	B General Machinery Parts	R	05/06/20	05/14/20		82896226	N	
Vendor Total:		295.00									

Vendor # Name												
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099		
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl	
S0061 SEA BOX												
20-00471	04/09/20	CONTAINER RENTAL										
1 INV.	SI99013	CONTAINER RENTAL	75.00	0-01-26-310-001-025	B Building Rental	R	04/09/20	05/14/20		SI99013	N	
20-00572	05/06/20	CONTAINER RENTAL										
1 INV.	SI100591	CONTAINER RENTAL	75.00	0-01-26-310-001-025	B Building Rental	R	05/06/20	05/14/20		SI100591	N	
Vendor Total:		150.00										
W0156 SEARING, WILLIAM												
20-00574	05/06/20	REIMBURSE P.TOUCH TAPE LABELER										
1 REIMBURSE	P.TOUCH TAPE FOR	29.99	0-09-55-501-002-509	B Office Supplies - Admin.	R	05/06/20	05/14/20			141 41 7277 402 N		
Vendor Total:		29.99										
BLOCK005 TELESYSTEM												
20-00584	05/08/20	INV 13782887 5/1/2020										
1 INV	13782887 5/1/2020	1,247.47	0-01-31-440-001-085	B Telephone-Block Line Systems, LLC LSI	R	05/08/20	05/14/20			13782887	N	
Vendor Total:		1,247.47										
T0224 TORNQUIST GARAGE												
20-00506	04/22/20	HPD VEHICLE TOWED										
1 HPD	VEHICLE TOWED	85.00	0-01-26-315-001-131	B Vehicle Maint. - Police	R	04/22/20	05/14/20			3/23/2020	N	
Vendor Total:		85.00										
V0019 VERIZON												
20-00581	05/08/20	ACCT 1-53 & 1-69 4/15/2020										
1 ACCT	250-717-367-0001-69	111.52	0-09-55-501-003-545	B Telephone-w/S-VERIZON	R	05/08/20	05/14/20			250717367000169 N		
2 ACCT	750-717-188-0001-53	280.48	0-09-55-501-003-545	B Telephone-w/S-VERIZON	R	05/08/20	05/14/20			750717188000153 N		
		392.00										
Vendor Total:		392.00										

Vendor # Name														
PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl		
W0099 WATCHUNG SPRING WATER CO., INC														
20-00573	05/06/20	DISTILLED WATER 4/8/20 0231912												
1	DISTILLED WATER 4/8/20	0231912	77.93	0-09-55-501-002-506	B	Lab. Equipment & Supplies	R	05/06/20	05/14/20		0231912	N		
Vendor Total:			77.93											
W0096 WATER WORKS SUPPLY CO., INC.														
20-00576	05/06/20	PARTS FOR VALVE AWWTP												
1	INV. IF98620		1,673.45	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	05/06/20	05/14/20		IF98620	N		
Vendor Total:			1,673.45											
WHITM005 WHITMAN														
20-00241	02/25/20	HAZARDOUS MATERIALS TESTING												
1	HAZARDOUS MATERIALS TESTING		11,925.00	C-04-55-886-000-447	B	MUNICIPAL COMPLEX SOFT COSTS 2019-10	R	02/25/20	05/14/20		64203	N		
Vendor Total:			11,925.00											
W0891 WINNER FORD OF CHERRY HILL														
19-01949	12/18/19	4 WD UTILITY TRUCK W/S												
1	4 WD UTILITY TRUCK W/S		43,813.72	C-08-55-959-000-541	B	2019-19 4 WD VEHICLE	R	12/24/19	05/14/20		235469	N		
2	90L POWER EQUIP GROUP ON XL		915.00	C-08-55-959-000-541	B	2019-19 4 WD VEHICLE	R	12/30/19	05/14/20		235469	N		
			44,728.72											
19-01950	12/18/19	4WD UTILITY TRUCK GEN CAP												
1	4WD UTILITY TRUCK GEN CAP		43,813.72	C-04-55-888-004-444	B	2019-20 DPW 4WD W/PLOW	R	12/24/19	05/14/20		235470	N		
2	90L POWER EQUIP GROUP ON XL		915.00	C-04-55-888-004-444	B	2019-20 DPW 4WD W/PLOW	R	12/30/19	05/14/20		235470	N		
			44,728.72											
Vendor Total:			89,457.44											
WIREL005 WIRELESS ELECTRONICS, INC.														
20-00508	04/22/20	MONTHLY SVC CONTRACT												
1	MONTHLY SVC CONTRACT		255.00	0-01-25-240-001-029	B	Maint. Contracts - Other	R	04/22/20	05/14/20		M59899	N		
Vendor Total:			255.00											

