

Agenda

Hightstown Borough Council

August 17, 2020

6:30 PM – Public Session

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Dial-in number: (978) 990-5000

Access code: 845506#

Online meeting ID: hightstownborough

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

July 6, 2020 – Public Session

July 20, 2020 – Public Session

July 20, 2020 – Executive Session

Presentations

Habitat for Humanity Project Update

Public Comment I

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

Ordinances

Ordinance 2020-09 Public Hearing and Final Reading An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Resolutions

2020-159 Authorizing Payment of Bills

2020-160 Amending Resolution 2020-157, Relating to the Stockton Street Water Main Replacement Project

2020-161 Authorizing Payment to Richard Grubb and Associates (RGA) for Intensive-Level Historic Architectural Survey for Municipal Facilities Located at 230 Mercer Street

Consent Agenda

2020-162 Authorizing Renewal of Alcoholic Beverage License #1104-44-022-011 Hightstown Liquors & Wines, LLC

2020-163 Authorizing Renewal of Alcoholic Beverage License #1104-33-003-009 Palumbo Restaurants, T/A Tavern on the Lake

- 2020-164** Authorizing Release of Performance Guarantee and Release of Amounts Remaining in Escrow – Umberto Pirone – 111 Orchard Avenue
- 2020-165** Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2020 Budget

New Business

Halloween Alternatives

Revisions to Police Special Duty Ordinance

Revisions to Noise Ordinance

Subcommittee Reports**Mayor/Council/Administrative Reports****Executive Session**

Resolution 2020-166 Authorizing a Meeting that Excludes the Public

Attorney Client Privilege

Adjournment

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

The meeting was called to order by Mayor Quattrone at 6:30 p.m. and he read the Open Public Meetings Act statement which stated, “Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted on the Borough 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; Fred Raffetto, Borough Attorney; Carmela Roberts, Borough Engineer; Brian Slauch, Borough Planner and Kevin McManimon, Redevelopment Attorney

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Council President Musing asked that Resolutions 2020-138 and 2020-141 be taken from the Consent Agenda and voted on separately.

Moved as amended by Councilmember Misiura; Seconded by Councilmember Cicalese.

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

Agenda approved as amended 6-0.

APPROVAL OF MINUTES

June 1, 2020 – Public Session

Moved by Councilmember Musing; Seconded by Councilmember Misiura

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

abstained.

ENGINEERING ITEMS

Lincoln Avenue, Hagemount Avenue and Rocky Brook Court Project Update

Borough Engineer, Carmela Roberts, updated Council on the project status. 10 trees have already been removed. Starting next week, the equipment and materials used for the project will be staged on the grass median on Hagemount Street. The work will be starting on Lincoln Avenue.

Springcrest Drive, Taylor Avenue, Spruce Court and Glen Drive Project

Borough Engineer, Carmela Roberts gave an overview of the \$600,000 Grant received from NJDOT. This project will be paving and repairing sidewalks. Council also approved decommissioning the sanitary sewer pump station at Spring Crest Drive and installing new sewer mains to connect to the system in Westerlea Drive. Discussion ensued. Council raised concerns over the total amount of the project and the amount needed to bond. There were questions regarding changing the scope of the project. Ms. Roberts explained that if the scope of work is changed, DOT can reduce the amount of the grant. After discussion, Council directed Ms. Roberts to bid the project with alternates to possibility change the scope. Council also asked that there be interim review meetings to keep Council up to date.

PRESENTATIONS

Redevelopment Plan – Brian Slaugh, Borough Planner

Councilmember Jackson recused himself from the meeting at this time.

Mr. Slaugh explained the history of the redevelopment plan and the current changes. Mr. Slaugh then reviewed the scheduled brought forth by the PRC Group.

Councilmember Stults applauded the professionals involved in this project. There have been a lot of meetings. The PRC Group has been great to work with. Their continued commitment to the project is commendable.

Councilmember Misiura stated that this will make our downtown more vibrant.

Mr. Slaugh left the meeting at this time.

Councilmember Misiura asked if a separate document needs to be sent to the Planning Board. Kevin McManimon, Redevelopment Attorney, stated that a separate document is not needed. The Ordinance will be forwarded to Planning Board. Planning Board has 45 days in which to send their comments back to Council.

Council President Musing thanked Councilmembers Misiura and Stults and the professionals for all of their work on this plan. He is very excited about this project.

Councilmember Stults stated that this will help with foot traffic and get the types of businesses we want downtown.

Mr. McManimon left the meeting at this time.

Ordinance 2020-04 First Reading and Introduction Ordinance of the Borough of Hightstown, In the County of Mercer Adopting a New Redevelopment Plan for Tax Block 8, Lots 12-14; Tax Block 18, Lots 8-12; Tax Block 21, Lots 1-14, 20 and 26; and Tax Block 30, Lots 1-13

Moved for Introduction by Councilmember Stults; Seconded by Council President Musing.

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

Ordinance Introduced 5-0. Public Hearing scheduled for July 20th.

ORDINANCE 2020-04

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER ADOPTING A NEW REDEVELOPMENT PLAN FOR TAX BLOCK 8, LOTS 12-14; TAX BLOCK 18, LOTS 8-12; TAX BLOCK 21, LOTS 1-14, 20 AND 26; AND TAX BLOCK 30, LOTS 1-13

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., by Resolution 2003-19 adopted on December 1, 2003, as amended by Resolution 2018-72, adopted on March 19, 2018, and Resolution 2019-224, adopted on December 16, 2019, 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 revised redevelopment plan containing development standards for that portion of the Redevelopment Area known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 on April 20, 2015 by the Borough Council, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006, and October 6, 2008, and which was subsequently further amended by ordinances adopted by the Borough Council on March 6, 2017 and April 2, 2018 (the "Original Bank Street Redevelopment Plan"); and

WHEREAS, RBG Hightstown, LLC (the "RBG") proposed to redevelop that portion of the Redevelopment Area consisting of Block 30, Lots 1-7 and Lots 10-13, and Block 21, Lots 1-5 & 26 on the Borough's official tax map (collectively, the "Original Project Area"), which constitutes part of Sub-Area I (Bank Street); and

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

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

WHEREAS, the Redeveloper expressed a desire to redevelop the RBG Project Area in a manner generally consistent with the RBG Amended and Restated Redevelopment Agreement, as well as the parcels designated on the Borough's tax map as Block 21, Lot 14; Block 8, Lots 12-14; and Block 18, Lots 8-12 (the "Additional Property") and together with the RBG Project Area, the "Project Area"); and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Borough identified and designated the Additional Property as an "area in need of redevelopment"; and

WHEREAS, the Borough owns that portion of the Project Area consisting of Block 30, Lots 10-13 and Block 21, Lot 20 on the Borough's tax map ("Borough Property"); and

WHEREAS, the Hightstown East Windsor Historical Society (the "Historical Society") owns that portion of the Project Area consisting of Block 30, Lots 8 & 9 on the Borough's tax map (the "Historical Society Property"); and

WHEREAS, the Redeveloper owns that portion of the Project Area consisting of Block 30, Lots 1-7, and Block 21, Lots 1-14 and 26 on the Borough's tax map ("PRC Property"); and

WHEREAS, by Resolution Number 2020-37, adopted on January 21, 2020, the Borough Council designated Redeveloper as the conditional redeveloper of the Project Area, and

WHEREAS, the Borough Council desires to adopt a new redevelopment plan for the Project Area containing development standards therefor; and

WHEREAS, Clarke Caton Hintz prepared a redevelopment plan, entitled "Bank Street Redevelopment Plan" (the "Bank Street Redevelopment Plan"), setting forth such development standards for the Project Area.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED 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 Bank Street Redevelopment Plan is hereby approved and adopted.

Section 3. The sections(s) of the Borough's Zoning Map that related to the property governed by the Bank Street Redevelopment Plan are hereby amended to incorporate the provisions of the Bank Street Redevelopment Plan.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance, including those relating to the Original Bank Street Redevelopment Plan, are hereby rescinded.

Section 5. This ordinance shall take effect in accordance with applicable law.

Redevelopment Plan Appendix "A" attached thereto and made part thereof.

Councilmember Jackson returned at this time.

PUBLIC COMMENT I

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

Neil Glackin, 290 Monmouth Street - Amazed that the Mill project is happening. Spoke about garbage pick up. When a holiday falls on a Friday, garbage does not get picked up for 3 days. Can Public Works look to adjust the schedule when a holiday falls on a Friday?

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

ORDINANCES

Ordinance 2020-05 First Reading and Introduction Bond Ordinance Providing for Improvements to Various Roads in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$873,000 therefor and Authorizing the Issuance of \$273,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Moved for introduction by Councilmember Misiura; Seconded by Councilmember Bluth

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

Ordinance introduced 6-0.

Public Hearing scheduled for July 20th

ORDINANCE 2020-05

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO
VARIOUS ROADS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN
THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING
\$873,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$273,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART
OF THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$873,000, including the \$600,000 grant expected to be received from the State of New Jersey Department of Transportation Municipal Aid Program (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the project since the project is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement not covered by the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$273,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued

pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to various roads, including Springcrest Drive, Taylor Avenue, Spruce Court and Glen Drive, including curb, sidewalk and roadway improvements, and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$273,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$113,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of

holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 2020-06 First Reading and Introduction Bond Ordinance Providing for Drainage Improvements to the Water and Sewer Utility and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$310,000 Therefor and Authorizing the Issuance of \$295,200 Bonds or Notes in the Borough to Finance the Cost Thereof

Moved for introduction by Councilmember Jackson; Seconded by Councilmember Stults

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

Ordinance introduced 6-0.

Public Hearing scheduled for July 20th

ORDINANCE 2020-06

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**BOND ORDINANCE PROVIDING FOR DRAINAGE IMPROVEMENTS TO THE
WATER AND SEWER UTILITY AND BY THE BOROUGH OF HIGHTSTOWN, IN THE
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$310,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$295,200 BONDS OR NOTES OF THE BOROUGH
TO FINANCE THE COST THEREOF.**

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

AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$310,000, including the sum of \$14,800 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$295,200 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is drainage improvements to Springcrest Drive, Taylor Avenue, Spruce Court and Glen Drive, including all work and materials necessary therefor and incidental thereto and further including all related costs and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or

private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$295,200, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of

intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 40c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

RESOLUTIONS

Resolution 2020-132 Payment of Bills

Moved by Councilmember Misiura; Seconded by Councilmember Bluth

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

Resolution adopted 6-0

Resolution 2020-132

*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 \$941,890.04 from the following accounts:

Current		\$835,225.92
W/S Operating		92,461.83
General Capital		7,215.75
Water/Sewer Capital		0.00
Grant		0.00
Trust		1,298.29
Housing Trust		0.00
Animal Control		24.60
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>5,663.65</u>
Total		<u>\$941,890.04</u>

Resolution 2020-133 Authorizing Payment to Remington Vernick for Inspection and Contract Administration Services Associated with the Peddie Lake Dam Pedestrian Bridge Project

Moved by Council President Musing; Seconded by Councilmember Jackson

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

Resolution adopted 6-0

Resolution 2020-133

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

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

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

WHEREAS, the engineer has submitted a payment request for inspection and contract administration services through March 31,2020, in the total amount of \$17,011.26; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request to Remington Vernick Engineers of Haddonfield, New Jersey in the amount of \$17,011.26, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2020-134 Authorizing Payment to VMG Group – Roof Replacement, AWWTP

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 2020-134

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

**AUTHORIZING PAYMENT TO VMG 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, through two change orders, Council approved additional expenses changing the final contract amount to \$78,914.10; and

WHEREAS, the contractor has submitted a payment request for \$78,914.10 for all work done Roof Replacement project at the AWWTP; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request to VMG Group of Roselle, New Jersey, in the amount of \$78,914.10, is hereby approved as detailed herein, and the CFO is authorized to issue same.

Resolution 2020-135 Authorizing a Shared Services Agreement Between Hightstown Borough and East Windsor Township for Contribution of the Matching Local Share for Bus Services

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese

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

Resolution adopted 6-0

Resolution 2020-135

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER*

STATE OF NEW JERSEY

**AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN HIGHTSTOWN
BOROUGH AND EAST WINDSOR TOWNSHIP FOR CONTRIBUTION OF THE
MATCHING LOCAL SHARE FOR BUS SERVICES**

WHEREAS, the Borough of Hightstown is desirous of entering into a renewed shared services agreement with the Township of East Windsor for the purpose of providing public transportation services for its citizens; and

WHEREAS, the term of said agreement shall be from July 1, 2020 through June 30, 2021; and

WHEREAS, the Borough's share of the cost of this service, by the terms of the agreement, is \$2,180.00, representing no increase from prior years; and

WHEREAS, funds for this purpose will be made available in the 2020 and 2021 budgets.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Mayor and Borough Clerk are hereby authorized and directed to execute a Shared Services Agreement for Contribution of the Matching Local Share for Bus Services with East Windsor Township in the amount of \$2,180.00.

Resolution 2020-136 Awarding a Contract for Solid Waste Dumpster Service – Waste Management of New Jersey, Inc.

Moved by Council President Musing; Seconded by Councilmember Bluth

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

Resolution adopted 6-0

Resolution 2020-136

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

**AWARDING A CONTRACT FOR SOLID WASTE DUMPSTER SERVICE
WASTE MANAGEMENT OF NEW JERSEY, INC.**

WHEREAS, three (3) bids were received on June 25, 2020 for Solid Waste Dumpster Service; and

WHEREAS, the bids have been reviewed by the Purchasing Agent and it is her recommendation that the contract for Solid Waste Dumpster Service (base bid without Option #1) in Hightstown Borough be awarded to Waste Management of New Jersey, Inc. of 107 Silvia Street, Ewing, NJ at the price of \$30,792.00 for year one, \$31,716.00 for year two, \$32,676.00 for year three, \$33,648.00 for year four and \$34,656.00 for year five for a total contract price of \$163,488.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15(3) the bid was for a period of five years, said contract being awarded with the Borough retaining the right to cancel this contract on any year with ninety days written notice to the vendor; and

WHEREAS, the Borough Attorney has reviewed the lowest responsible bid and determined that the bid submitted by Waste Management is in order with respect to legal compliance; and

WHEREAS, funds for this expenditure will be made available in the 2020 budget; and

WHEREAS, funds for the continuation of this contract for the four (4) subsequent years shall be Resolution 2020-136

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

**AWARDING A CONTRACT FOR SOLID WASTE DUMPSTER SERVICE
WASTE MANAGEMENT OF NEW JERSEY, INC.**

WHEREAS, three (3) bids were received on June 25, 2020 for Solid Waste Dumpster Service; and

WHEREAS, the bids have been reviewed by the Purchasing Agent and it is her recommendation that the contract for Solid Waste Dumpster Service (base bid without Option #1) in Hightstown Borough be awarded to Waste Management of New Jersey, Inc. of 107 Silvia Street, Ewing, NJ at the price of \$30,792.00 for year one, \$31,716.00 for year two, \$32,676.00 for year three, \$33,648.00 for year four and \$34,656.00 for year five for a total contract price of \$163,488.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15(3) the bid was for a period of five years, said contract being awarded with the Borough retaining the right to cancel this contract on any year with ninety days written notice to the vendor; and

WHEREAS, the Borough Attorney has reviewed the lowest responsible bid and determined that the bid submitted by Waste Management is in order with respect to legal compliance; and

WHEREAS, funds for this expenditure will be made available in the 2020 budget; and

WHEREAS, funds for the continuation of this contract for the four (4) subsequent years shall be made available in the appropriate year's budget; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Solid Waste Dumpster Service (base bid without Option #1) is hereby awarded to Waste Management of New Jersey, Inc. of 107 Silvia Street, Ewing, NJ in the amount of 30,792.00 for year one, \$31,716.00 for year two, \$32,676.00 for year three, \$33,648.00 for year four and \$34,656.00 for year five for a total contract price of \$163,488.00 effective August 1, 2020.

made available in the appropriate year's budget; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Solid Waste Dumpster Service (base bid without Option #1) is hereby awarded to Waste Management of New Jersey, Inc. of 107 Silvia Street, Ewing, NJ in the amount of 30,792.00 for year one, \$31,716.00 for year two, \$32,676.00 for year three, \$33,648.00 for year four and \$34,656.00 for year five for a total contract price of \$163,488.00 effective August 1, 2020.

Resolution 2020-138 Waiving Fees for Certain Parking Permits

Moved by Councilmember Bluth; Seconded by Councilmember Cicalese

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

Resolution adopted 5-0 with 1 abstention

Resolution 2020-138

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

WAIVING FEES FOR CERTAIN PARKING PERMITS

WHEREAS Rise (formerly known as the Community Action Service Center), a nonprofit agency serving Borough residents, has requested eight 2020-2021 parking permits for use by their staff, including two special permits for use in the Main Street parking lot and six permits for use in the Borough's permit parking area in the Stockton Street parking lot; and

WHEREAS, Rise has requested that the fees for these permits be waived; and

WHEREAS, because Rise is an agency that serves residents of the Borough, the Mayor and Council wish to authorize issuance of said permits at no fee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Borough Clerk shall issue Rise eight (8) 2020-2021 parking permits as detailed herein and that the fees for these permits shall be waived.

Resolution 2020-141 A Resolution Authorizing Hightstown Borough, County of Mercer New Jersey The Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C72

Moved by Councilmember Misiura; Seconded by Councilmember Bluth

Discussion ensued. Council President Musing questioned why this is necessary. CFO, George Lang, explained that this is for estimated tax bills. The State moved adopting their budget to September. We have no choice but to send estimated bills. We will adjust once the budget is adopted and tax bills are sent. There is a large increase in the school tax this year. Hightstown revenue is down. This is the best estimate at this point.

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

Resolution adopted 6-0

Resolution 2020-141

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

**A RESOLUTION AUTHORIZING HIGHTSTOWN BOROUGH, COUNTY OF MERCER NEW JERSEY
THE TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE
WITH P.L. 1994, C.72**

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes

until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without an adopted 2020 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the final 2020 Tax Levy; and

WHEREAS, the DLGS “strongly recommends” under Local Finance Notice 2020-07 “that municipalities prepare to issue estimated property tax bills for 2020;” and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the BOROUGH OF HIGHTSTOWN, in the County of Mercer and State of New Jersey on this 6th day of July, 2020 that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2020 taxes; and

BE IT FURTHER RESOLVED that, the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 11, 2020 or the twenty fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

CONSENT AGENDA

Councilmember Jackson moved Resolutions 2020-137; 2020-139; 2020-140; 2020-142 as a Consent Agenda; Councilmember Bluth seconded.