Vendor # Name		PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge	Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
Y0025 YOSTEMBSKI, ROBERT												
20-00540	04/30/20 MONTHLY PROSECUTOR FEE											
1	MONTHLY PROSECUTOR FEE	1,200.00	0-01-25-275-001-111	B	Municipal Prosecutor	R	04/30/20	05/14/20			APR 2020	N
Vendor Total:		1,200.00										
Z0106 ZEP SALES & SERVICE												
20-00439	04/02/20 SEWER AID PAIL											
1	SEWER AID 40 LB PAIL	2,031.33	0-09-55-501-002-534	B	Sewer Aid	R	04/02/20	05/14/20			9005061553	N
Vendor Total:		2,031.33										
Total Purchase Orders: 55 Total P.O. Line Items: 129 Total List Amount: 149,453.66 Total Void Amount: 0.00												

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	22,369.40	0.00	22,369.40	0.00	0.00	22,369.40
	0-09	22,734.97	0.00	22,734.97	0.00	0.00	22,734.97
Year Total:		45,104.37	0.00	45,104.37	0.00	0.00	45,104.37
GENERAL CAPITAL	C-04	56,966.72	0.00	56,966.72	0.00	0.00	56,966.72
WATER/SEWER CAPITAL	C-08	45,041.72	0.00	45,041.72	0.00	0.00	45,041.72
Year Total:		102,008.44	0.00	102,008.44	0.00	0.00	102,008.44
TRUST OTHER - FUND #12	T-12	1,976.05	0.00	1,976.05	0.00	0.00	1,976.05
ANIMAL CONTROL TRUST FUND #13	T-13	364.80	0.00	364.80	0.00	0.00	364.80
Year Total:		2,340.85	0.00	2,340.85	0.00	0.00	2,340.85
Total of All Funds:		149,453.66	0.00	149,453.66	0.00	0.00	149,453.66

Resolution 2020-115

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

AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN HIGHTSTOWN BOROUGH AND ROBBINSVILLE TOWNSHIP FOR NEGOTIATIONS REGARDING A POLICE AND COURT FACILITY AND DISPATCH SERVICES

WHEREAS, Hightstown Borough (“Hightstown”) is in need of facilities for police and court operations (the “Services”); and

WHEREAS, Robbinsville Township (“Robbinsville”) is planning to build such a facility; and

WHEREAS, the Governing Bodies of both Robbinsville and Hightstown (the “Parties”) find that it would be in the best interests of the Parties to engage in negotiations relating to the proposed collective provision of the Services at the new facility to be constructed by Robbinsville and dispatch services through a Shared Services Agreement; and

WHEREAS, in furtherance thereof, the Parties have drafted the attached Memorandum of Understanding, which shall memorialize the steps to be undertaken and establish responsibilities as it relates to the negotiation of a Shared Services Agreement regarding the Services.

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

NOW, THEREFORE, BE IT FURTHER RESOLVED, that this Resolution shall supersede Resolution 2020-80, adopted by Borough Council on March 16, 2020.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on May 18, 2020.

Margaret Riggio
Deputy Borough Clerk

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE BOROUGH OF
HIGHTSTOWN AND THE TOWNSHIP OF ROBBINSVILLE FOR THE
CONSTRUCTION AND SHARING OF A NEW POLICE/MUNICIPAL COURT
FACILITY**

THIS MEMORANDUM OF UNDERSTANDING made this ____ day of _____, 2020, by and between:

THE BOROUGH OF HIGHTSTOWN (“Hightstown”), a municipal corporation of the State of New Jersey, with its temporary principal offices located at 156 Bank Street, Hightstown, New Jersey 08520; and

THE TOWNSHIP OF ROBBINSVILLE (“Robbinsville”), a municipal corporation of the State of New Jersey, with its principal offices located at 2298 Route 33, Robbinsville, New Jersey 08691.