Resolution 2020-137

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

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-32-001-006 WINE DEPOT CORPORATION, T/A HEDY’S LIQUORS AND JOE CANAL’S DISCOUNT LIQUOR OUTLET

WHEREAS, Wine Depot Corporation has made application to the Borough for renewal of their Plenary Retail Consumption License with Broad Package Privilege License #1104-32-001-006, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Wine Depot Corporation is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

WHEREAS, the Police Department has been consulted and has no objections to renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Wine Depot Corporation, doing business as Hedy’s Liquors and Joe Canal’s Discount Liquor Outlet at 500 Mercer Street:

**2020-21 Plenary Retail Consumption License with Broad Package Privilege
License #1104-32-001-006
Fee: \$2,500.00**

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

Resolution 2020-139

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

RESOLUTION OF COMPLIANCE REGARDING THE 2018 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the audit entitled:

**General Comments
Recommendations**

; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments
Recommendations**

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Hightstown hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution 2020-140

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

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S "ENFORCEMENT GUIDANCE ON THE
CONSIDERATION OF ARREST AND CONVICTION RECORDS IN
EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL
RIGHTS ACT OF 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Council of the Borough of Hightstown, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Resolution 2020-142

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
PRIOR TO ADOPTION OF THE 2020 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2020 temporary budget; and

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

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

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	11,000.000	1,773,326.00	1,784,326.00

Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	50,000.00	746,136.00	796,136.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	61,000.000	2,519,462.00	2,580,462.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2020 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

NEW BUSINESS

DCA Feasibility Analysis

Council President Musing updated Council about the meeting with DCA regarding the feasibility study for shared services with Robbinsville. There will always be rumors regarding disbanding the Police Department. They are rumors. Hightstown is not looking to disband the Police. The feasibility study is looking at the Police Department, Court, Dispatch, EMS, Zoning and Construction and Fire. This is an analysis to show us options for cost savings. Hightstown will have the final say, we will not be forced to do anything.

OLD BUSINESS

Budget Meeting Dates

CFO, George Lang, would like to sit with the Borough Administrator this week. He would like to get dates for a meeting next week. Mayor Quattrone stated that it is important for Council to see the proposed budget before the meeting. Mr. Lang stated that he will send Council the proposed budget as soon as it is ready.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Jackson

Stated that he is happy to see that the Borough is moving forward with the road projects.

Councilmember Misiura

Stated that the First Aid Squad has been busy. They have had people at the squad around the clock. They are concerned about the parking lot. It is supported by a deteriorating bulk head. They inquired about the status of the project of getting the bulkhead repaired. Mr. Misiura informed them that this is not the Borough's jurisdiction as the building belongs to the Squad.

Councilmember Stults

Downtown Hightstown is helping businesses with promotions. George Chin, Construction Official, has done a great job helping restaurants with their outdoor seating. Everyone is doing the best they can do and are happy with the Borough's help. Stated that he is hoping for a plan for the Police/Court building from Robbinsville to look at next week.

Councilmember Bluth

Cultural Arts has asked for permission to have the Rise summer campers paint a mural on the old Municipal Building. The Mayor had already given permission to have the campers complete this. A picture of what will be painted is at the back of this week's packet. The Watershed has built 2 rain gardens at Rocky Brook Park. Rutgers planted the 2,700 plants there. The Environmental Commission will tend to the watering and upkeep of the watering.

Councilmember Jackson

Parks and Rec will hold a Zoom meeting on July 9th at 7:30 p.m.

Council President Musing

Stated that the last Housing Authority Meeting last month was cancelled.

Deputy Clerk, Peggy Riggio

Reminded everyone that the Primary Election is tomorrow. There is still time to mail your mail in ballot. Have it post marked by 7/7 or drop in the secure drop box located at the East Windsor Court.

Mayor Quattrone

Thinks it is a great idea to have the Rise campers paint the old Municipal Building.

ADJOURNMENT

Moved by Council President Musing at 8:19 p.m.; Seconded by Councilmember Cicalese. All ayes

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk



Bank Street Redevelopment Plan



DRAFT JUNE 2020

Hightstown Borough, Mercer County, New Jersey

Clarke Caton Hintz | 100 BARRACK STREET | TRENTON, NJ | 08608



Bank Street Redevelopment Plan

Sub-Area 1 of the Main Street Redevelopment Plan

Hightstown Borough, Mercer County, New Jersey

Prepared for Hightstown Borough by:

Clarke Caton Hintz, P. C.

Brian Slauch, PP, AICP

Principal

NJPP License 3743

A signed and sealed copy is available at the municipal building.

Draft Bank Street Redevelopment Plan_for team review_0201020

Donna Miller, PP, AICP

Planner

NJPP License 5919



BOROUGH COUNCIL

Lawrence D. Quattrone, Mayor

Dimitri Musing, Council President

Susan Bluth, Councilwoman

Joseph Cicalese, Councilman

Joshua Jackson, Councilman

Steven Misiura, Councilman

Charles L. Stults, Councilman

STAFF

Debra L. Sopronyi, RMC/CMC, QPA, CMR, Borough Administrator/Clerk

Peggy Riggio, RMC/CMR, Deputy Clerk

Frederick Raffeto, Esq., Borough Attorney

Carmela Roberts, PE, CME, Borough Engineer

Brian Slaugh, PP, AICP, Borough Planner

ACKNOWLEDGEMENTS

James Constantine, PP, AICP

Christopher Cosenza, PP, AICP, LEED AP

William Feinberg, RA, AIA

Nicholas Perrotto



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INTRODUCTION

The primary purpose of the Bank Street Redevelopment Plan (the “Redevelopment Plan”) is to provide a formula for improvement, investment and transformation of the redevelopment areas designated by the Borough of Hightstown. The recommendations contained within this document provide a structure for both physical improvements to the lands and structures within the designated areas as well as policies to guide the redevelopment.

NJ LRHL:

Redevelopment Process

- Borough Council directs the Planning Board to undertake a preliminary investigation to determine whether or not an identified area requires redevelopment.
- Planning Board conducts an investigation and holds a public hearing on the proposed redevelopment-area designation.
- Based on the Planning Board’s recommendation, Borough Council may designate all or some of the study area as an “area in need of redevelopment”.
- The Borough Council either prepares a redevelopment plan for the area, or directs the Planning Board to prepare the plan.
- The Borough Council adopts the redevelopment plan.
- The Borough Council or other public agency / authority is designated as the “redevelopment entity” to oversee the implementation of the redevelopment plan.
- The redevelopment entity selects a redeveloper(s) to undertake a project(s) that implements the plan.

History and Background

The designation of the redevelopment areas began in 2003, when the Borough of Hightstown determined that the Main Street Redevelopment Area, defined as “the southern side of Bank Street from North Main Street to North Academy Street; the western side of South Academy Street from Rogers Avenue to Railroad Avenue; all parcels fronting on the eastern side of Mercer Street from West Ward Avenue to South Main Street and including the right-of-way; the block bound by Main Street, Stockton Street, Railroad Avenue and Rogers Avenue and the right-of-way of Railroad Avenue, and, the area on the eastern side of Main Street from the Borough parking lot to and including the walking bridge over the Peddie Lake dam” qualified as an Area in Need of Redevelopment (ANR) under the criteria in New Jersey’s Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq. or “LRHL”).

The Borough of Hightstown subsequently adopted a redevelopment plan in 2004, which was further amended in 2006. The redevelopment plan divided the redevelopment area into three (3) sub-areas, including “Sub-Area 1 (Bank Street)” which was described as a “proposed mixed use redevelopment project that includes the southern side of Bank Street from North Main Street to North Academy Street, the eastern side of North Academy Street, and the western side of North Main Street from the Firehouse to Bank Street. The Sub-Area includes Block 30, Lots 1-13; and Block 21, Lots 1-14 & 26”. A redeveloper was designated, however did not undertake any of the redevelopment activities proposed in the adopted plan.

Redevelopment Area Expansion

In 2018, the PRC Group acquired several tracts from the designated redeveloper and began negotiations with the Borough to consider expanding the redevelopment area. In June 2019, the Borough began a preliminary investigation to determine whether additional

Bank Street Redevelopment Plan

HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ

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Draft Bank Street Redevelopment Plan_CCH

lands, abutting the previously designated redevelopment area would also qualify as Area in Need of Redevelopment pursuant to the criteria established by the “LRHL”. Block 8, Lots 12-14, and Block 18, Lots 8-12, on the north side of Bank Street, opposite from the existing redevelopment area, were investigated for conditions that would qualify them as an Area in Need of Redevelopment. The Planning Board found that the statutory criteria was met for the additional areas under *N.J.S.A. 40A:12A-5*. In December 2019, the Hightstown Borough Council accepted the Planning Board’s recommendations and formally designated the additional lands as an Area in Need of Redevelopment. On the following page is a map indicating the three Sub-Areas of the Main Street Redevelopment Plan, including the expanded area of Sub-Area 1. This plan, the Bank Street Redevelopment Plan, is synonymous with the expanded area of Sub-Area 1 of the greater redevelopment areas of the Borough of Hightstown.