(Hightstown and Robbinsville will be collectively referred to herein as the “Parties”).

WITNESSETH:

WHEREAS, subject to further negotiations, Robbinsville and Hightstown may wish to enter into a Shared Services Agreement, pursuant to N.J.S.A. 40A:65-1 *et seq.*, relating to the proposed construction by Robbinsville of certain new building(s) located in Robbinsville (the “Project”) which will house a Shared Municipal Court for the Parties, as well as separate Police Department facilities for both Parties; and

WHEREAS, the Parties are also interested in including dispatch services as part of the proposed Shared Services Agreement; and

WHEREAS, the Governing Bodies of both Robbinsville and Hightstown find that it would be in the best interests of the Parties to engage in negotiations relating to the drafting of a proposed Shared Services Agreement concerning all of the above activities (collectively, the “Services”); and

WHEREAS, the purpose of this Memorandum of Understanding is to memorialize the steps to be undertaken regarding said negotiations concerning the Project and the Services.

NOW, THEREFORE, the Parties hereto wish to set forth in this Memorandum of Understanding their responsibilities as they relate to the negotiation of a Shared Services Agreement regarding the Project and the Services as follows:

1. The Parties will enter into negotiations immediately regarding the plans for construction of the Project, which shall include a Shared Municipal Court for the Parties, as well as facilities for the Hightstown Borough Police Department. The

negotiations shall include terms and conditions for any and all revisions to the existing architectural and construction plans that will be required to accomplish the intent of the Shared Services Agreement for the Project and Services, terms and conditions for the leasing of space by Hightstown within the Project for these activities, related issues concerning the operation of a Shared Municipal Court, as well as liquidated damages should the Project be designed and/or constructed to incorporate the Shared Municipal Court, Hightstown's Police Department, and/or dispatch services and Hightstown not occupy and/or continue occupation in the Project building(s) for an agreed upon period of time. The Parties shall also include dispatch services as part of the negotiations to be undertaken. It is the intention of the Parties to enter into a Shared Services Agreement concerning the Project and the Services within one hundred and twenty (120) days of the full execution of this Memorandum of Understanding, with such Agreement to be subject to review and approval by the Governing Bodies of both Parties.

2. During such one hundred and twenty (120) day time period, the Parties shall not solicit or entertain and other proposals involving any other public entities for the Project or Services referenced herein, and shall engage in exclusive negotiations with each other regarding the Project and the Services.
3. If the Parties are unable to negotiate a Shared Services Agreement regarding the Project and the Services referenced herein during the one hundred and twenty (120) day time period, both Parties shall, prior to the expiration of such one hundred and twenty (120) days, report the status of the negotiations to their respective Governing Bodies. At such time, the Parties shall make a recommendation to their respective Councils, based upon which each Council shall determine, in its sole discretion, to either (a) extend the time for such negotiations for a reasonable period of time, if such extension is deemed likely to result in a satisfactory agreement, or (b) cease such negotiations.
4. Hightstown shall be solely responsible for any and all costs associated with any and all revisions to the architectural and/or construction plans, as they exist as of the date of full execution of this Memorandum of Understanding, required to accomplish the intent of the Shared Services Agreement for the Project and Services, whether or not such Shared Services Agreement is successfully negotiated. Robbinsville shall provide Hightstown with copies of any invoices it receives from its contracted professionals for such revisions and Hightstown shall reimburse Robbinsville the full amount of same within thirty (30) days of receipt of such invoices.
5. Subject to the successful negotiation of the aforementioned Shared Services Agreement, Robbinsville will include construction of the Project in its budget for 2021.

IN WITNESS WHEREOF, the Parties have caused this Memorandum of Understanding to be signed by their respective officers duly authorized, and have caused this memorandum of Understanding to be dated as of the day and year written above.

ATTEST:

BOROUGH OF HIGHTSTOWN

Debra L. Sopronyi, Municipal Clerk

Lawrence Quattrone, Mayor

ATTEST:

TOWNSHIP OF ROBBINSVILLE

Michele Seigfried, Municipal Clerk

David Fried, Mayor

Resolution 2020-116

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

AUTHORIZING CHANGE ORDER #2 FINAL – VGM GROUP – ROOF REPLACEMENT, AWWTP

WHEREAS, on February 18, 2020, Borough Council awarded a contract for a roof replacement at the Hightstown AWWTP through the Mercer County Cooperative Contract Purchasing system to VMG Group of Roselle, New Jersey in the amount of \$67,693.98; and

WHEREAS, the contractor has submitted change order #2 Final for additional work due to unforeseen existing conditions in the amount of \$3,023.12 which increases the total contract to \$78,914.10; and

WHEREAS, the Borough Administrator has recommended approval of Change order #2, Final; 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 change #2, Final to VMG Group of Roselle, New Jersey for \$3,023.12, is hereby approved as detailed herein,

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on May 18, 2020.

Margaret Riggio
Deputy Borough Clerk

Resolution 2020-117

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

WAIVING THE REQUIREMENT FOR A WASTE DISPOSAL STICKER TO DISPOSE OF BULK, WHITE GOODS AND METAL FEES UNTIL FURTHER NOTICE DUE TO THE COVID-19 PANDEMIC

WHEREAS, Due to the Coronavirus COVID-19 Pandemic Hightstown Borough suspended curbside collections to adhere to the Executive Orders of the Governor of New Jersey and the recommendations of the CDC for the health, safety and welfare of the residents and employees of the Borough; and

WHEREAS, the Borough has determined that by practicing the proper social distancing and wearing of proper personal protective gear by the residents and employees in compliance with the Executive Orders of the Governor of New Jersey and the recommendations of the CDC, the curbside collections of bulky items, white goods and metal items can resume without compromising the health, safety and welfare of the residents and employees of the Borough; and

WHEREAS, Chapter 18, Subsection 18-1-5(b) of the Revised General Ordinances of the Borough of Hightstown, entitled "Preparation for Collection" requires the purchase of a waste disposal sticker for the collection of bulky items, white goods and metal items; and

WHEREAS, the Mayor and Borough Council wish to offer relief to the residents of the Borough who must dispose of bulky items, white goods and metal by waiving the requirement for a waste disposal sticker for said disposal until further notice; and

WHEREAS, all other requirements for the collection of bulky items, white goods and metal items shall remain in effect and required of all residents.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown, that the requirement for a waste disposal sticker for the disposal and collection of bulky items, white goods and metal shall be waived for residents of Hightstown Borough until further notice; and

BE IT FURTHER RESOLVED, all other requirements for the collection of bulky items, white goods and metal shall remain in effect and required of residents.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on May 18, 2020.

Margaret M. Riggio
Deputy Borough Clerk

CURBSIDE PICK-UP UPDATES

The Department of Public Works will resume the collection of Bulk on the last Monday of each month and Metal on the first Wednesday of each month by appointment only.

Bulk items will be collected on Tuesday, May 26th, **by appointment only**. (Monday is a Holiday)

Metal items will be collected on Wednesday, June 3rd, **also by appointment only**. Please note that refrigerators/freezers and air conditioners will not be collected unless they have the appropriate certification that the freon has been removed.

The requirement for a sticker is being suspended at this time.

Residents who had previously purchased stickers for the suspended collections in March and April, will be receiving an in-kind number of stickers in the mail to use when the sticker system resumes (in case you have already adhered them to your items). Those receiving these stickers can utilize these replacement stickers **when normal operations resume**.

Please, be considerate of Borough employees and do not approach them when they are performing these and other duties (a wave from a distance is fine and appreciated). The Borough is practicing proper social distancing and other safety measures to assure that we can continue to provide these and other various services to the community. We appreciate your patience and look forward to resuming these services.

To schedule an appointment for pick-up or if you have any questions, please contact Public Works at publicworks@hightstownborough.com or by calling 609-490-5115.