Redevelopment Plan Process

A new redevelopment plan which takes into account all of the land areas designation as in need of redevelopment must be created and adhere to the following procedures for adoption:

- The Borough Council directs the Borough Planner to prepare a redevelopment plan;
- The Borough Council refers the redevelopment plan to the Planning Board for review and comment;
- The Planning Board has 45 days to review the proposed redevelopment plan and prepare a report offering its recommendations; and,
- The Borough Council holds a public hearing on the redevelopment plan and, taking into consideration the recommendations of the Planning Board, may adopt the redevelopment plan through an adopting ordinance.

Plan Components

The Redevelopment Plan includes the following components as required by *N.J.S.A. 40A:12A-7.a-f*:

- Redevelopment Goals and Objectives;
- Proposed Land Uses and Design Concepts;
- Redevelopment Regulations and Standards;
- Relationship of the Redevelopment Plan to Other Plans;

Redevelopment Plan: *Required Elements (N.J.S.A. 40A:12A-7.a)*

- The plan’s relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- Proposed land uses and building requirements in the project area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- An identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan.
- The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.
- Pursuant to *N.J.S.A. 40A:12A-7.c.*, the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law”, *N.J.S.A. 40:55D-1 et seq.*

Bank Street Redevelopment Plan

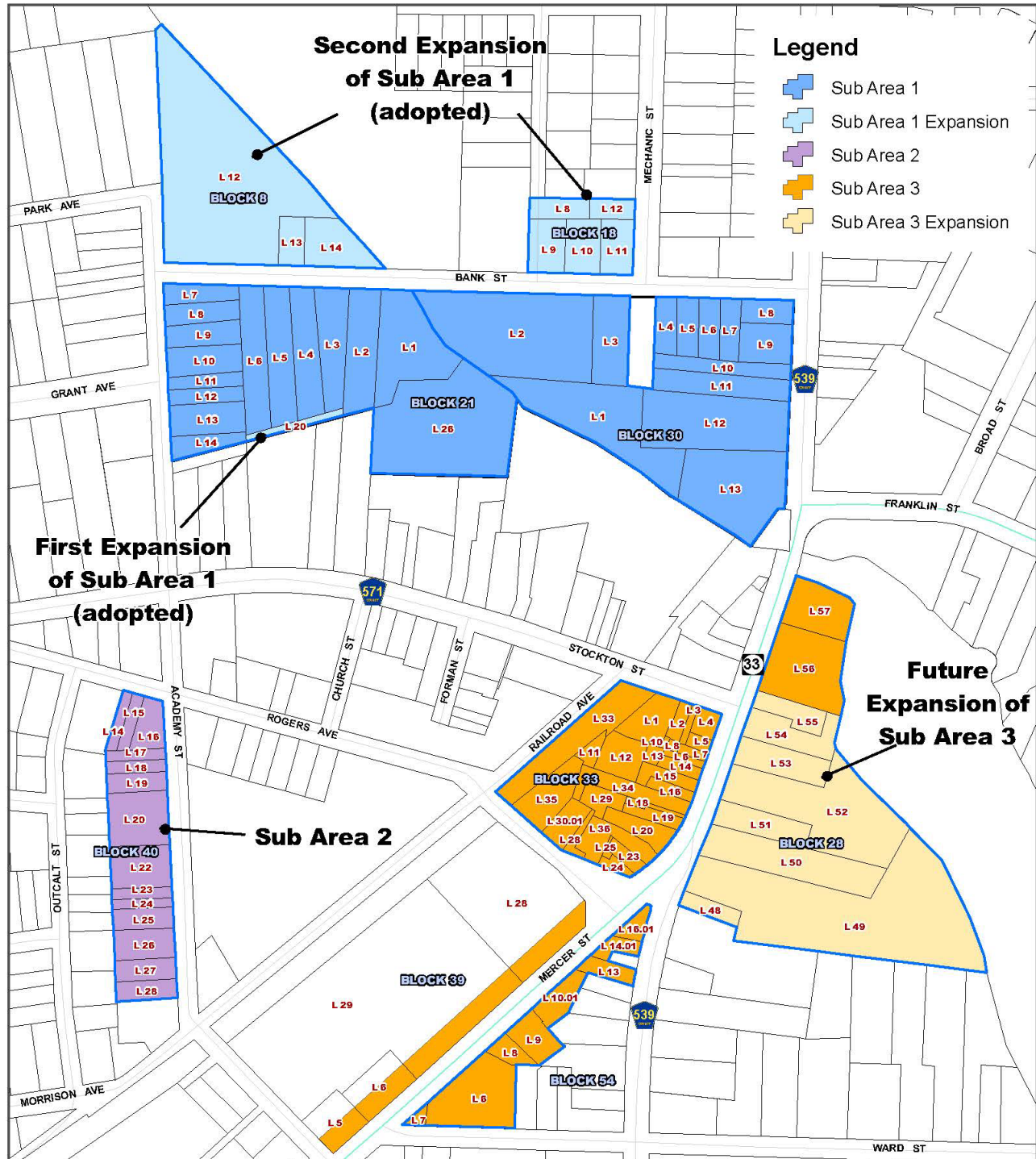
HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ

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Draft Bank Street Redevelopment Plan_CCH

- Property Acquisition; and
- Provision of Affordable Housing and Replacement, if needed.

DRAFT



0 100 200 Feet

Clarke Caton Hintz

Architecture

Planning

Landscape Architecture

MAIN STREET REDEVELOPMENT AREA

Bank Street Redevelopment Plan

LOCATION:
Hightstown Borough, Mercer County, NJ

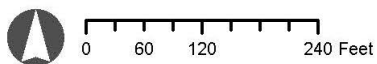
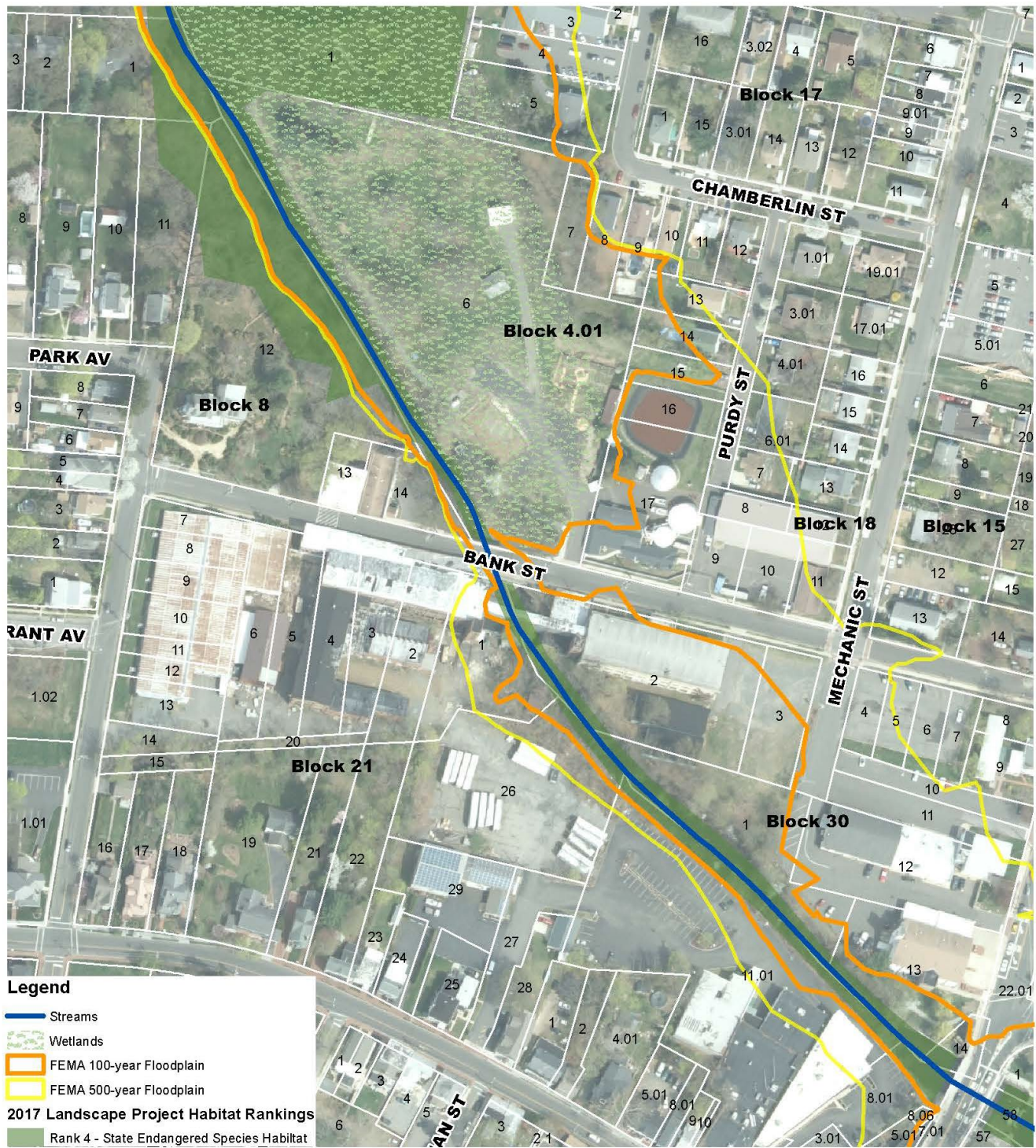
DATE:
February 2020

Bank Street Redevelopment Plan

HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ

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Clarke Caton Hintz
Architecture
Planning
Landscape Architecture

BANK STREET REDEVELOPMENT PLAN

Environmental Constraints

LOCATION:
Borough of Hightstown, Mercer County, New Jersey

DATE:
February 2020

Bank Street Redevelopment Plan

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REDEVELOPMENT PLAN GOALS AND OBJECTIVES

The primary purpose of the Bank Street Redevelopment Plan is to alleviate the existing conditions found in the Redevelopment Area and support the use of property to better serve the public health, safety, and welfare of the community and the region. More specifically, the Redevelopment Plan provides the framework for improvement, investment and transformation of the Redevelopment Area by establishing standards for development that is compatible with the use, scale, density and design of the downtown, as well as the Borough's historic development patterns.