Resolution 2020-118

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

PETITIONING THE BOARD OF PUBLIC UTILITIES TO ENACT REGULATIONS REQUIRING A 100% RATE OF HIGH SPEED INTERNET ACCESSIBILITY TO EACH MUNICIPALITY THROUGHOUT NEW JERSEY

WHEREAS, having access to aerial line high-speed internet service is a necessary and vital part of living in today's society; and

WHEREAS, the recent pandemic of COVID-19 further illustrates just how vital access to aerial line high-speed internet has become to society, especially during times of crisis or emergencies and how not having access to aerial line high-speed internet has the potential to cripple a community, denying the community the capacity for remote student learning and remote working arrangements with a resident's employer;

AND FURTHERMORE, that during a time of crisis not having access to aerial line high-speed internet has the potential to shut down all functions of government by denying essential employees and elected officials from the ability to work, communicate, distribute information, conduct meetings, and perform the other requirements of a functioning government through remote capabilities; and

WHEREAS, Hightstown Borough believes that the service providers of aerial line high-speed internet in the State of New Jersey are more than capable of and financially sound enough to achieve a 100% rate of aerial line high-speed internet accessibility but choose not to pursue that goal unless forced to through regulation because the providers feel it is not profitable; and

WHEREAS, not having access to aerial line high-speed internet service is a plight on students, reducing their educational opportunities and ability to learn in a modern world; and

WHEREAS, not having access to aerial line high-speed internet service could potentially have life and death consequences for the elderly or those with various health complications; and

WHEREAS, not having access to aerial line high-speed internet service causes a great burden to businesses, places them at a disadvantage, and reduces chances for economic development; and

WHEREAS, not having access to aerial line high-speed internet service can cause healthcare facilities to shut down because they cannot access required networks to function, thereby further creating negative impacts on New Jersey residents' health; and

WHEREAS, Hightstown Borough is desirous of assisting and cooperating with other public entities and State officials to pursue a petition before the Board of Public Utilities to enact regulations requiring a 100% rate of aerial line high-speed internet accessibility in each individual municipality throughout the State of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Borough Council of the Borough of Hightstown that the Board of Public Utilities is requested to order all service providers of aerial line high-speed internet to provide aerial line high-speed internet service to all municipalities throughout the State with each municipality being afforded a 100% rate of aerial line high-speed internet accessibility; and

BE IT FURTHER RESOLVED, that our State representatives use their authority to require service

providers of aerial line high-speed internet to achieve a 100% rate of high-speed internet access for each individual municipality throughout the State of New Jersey; and

BE IT FURTHER RESOLVED, that the clerk for the Borough of Hightstown be directed to send a copy of this resolution to the Governor of the State of New Jersey, the Senate President of the New Jersey State Senate, the Speaker of the Assembly of the State of New Jersey, the Mercer County Board of Chosen Freeholders, and the Board of Public Utilities; and

BE IT FURTHERMORE RESOLVED, that the clerk for the Borough of Hightstown be directed to send a copy of this resolution to the clerks of all 565 municipalities in the State, encouraging them to pass similar resolutions so that during times of crisis and emergency all New Jersey residents have access to the vital resource of aerial line high-speed internet access thus allowing employees to work remotely, healthcare providers to function, governments to continue to function ensuring the health, safety, and welfare of residents, and also so that all children in the State of New Jersey have an equal opportunity to access information critical to furthering their educations.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on May 18, 2020.

Margaret M. Riggio
Deputy Borough Clerk



April 30, 2020

Mayor and Council
Borough of Hightstown
156 Bank Street
Hightstown, New Jersey 08520

Re: NJDOT Application for Municipal Aid Grant FY2021
Borough of Hightstown, Mercer County, New Jersey
Our File No.: H1603

Dear Mayor and Council:

The New Jersey Department of Transportation has announced that it will be accepting applications for the Municipal Aid, Transit Village, Bikeway, and Safe Streets to Transit grant programs. Applications must be submitted on or before July 1, 2020.

I have reviewed the grant programs and recommend the Borough submit an application under the Municipal Aid Program this year. In consultation with Public Works Superintendent Ken Lewis and review of comments from the Complete Streets Committee, I am recommending that a grant application be submitted for one of the following projects:

1. Improvements to Hausser Avenue, Bennet Place, and Prospect Drive.
2. Improvements to Schuyler Avenue and Orchard Avenue.

In general, the roads outlined above require mill and overlay with base repairs, as necessary. In addition, deteriorated curbs and sidewalks will be replaced as necessary and new sidewalks added where none exist, existing storm drain inlets will be upgraded to meet NJDOT Bicycle Safe Standards and NJDEP Stormwater Regulations, and curb ramps will be reconstructed to meet current ADA standards.

Should Council determine that an application be submitted for either of the options above, it is recommended that water mains also be replaced. The existing water mains have had multiple breaks and continue to deteriorate. Water main replacement would have to be funded by the Borough or other outside funding source as the NJDOT will not cover these costs. In addition, sidewalks can be constructed where they do not currently exist within these project areas to continue the Borough's move towards a completely walkable community.

An application for Improvements to Schuyler Avenue and Orchard Avenue could also include sidewalk improvements to South Main Street in areas where none currently exist to complete the sidewalk network.

In addition to the above options, the Complete Streets Committee has recommended improvements as follows:

1. Sidewalk Improvements at Summit Street between Prospect Drive and Mercer Street
This is the only section of Summit Street that does not have sidewalks on either side of the road. Constructing sidewalks would require stabilization of steep slopes, possible Right-Of-Way acquisition, and sanitary sewer improvements. The property on the northeast corner of Summit Street at Mercer Street has an existing septic system in the area where a sidewalk would be constructed. The property would have to be connected to the sanitary sewer system and the

septic system removed. This may be difficult because there is limited sanitary sewer infrastructure in the area.

2. Improvements to Clover Drive and Meadow Lane
These roadways were last paved 17 years ago. The roadways are wide and do not include sidewalks. This is an application that would be similar to Hausser Avenue, Bennet Place, and Prospect Drive, but with no water main improvements.
3. Greenway Connection to the Union Transportation Trail in East Windsor (Airport Road)
This project would be for a connection of the Borough Greenway at Summit Street to East Windsor's Union Transportation Trail Line. East Windsor was recently awarded a \$450,000 grant through the NJDOT's Municipal Aid Local Bikeway Program for the Union Transportation Trail that will start at Airport Road. This would likely require Right-Of-Way acquisitions and coordination with East Windsor.

The Borough is permitted to submit up to two (2) grant applications through the Municipal Aid Program.

I recommend Council consider improvements including new sidewalks to the neighborhoods of either Hausser Avenue, Bennet Place, and Prospect Drive or Schuyler Avenue and Orchard Avenue as one of the applications. These two neighborhoods remain incomplete and have not been improved since the Transportation Trust Fund Grant Program was started. Upon improvements to these two neighborhoods, the Borough would have updated all of its roads at least once since the late 1980s.

I am prepared to move forward with preparation of an application as outlined above and request authorization at your next Council Meeting. Our fee to prepare one (1) application will be at a cost not to exceed \$4,500.00. A second application will be at a cost not to exceed \$4,000.00.

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

Very truly yours,



Carmela Roberts, P.E., C.M.E.
Borough Engineer

cc: Debra Sopronyi, RMC, QPA, CMR, Borough Administrator/Clerk
Peggy Riggio, RMC, CMR, Deputy Borough Clerk
Kenneth Lewis, Superintendent of Public Works
Complete Streets Committee
Cameron Corini, PE, CME, Roberts Engineering Group, LLC
Kelly Pham, Roberts Engineering Group, LLC



State of New Jersey

DEPARTMENT OF TRANSPORTATION
P.O. Box 600
Trenton, New Jersey 08625-0600

PHILIP D. MURPHY
Governor

DIANE GUTIERREZ-SCACCETTI
Commissioner

SHEILA Y. OLIVER
Lt. Governor

April 13, 2020

Dear Mayor/Freeholder Director/County Executive:

On behalf of Governor Phil Murphy, I am pleased to announce that applications will now be accepted for the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2021 State Aid programs. This change in the solicitation and notification schedule for the programs listed below will help the municipalities and counties be able to access funds for the next round of projects sooner. **The new deadline for grant application submissions is July 1st.** Grant awards are expected to be announced in November.