Objectives

To achieve this overarching goal, the following goals and objectives are hereby established:

- A. Turn Hightstown into a destination; a place that visitors come to because it is a great place to spend the day, evening or a weekend;
- B. Incorporate elements of the Borough's history into the design of the public spaces, including grist mill features and railroad/train artifacts;
- C. Promote the types of development that deliver better outcomes than existing zoning can currently provide, such as new mixed-use development within the town center;
- D. Provide opportunities for new commercial, municipal, greenway, and residential facilities, including a range of housing types;
- E. Provide a new greenway along Rocky Brook to link existing facilities within the Borough;
- F. Preserve and conserve existing uses, buildings, open spaces and landscape features of locally historic or cultural value;
- G. Apply Master Plan recommendations regarding appropriate uses and transitions between non-residential districts and residential neighborhoods;
- H. Mitigate and improve upon deleterious conditions resulting from blighted, underutilized or poorly designed buildings and land;
- I. Utilize a Smart Growth perspective for new development in the broader context of the region, Borough and neighborhood.

The Redevelopment Plan will facilitate the Borough's efforts to achieve these goals and objectives, and will improve the quality of life for residents and the economic development climate for the entire Borough. The Plan will generate positive psychological effects in the population by converting an existing eyesore into an attractive, mixed-use neighborhood.

RELATIONSHIP TO THE HIGHTSTOWN BOROUGH LAND DEVELOPMENT REGULATIONS

Supersedes Existing Zoning

The allowed uses in this Redevelopment Plan and their associated development regulations shall supersede the use and bulk regulations of the Hightstown Borough Zoning Ordinance and related land development regulations. Where the standards of the redevelopment plan are silent, the regulations of the Land Development Ordinance shall apply to the Redevelopment Area as permitted by N.J.S.A. 40A:12A-7.a(2).

Zoning Map

The zoning map of the Borough of Hightstown shall be amended upon the adoption of this Plan in accordance with N.J.S.A. 40A:12A-7.c to reflect the area encompassed by this redevelopment plan as the Bank Street Redevelopment Area.

GENERAL PROVISIONS

Redevelopment Entity

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing the Bank Street Redevelopment Plan and carrying out redevelopment projects. In doing so, the Borough Council shall have the powers set forth in N.J.S.A. 40A:12A-8 to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

Redeveloper Selection

The Redevelopment Entity may select redeveloper(s) for the redevelopment of specific sites, blocks, or districts in any number or combination as it deems necessary for one or more projects based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of the Redevelopment Plan, and additional criteria that demonstrate the redeveloper’s ability to implement the goals and objective of the plan. Preference shall be given to existing landowners in the Bank Street Redevelopment Area for designation as a redeveloper.

Redevelopment Agreement

Once a redeveloper has been selected, the Redevelopment Entity shall enter into a redevelopment and/or financial agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9.

Any development or construction within the redevelopment area shall be undertaken in accordance with a contractual redevelopment agreement between the Redevelopment Entity and a municipally designated redeveloper or redevelopers, which may include optional provisions as mutually determined. The Redevelopment Agreement shall be in full force and effect prior to the redeveloper

Redeveloper Agreement: Optional Provisions

- Interim and final redeveloper designations;
- Terms for dispute resolution;
- Allowance for changes in the agreement should a “force majeure” event occur;
- A guarantee of performance by the redeveloper to ensure completion of the project and that other obligations of the agreement are met;
- Any sharing of costs between the public and private entities;
- Default and termination clauses and their remedies for failure to perform by the redeveloper;
- Provisions that specify allowed deviations from the development plan regulations, excepting the use regulations;
- Provisions addressing Payments in Lieu of Taxes or other tax abatement and impact mitigation provisions;
- Transfer of development and other rights of the redeveloper;
- Development pro-forma;
- Affordable housing obligations or fees to the extent required by law; and
- Any other clause deemed necessary to effectuate the Redevelopment Plan by the Redevelopment Entity or that are required to be included under *N.J.S.A. 40A:12A-9*.

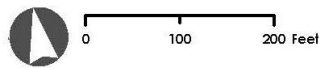
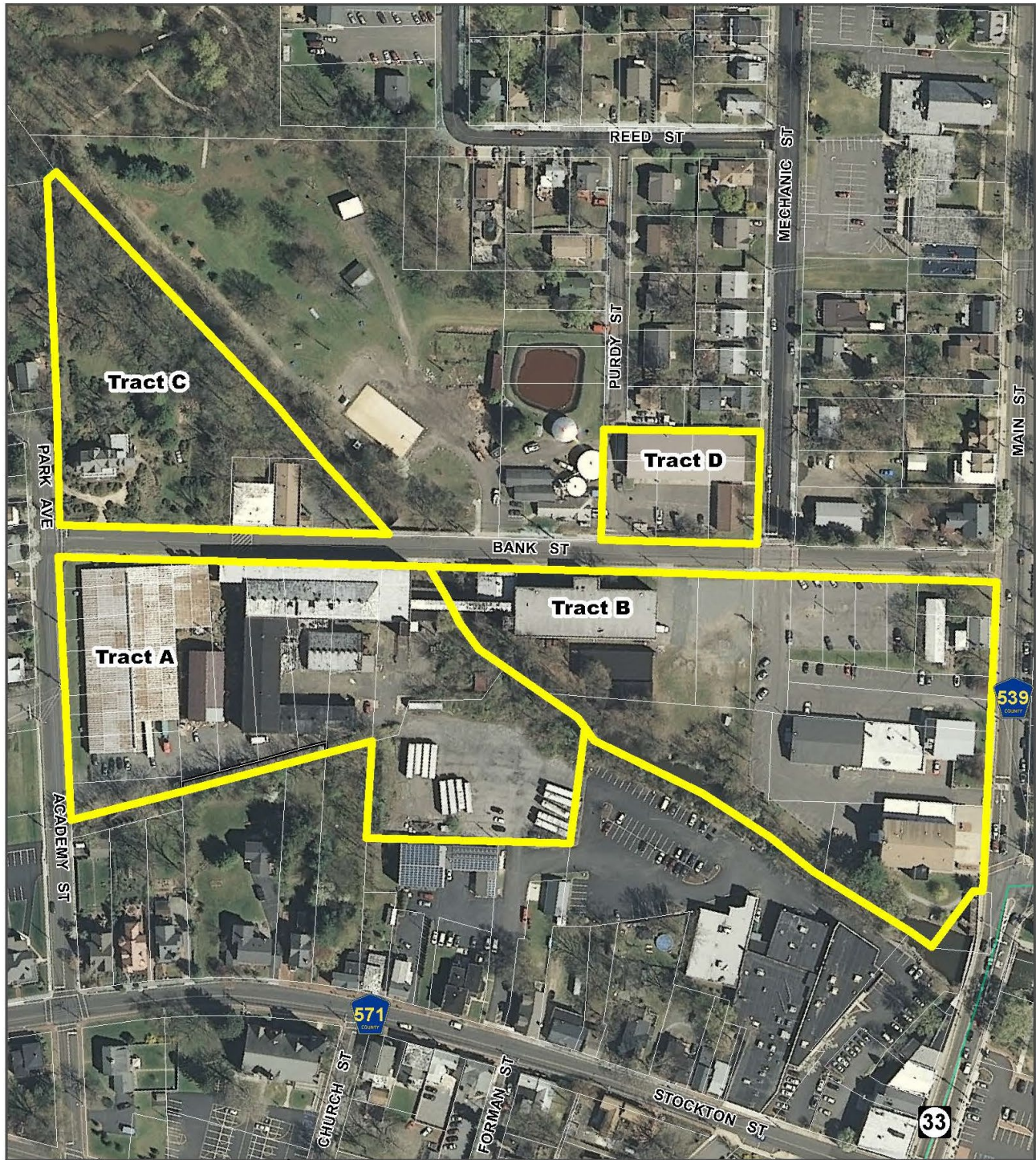
making application to the Planning Board for any general development plan, conditional use, site plan or subdivision approval.