As you may know, the Transportation Trust Fund Reauthorization Act of 2016 increased funding for Local Aid programs to counties and municipalities from \$190 million per year to \$430 million. The reason for the steep increase is that the majority of New Jersey's roadway mileage—about 90 percent—is under local government jurisdiction and is in as much need of repair as the state roadway network. By announcing the solicitations today, we will be able to address these needs sooner.

I recently announced NJDOT's "Commitment to Communities" initiative that creates new programs and combines existing Departmental efforts to assist local governments in spending the significantly increased level of aid that the reauthorized Trust Fund law affords them. The Commitment to Communities initiative includes a new Resource Center that provides one-stop shopping for local government managers by providing hands-on resources for the application process, raising awareness of grant cycles and proactively communicating program information. Our adjustment in the schedule was initiated by comments from you as well as representatives from the construction industry.

The following is a brief description of each grant program:

- **Municipal Aid** - This \$151.25 million program has been a significant resource in funding local transportation projects. All municipalities are eligible. The Department continues to encourage municipalities to consider using the Municipal Aid Program to fund projects that support walking and biking in their communities especially now that additional funds are available. NJDOT has set a goal to award up to 10 percent of the Municipal Aid Program funds to projects such as pedestrian safety improvements, bikeways and streetscapes. An additional \$10 million is provided in Urban Aid for a total of \$161.25 million.
- **Transit Village** - This program will award grants totaling \$1 million for traditional and non-traditional transportation projects that enhance walking, biking and/or transit ridership within a half

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mile of the transit facility. Only New Jersey municipalities that have been designated as Transit Villages by the Commissioner of Transportation and the inter-agency Transit Village Task Force are eligible to apply. The eligible town list can be found at:

<http://www.state.nj.us/transportation/business/localaid/transitvillagef.shtm>

- **Bikeways** - This \$1 million program is intended to fund bicycle projects which create new Bike Path Mileage. It is available to all counties and municipalities. The Department continues to work toward the goal of achieving 1,000 miles of dedicated bikeways in New Jersey. Special consideration will be given to bikeways that are physically separated from motorized vehicular traffic by an open space or barrier, but on-road bike lanes and other bike routes and facilities are also eligible for funding.
- **Safe Streets to Transit** - The intent of this program is to encourage counties and municipalities to construct safe and accessible pedestrian linkages to transit facilities, in order to promote increased usage of transit by all segments of the population. A total of \$1 million is available for grant awards.

All projects funded through the Transportation Trust Fund must comply with the Americans with Disabilities Act (ADA). ADA guidance, program descriptions and application guidance materials can be found on the NJDOT website at: <http://www.state.nj.us/transportation/business/localaid/stateaid.shtm>

If you choose to apply, please be aware that Municipal Aid regulations require projects receiving this type of aid to award a construction contract within 24 months from the date of grant notification.

I encourage you to submit applications for these Local Aid programs. Each program application will be evaluated independently, affording counties and municipalities the opportunity to receive funding in more than one category.

The enclosed map provides contact information for each Local Aid District Office. I recommend that you consult with your Local Aid District Office to assist in preparing applications for funding. Please keep in mind that a separate application for each project must be completed and submitted on or before **July 1st, 2020**, on-line through the Department's electronic grants administration system, known by its acronym, SAGE, at: <https://njsage.intelligrants.com/>

As Commissioner of Transportation, I am committed to maintaining and improving New Jersey's local transportation infrastructure by providing financial assistance, technical expertise and training in surmounting the application process for traditional and non-traditional local transportation initiatives. Our counties and municipalities will be well positioned to design and construct important local projects without the need to impact property taxes. Your success in building projects and spending the additional capital will mean success not only for your constituents, but for the entire state.

Thank you for your continued interest and support of NJDOT, and best wishes for success with your project applications.

Sincerely,



Diane Gutierrez-Scaccetti
Commissioner

Enclosure
c: Municipal Clerk
Municipal Engineer
County Engineer