Effect of Redevelopment Agreement

The execution of the Redevelopment Agreement shall convey the right to prepare a site plan or subdivision application for development to the Hightstown Planning Board in accordance with the terms of the Redevelopment Agreement and Redevelopment Plan, among other rights that may be granted by the Redevelopment Entity. In addition, the execution of the Redevelopment Agreement shall establish the period of time as such rights to develop under the terms and conditions of the Redevelopment Plan shall be granted. Nothing herein shall prevent the Redevelopment Entity and redeveloper from mutually agreeing to an amendment of the Redevelopment Plan as it affects the redeveloper’s property from time to time or at any time.

Staff Employment

The Redevelopment Entity may employ or contract for and fix compensation of such experts and other staff and services as it may deem necessary, including, but not limited to, architecture, economic forecasting, engineering, environmental, landscape architecture, legal, market analysis, planning, and transportation consulting services. The Redevelopment Entity, however, shall not authorize expenditures which exceed, exclusive of gifts, grants or escrow accounts, the amounts appropriated for redevelopment purposes.



Clarke Caton Hintz

- Architecture
- Planning
- Landscape Architecture

BANK STREET REDEVELOPMENT PLAN

Tract Map

LOCATION:
Hightstown Borough, Mercer County, NJ

DATE:
February 2020

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Architecture

Planning

Landscape Architecture

BANK STREET REDEVELOPMENT PLAN

Conceptual Layout Plan

LOCATION:
Hightstown Borough, Mercer County, NJ

DATE:
June 2020

SOURCE:
Looney Ricks Kiss, NJ DEP

Bank Street Redevelopment Plan

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LAND USES IN THE BANK STREET REDEVELOPMENT AREA

The proposed land use in the redevelopment area is primarily residential, including multifamily dwellings in the two historic mill buildings, townhouses and mixed residential-commercial development. These are to be supplemented by surface and structured parking and recreational amenities. Leasing and property management offices serving the development are also anticipated to be accommodated within the redevelopment area. It is anticipated that no more than 398 dwelling units will be constructed within the entirety of the redevelopment area, including two single family detached dwellings which would adjoin existing residences on the western edge of the redevelopment area.

On the southern flank of the redevelopment area, on N. Main Street, the Hightstown Engine Company is expected remain in their existing building. A mixed use building containing multifamily dwelling units, recreation and other amenities/services for the use of residents is envisioned on N. Main Street. Non-residential uses intended for this location include public display space, such as a gallery/museum, and a boutique hotel. A parking garage, incorporated into the mixed use building, shall serve residents of the multi-family units and the general public while also providing some parking for the Hightstown Engine Company. Public and quasi-public uses, such as the Hightstown East Windsor Historical Society and Hightstown First Aid Squad, are expected to remain within the redevelopment area; new facilities may be constructed for the First Aid Squad, while the Historical Society facilities may be relocated to another site within the redevelopment area.

Within the core of the redevelopment area, multi-family apartments are anticipated to be developed within the historic brick and concrete mill buildings. These structures may be expanded to accommodate recreational or other amenities to serve their residents.

On the northern and western edges of the redevelopment area, townhouses provide a transition between the multi-family development and the existing residential neighborhood along N. Academy Street.

Fully realized, the Redevelopment Plan would result in the demolition of the vacant and dilapidated municipal building on N. Main Street, the Willis house and the ancillary metal buildings associated with the former rug mill, replacing them with a diverse stock of housing that preserves the historic mill buildings and expands recreation and open space along Rocky Brook.

PERMITTED USES, BULK REGULATIONS & ADDITIONAL STANDARDS

Redevelopment Area Sub-Zones

The Bank Street Redevelopment Area is composed of areas exhibiting differences in its planned intensity and nature of development. To address these differences, the regulations in the Redevelopment Area have been calibrated to reflect these conditions and the Plan's objectives. To that end, the Redevelopment Area is divided into four tracts, A through D, encompassing the following blocks and lots:

Tract A: Block 21, Lots 1-14, 20 and 26 (Brick Mill Building, Metal Warehouse)

Tract B: Block 30, Lots 1-13 (Concrete Mill Building, Municipal Building, Firehouse and Historical Society)

Tract C: Block 8, Lots 12-14 (Willis House, Hightstown First Aid Squad)

Tract D: Block 18, Lots 8-12 (Public Works)

The tracts provide the geographical basis for the use and development regulations that follow.

Tract A Sub-Zone



Figure 1 Brick Mill Building

The intent for the Tract A Sub-zone is to retain the historic brick mill building and metal footbridge and redevelop the area of the former metal warehouse building at the west end of the Tract with residential uses. A maximum of 130 dwelling units are permitted within the Tract.

Permitted Principal Uses: Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses. Multiple principal uses are permitted.

1. Multi-family dwelling units within the existing brick mill building; which may be accomplished through adaptive re-use, additions, expansions and/or extensions to the existing building.
2. Townhouses.

Bulk Standards: The following area and bulk standards shall apply specifically to Tract A:

1. Tract Requirements:
 - a. Maximum Building Coverage: 35% of the tract.
2. Multi-family Building Requirements:
 - a. The footprint of the historic brick mill building will be retained. Any addition, expansion and/or extension to the building shall maintain the existing setbacks along Bank Street. Any vertical extension shall be stepped back a minimum of 15 feet from the Bank Street façade of the floor below.
 - b. Maximum Building Height: Four (4) stories.

3. Townhouse Requirements:
 - a. Minimum Front Yard Setback from Bank Street: 10 feet.
 - b. Minimum Front Yard Setback from North Academy Street: 10 feet.
 - c. Minimum Building Setback from all other Tract boundary lines: 30 feet.
 - d. Minimum spacing between front of townhouse building to front of townhouse building: 30 feet.
 - e. Minimum spacing between front of townhouse building to side of townhouse building: 20 feet.
 - f. Minimum Distance between the side of a townhouse building to side of townhouse building: 10 feet.
 - g. Minimum spacing between side or rear of townhouse building to rear of townhouse building: 30 feet.
 - h. Minimum spacing between two rear faces of townhouse buildings: 30 feet.
 - i. Maximum Building Height: Three (3) stories.
4. Structured Parking Garage Requirements:
 - a. Maximum Height: Two (2) levels.
 - b. Minimum Setback from Tract boundary lines: 5 feet.

Tract B Sub-Zone

The intent for the Tract B Sub-zone is to retain the existing Hightstown Engine Company building and the historic concrete mill building while redeveloping the remaining area, including the vacant municipal building and the Hightstown East Windsor Historic Society property. The public right-of-way of Mechanic Street within this tract shall be vacated, however a public access easement is to be provided to permit access to the parking garage and an alternate access for the Engine Company. A maximum of 258 dwelling units are permitted within the Tract.



Figure 2 Concrete Mill Building

Permitted Principal Uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses. Multiple principal uses are permitted.

- I. Mixed-use buildings which may contain any combination of the following uses:
 - a. Multi-family dwelling units.
 - b. Museum and gallery spaces.
 - c. Studios for the visual and performing arts including performance and gallery spaces.
 - d. Resident / Guest services.
 - e. Personal and other business services.
 - f. Restaurants and other places to eat and drink.
 - g. Banks and financial institutions.
 - h. Offices and workspaces, including shared and co-working spaces.
 - i. Boutique Hotel, limited to a maximum of 36 rooms or suites.
 - j. Structured parking garage.
2. Multi-family dwelling units within the existing concrete mill building; which may be accomplished through adaptive re-use, additions, expansions and/or extensions to the existing building.
3. Governmental, public, quasi-public and community facilities, including a fire station, meeting spaces and other similar uses.

Bulk Standards. The following area and bulk standards shall apply specifically to Tract B:

- I. Tract Requirements:
 - a. Minimum Individual Lot Area: 30,000 square feet.
 - b. Maximum Building Coverage: 60% of the Tract.
2. Mixed-Use Building Requirements:
 - a. Minimum Front Yard Setback from Bank Street: 10 feet.
 - b. Minimum Building Setback from North Main Street: 10 feet from curb line.
 - c. Minimum Building Setback from all other Tract boundary lines: 50 feet.
 - d. Maximum Building Height: Four (4) stories; six (6) parking levels.
3. Multi-family Building Requirements:
 - a. The footprint of the historic concrete mill building will be retained. Any addition, expansion and/or extension to the building shall maintain the existing setbacks along

Bank Street. Any vertical extension shall be stepped back a minimum of 15 feet from the Bank Street façade of the floor below.

- b. Maximum Building Height: Four (4) stories.
- 5. Governmental, Public, Quasi-public and Community Facilities:
 - a. Hightstown Engine Company building height and footprint shall be retained.
 - b. Hightstown East Windsor Historic Society building height and footprint shall be retained.

Tract C Sub-Zone

The intent for the Tract C Sub-zone is to provide for new residential development, recreation/amenity space and public uses. Up to 10 dwelling units may be proposed within the Tract.

Permitted Principal Uses: Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses. Multiple principal uses are permitted.



Figure 3 Willis House

- 1. Townhouses.
- 2. Single-family detached dwelling units.
- 3. Superintendent's Apartment
- 4. Governmental, public, quasi-public and community facilities, meeting spaces and other similar uses, including the existing First Aid Squad.

Bulk Standards: The following area and bulk standards shall apply specifically to Tract C:

- 1. Tract Requirements:
 - a. Minimum Individual Lot Area: 7,500 square feet.
 - b. Maximum Building Coverage: 25% of the Tract.
- 2. Townhouse Requirements:
 - a. Minimum Front Yard Setback from Bank Street: 10 feet.
 - b. Minimum Front Yard Setback from North Academy Street: 10 feet.
 - c. Minimum Setback from all other Tract boundary lines: 50 feet.
 - d. Maximum Building Height: Three (3) stories.
- 3. Amenity Center Requirements:

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- a. Minimum Lot Frontage: 50 feet.
 - b. Minimum Lot Depth: 100 feet.
 - c. Minimum Front Yard Setback from North Academy Street: 10 feet.
 - d. Minimum Building Setback from Block 8, Lot 11: 15 feet from the front or southerly lot property line; 20 feet from the side or easterly property line.
 - e. Maximum Building Height: Three (3) stories.
4. Single-family detached dwelling unit requirements.
- a. Minimum Lot Width: 50 feet.
 - b. Minimum Lot Depth: 90 feet.
 - c. Minimum Front Yard Setback: Within two (2) feet of the average front yard setback of adjacent and nearby residential buildings along the same block on the west side of Mechanic Street.
 - d. Minimum setback from all other tract boundary and property lines: five (5) feet.
 - e. Maximum building height: Three (3) stories.

Tract D Sub-Zone

The intent for the Tract D Sub-zone is to provide for the improvement and efficient use of land for governmental, public, quasi-public and community facilities, including the potential relocation of the Hightstown East Windsor Historical Society and the Hightstown First Aid Squad. One dwelling unit may be proposed within the Tract.



Figure 4 Hightstown East Windsor Historical Society

Permitted Principal Uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses, except for single family detached dwellings.

1. Single-family detached dwellings.
2. Governmental, public, quasi-public and community facilities, including, but not limited to, the relocated Historic Society House and Rail Museum, a new First Aid Squad building, meeting spaces and other similar uses.

Bulk Standards: The following area and bulk standards shall apply specifically to Tract D:

- I. Tract Requirements:
 - a. Minimum individual lot area: 4,500 square feet.

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- b. Maximum building coverage: 40% of the tract.
- 2. Single-family detached dwelling unit requirements.
 - a. Minimum Lot Width: 50 feet.
 - b. Minimum Lot Depth: 90 feet.
 - c. Minimum Front Yard Setback: Within two (2) feet of the average front yard setback of adjacent and nearby residential buildings along the same block on the west side of Mechanic Street.
 - d. Minimum setback from all other tract boundary and property lines: five (5) feet.
 - e. Maximum building height: Three (3) stories.
- 3. Governmental, Public, Quasi-public and Community Facilities requirements:
 - a. Minimum Front Yard Setback: Within two (2) feet of the average front yard setback of adjacent and nearby residential buildings along the same block front.
 - b. Minimum Building Setbacks: Five (5) feet from a side or rear property line.
 - b. Maximum Building Height: Three (3) stories.

Provisions Applying to All Tracts in the Bank Street Redevelopment Area

Definitions

For the purposes of this plan, the following terms shall have the meanings herein indicated:

- **Alley or alleyway** shall mean a private, minor way which is used primarily for vehicular service access to the back or side of residences otherwise fronting on a public street.
- **Amenity Center / Amenity Space** shall mean space within the redevelopment area where social, leisure and recreational facilities are offered to residents of the redevelopment area and may include ancillary support services such as leasing and property management offices, storage, business center, conference/meeting rooms and resident services.
- **Building Coverage** shall mean shall mean the area of a tract, lot or parcel covered by roofed buildings or structures, exclusive of surface or structured parking facilities.
- **Building Height** shall mean the number of separate habitable levels, excluding cellars and basements. For the purposes of calculating the number of stories, building levels that are more than one-half ($1/2$) of their height measured from floor to ceiling, below the average established curb level at the street frontage shall not be counted as a story. Parking levels which have at least one-half ($1/2$) of their height below the average established curb level at the street frontage shall not be counted as a story.
- **Boutique Hotel** shall mean a commercial facility offering transient accommodations to the general public and providing additional services such as restaurants, meeting rooms, personal services and recreation facilities.
- **Multi-family** shall mean a building which contains more than two (2) dwellings, each of which is intended for occupancy by one (1) housekeeping unit.
- **Resident / Guest Services** shall mean personal services provided for the residents of the redevelopment area such as concierge services, dry cleaning, laundry and other pickup and delivery services.
- **Superintendent's Apartment** shall mean a dwelling unit contained within an amenity center for the sole use of providing lodging to property management staff.

General Requirements

1. All development within the Redevelopment Area shall be serviced with public, potable water and sanitary sewer, along with electric, natural gas, telephone and cable service. All new utilities shall be placed underground on the tract. Overhead utilities abutting the tract shall be placed underground to the extent feasible.
2. Existing or relocated public utilities within the tract boundary, shall be within easements located on privately-owned land in accordance with established protocols of the Borough of Hightstown and Mercer County.

3. Unless otherwise specifically provided herein or intended by the provisions of this Redevelopment Plan, all words and phrases used herein shall have the same definitions provided under the Borough of Hightstown Zoning Ordinance and the Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*)

Accessory Uses and Structures. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use.

1. Off-street surface parking; attached and detached single level garages; multi-level structured parking garages.
2. Fences, walls, kiosks, street furniture and retaining walls.
3. Pedestrian walkways, ramps, bridges and stairways.
4. Private tool shed not exceeding 120 sf. in floor area for single family detached dwellings.
5. Active and passive recreation including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents.
6. Property management and leasing offices serving the uses in the redevelopment area.
7. Conservation.
8. Signs.
9. Accessory uses and structures customarily permitted in conjunction with and on the same lot as a principal use.
10. Location of accessory uses and structures. No accessory use or structure, with the exception of utilities, plazas, street furniture and streetscape elements, including fencing, retaining walls and guide rails, shall be located in a front yard.

Permitted Projections into Yard Areas. The following permitted projections shall apply to all tracts:

1. Non-enclosed one-story porches, porticos, stoops and entrance platforms leading to the front entrance shall be permitted to project not more than eight (8) feet into a required front yard setback or building separation distance. Such porch, stoop and entrance platform may have an uncovered balcony directly above provided it has the same footprint as, and is attached to, the structure below.
2. Non-enclosed one-story porches, porticoes, stoops, entrance platforms, uncovered decks, basement entrances and balconies shall be permitted to project not more than four (4) feet into a side or rear yard setback or building separation distance.
3. Cornices, eaves, chimneys, gutters, downspouts, awnings, canopies, cantilevered roofs, uncovered balconies and bay windows shall be permitted to project not more than three (3) feet into any yard setback or building separation distance.
4. Belt courses, window sills and other similar ornamental features may project not more than nine (9) inches into any yard setback or building separation distance.
5. Window wells may project not more than five (5) feet into any yard setback or building

separation distance.

6. In no case shall a permitted projection attached: to any structure be less than five (5) feet from a front lot line; to any principal structure be less than three (3) feet from a side or rear lot line; and, to any accessory structure, be less than one (1) foot from a side or rear lot line.
7. Ramps and stairways leading to a porch, stoop or other building entrance may project into a yard setback or building separation distance without limitation, provided that the steps do not encroach upon the public right-of-way.
8. Awnings and canopies may project over a sidewalk and/or in the public right-of-way, provided that such structure has a minimum vertical clearance of eight (8) feet and is set back a minimum of four (4) feet from curb line along the street.

Building Height Exceptions.

- I. Exceptions to height restrictions include: non-habitable areas and enclosed spaces, including but not limited to, mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment; stair enclosures; skylights or atrium structures; roof-access stairwells and amenities on a roof top terrace (including, but not limited to decking, landscaping, railing, walls, furniture, lighting, pergolas and similar amenities); and architectural enhancements and appurtenances (including, but not limited to) parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements), provided that the total area of such roof top elements do not exceed fifty percent (50%) of the total roof area for each building, nor extend more than fifteen (15) feet above the roof deck.

Site Development Standards

The regulations pertaining to site development standards shall apply to all development in the Bank Street Redevelopment Area. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

Public Streets and Sidewalks

The existing public rights-of-way of North Main Street, Bank Street, North Academy Street, Park Avenue, Purdy Street and Mechanic Street shall be maintained, improved or modified as shown in the Redevelopment Plan. Improvements shall include sidewalks, striping and insets for on-street parallel parking, and the repair, replacement or installation of new curbing as appropriate.

1. The redeveloper shall restore the surface of the street to its original and proper condition to address existing conditions and those areas disturbed for the installation of new curbing and sidewalk where none presently exist.
2. In order to accommodate the mixed-use building on Tract B that will be situated within and/or extending over the Mechanic Street public right-of-way south of Bank Street, the Borough shall vacate the southern portion of the Mechanic Street public right-of-way and provide the necessary easement(s) to maintain adequate public utilities and public access to the structured parking garage and access to the Hightstown Engine Company.

3. Sidewalks shall be provided in the public right-of-way along all street frontages within the redevelopment area. Where such sidewalks extend beyond the public right-of-way, the redeveloper shall be required to provide a public access easement for sidewalks located on private land.
4. Along North Main Street, sidewalks shall be constructed of pavers, concrete and/or textured concrete in colors and/or patterns consistent with the existing Main Street infrastructure. The sidewalk shall be a minimum of 10 feet in width, and shall extend from the building façade to the curb line, with an area for landscaping and street trees along the curb line and/or landscaping beds along the building façade.
5. Along Bank Street and North Academy Street, the location and width of sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Redevelopment Area to be developed. The existing sidewalk in front of the brick mill building and the bump-out portion of the concrete mill building shall be extended from the building façade to the curb line. The planting strip from North Main Street to Mechanic Street shall be brick to match the brick edging/ribbon along North Main Street. All other planting strips may consist of grass.
6. Sidewalks shall continue uninterrupted across all driveway and alley openings with the apron design accommodating a continuous sidewalk. The apron along Mechanic Street shall be brick or brick-faced to match the driveway apron along North Main Street.
7. Where sidewalks intersect at corners, accessible ramps and warning strips shall be provided.

Crosswalks

Along Bank Street and North Academy Street, pedestrian crosswalks shall be provided across all street intersections with “continental” or ladder striping.

Trail along the Rocky Brook

1. The existing pedestrian trail within the redevelopment area shall be maintained for both public and private access along the greenway corridor, to the extent possible, and as subject to NJDEP and DRCC review and approval.



Figure 5 Footbridge over Rocky Brook

2. The existing footbridge over Rocky Brook is to be improved as part of the rehabilitation of the mill buildings.
3. No tract perimeter setback or stream setback shall be required for any bridge spanning the Rocky Brook including for pedestrian access to the bridge.

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Pedestrian Walkways

1. Walkways providing pedestrian connection between public sidewalks and entrances to buildings within the Redevelopment Area shall be provided.
2. Within individual tracts, walkways shall be provided providing pedestrian connection between entrances of buildings and parking areas, outdoor amenity spaces and other pedestrian accessible locations.

Vehicular Circulation and Parking

1. The following standards shall apply to Tract A.
 - a. Vehicular access shall be from North Academy Street via a private access drive.
 - b. Emergency access shall be permitted to be provided from a driveway connecting to Stockton Street.
 - c. Parking shall be provided in garages accessed by alleys behind townhouses, in off-street surface areas, in a structured parking garage and/or within the lower level of the brick mill building. Individual driveways and garages for townhouses shall not be permitted to front on any public street.
2. The following standards shall apply to Tract B.
 - a. Vehicular access shall be from Bank Street with emergency access only from N. Main Street.
 - b. Parking for the Fire House shall be provided in off-street surface areas behind the Fire House building and accessed from N. Main Street via the existing driveway, or via the development's access drive from Bank Street.
 - c. Parking for uses within the mixed-use buildings, multi-family dwelling units within the existing concrete mill building and for the general public shall be provided within the structured parking garage.
3. The following standards shall apply to Tract C.
 - a. Vehicular access shall be from an alleyway connecting to North Academy Street.
 - b. Parking shall be provided in garages accessed by alleys behind townhouses and off-street surface areas.
4. The following standards shall apply to Tract D.
 - a. Vehicular access shall be from driveways connecting to Purdy Street or Bank Street.
 - b. Parking shall be in off-street surface spaces within a shared parking lot.
 - c. Parking for the single-family dwelling unit fronting on Mechanic Street shall be in a driveway and/or garage on the same lot, accessed from Mechanic Street.

5. Parking standards and additional requirements:
 - a. On-street parking along the frontage of the Redevelopment Area may be included in the calculation of required number of parking spaces and off-street parking facilities may be shared between uses throughout the redevelopment area.
 - b. Townhouses shall be provided with an average of 2.0 parking spaces per dwelling unit.
 - c. Multi-family dwelling units shall be provided with an average of 1.25 parking spaces for each dwelling unit.
 - d. At least 30 parking spaces on the ground level of the structured parking garage attached to the mixed-use building on Tract B shall be reserved for non-residential uses and the general public.
 - e. The Planning Board may approve a reduction of the required parking where such reduction is demonstrated by study of the combined, or shared uses and customary operation of the uses that adequate parking would be provided for the actual uses. It is further recognized that the parking ratios established in this section are less than that required under the Residential Site Improvement Standards (*N.J.A.C. 5:21-1 et seq.*) Consequently, any action by the Planning Board shall require a finding of a *de minimus* exception from the RSIS standards pursuant to *N.J.A.C. 5:21-3.1(f)1*.
6. Provisions for electrical vehicle charging stations shall be provided on all tracts. At least one percent (1%) of the total number of parking spaces in each tract shall be pre-wired for the installation of electrical vehicle charging stations.
7. Provisions for bicycle parking including exterior racks, covered exterior racks and interior bike rooms shall be provided on all tracts shall be provided to accommodate a minimum of fifteen percent (15%) of dwelling units.

Buffering and Screening

1. Buffers as required by the regulations in effect at the time of site plan approval shall be provided for any environmentally sensitive lands, such as floodplains, wetlands and open waters, as designated by New Jersey Department of Environmental Protection (NJDEP).
2. All parking areas shall be buffered and screened from public view and adjacent residences with a minimum five (5) foot wide planted buffer.
3. Screening within required buffer areas shall consist of a combination of the following: existing vegetation supplemented with additional vegetative screening, a masonry wall and/or a solid or twenty-five percent (25%) open fence a minimum of four (4) feet in height above grade.

Landscaping

1. Existing vegetation shall be preserved to the extent practical.
2. A fence, wall, hedge, landscape edge, or some other design element shall be provided adjacent to the sidewalk, where feasible, to delineate the public sidewalk from the front yards of

townhouse units and the frontages of other buildings, with the exception of those areas where the public sidewalk abuts the building.

3. Deciduous street trees shall be provided along all street frontages within the Redevelopment Area, with the exception of the crossing over Rocky Brook. Such trees shall be a minimum size of 2½ inches in caliper at time of planting. Where the location of such trees would lie outside the public right-of-way, the redeveloper shall be required to provide an access and maintenance easement for street trees located on private land.
4. All portions of the tract not utilized by buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, fencing, lawn and other vegetative ground covers and existing foliage in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.

Fences, Walls and Retaining Walls

1. Fences and walls shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the buildings and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of the buildings in the surrounding neighborhood. Chain-link fences shall be prohibited.
2. Fences and walls shall be permitted to be located in front yard areas, provided that such shall not exceed a height of three (3) feet above grade.
3. Fences and walls shall be permitted to be located in the side and rear yard areas, provided that such shall not exceed a height of six (6) feet above grade.
4. Retaining walls shall be permitted in all yard areas and shall not exceed eight (8) feet in height. Fencing above retaining walls is permitted to be up to forty-eight (48) inches in height.
5. Orientation. The face or finished side of a fence or wall shall face the adjacent property. All supporting posts and cross-members shall face the property upon which it is located.
6. Drainage. Fences and walls shall be constructed in a manner so as to permit the continued flow of natural drainage and shall not cause surface water to be blocked or dammed causing ponding, either on the property upon which such is located or on any adjacent lot or public right-of-way.

Lighting

1. Parking area lighting shall be post-mounted, located in landscaped islands, and the center of the light source shall not exceed eighteen (18) feet in height above grade.
2. Pedestrian and access point lighting shall be post-mounted, and the center of the light source shall not exceed fourteen (14) feet in height above grade.
3. Street lighting shall be provided along the Bank and Academy Street frontages within the Redevelopment Area. Such fixtures shall utilize the Borough-approved fixture similar to those found in the downtown area along Main Street and Mercer Street, and the center of the light source shall not exceed fourteen (14) feet in height above grade. Those fixtures shall generally

be located along the curb line. Where located in a grass planting strip, those fixtures shall be located on concrete foundation flush with finished grade.

4. Bollard lighting, not more than four (4) feet in height and appropriately shielded, and ground recessed lighting may be provided along public sidewalks, walkways and within open space areas.
5. Lighting may be attached to a building, provided that such lighting is focused downward and the fixture has a full cut-off design.
6. Lighting fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300° K.
7. Where lighting abuts residential areas, fixtures shall be shielded to eliminate light overflow onto residential lots.

Signs

1. The Redeveloper shall provide a comprehensive sign package, including materials, colors, finishes and/or details to the Planning Board.
2. The Planning Board may approve a comprehensive sign package for the project that includes sign types not contemplated by or different from the standards enumerated in Chapter 29 of the Borough of Hightstown Code.

Refuse and Recycling Facilities

1. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided either within the building being served or in nearby locations outside the building.
2. Outdoor refuse and recycling facilities shall be screened from public view within and outside the development.
3. Any outdoor area provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by residents and recycling personnel and vehicles.
4. Collection vehicles shall be able to access refuse and recycling facilities without interference from parked vehicles or other obstacles.
5. Any bins or containers which are used for the collection of refuse and recyclable materials, and which are located in outdoor refuse and recycling facilities, shall be covered and be equipped with signage indicating the materials to be placed therein.

Stormwater Management

1. Any redevelopment activities or structures shall be in conformance with applicable NJDEP regulations and Borough Ordinances with regard to storm water control.
2. Rain gardens, bioswales, stormwater treatment trains and other best management practices related to stormwater management are encouraged to be incorporated into the site

development plans if soil conditions can adequately accommodate the function of such features.

Building Design Standards

The regulations pertaining to building design standards contained herein shall apply to all development in the Redevelopment Area. The Planning Board may grant exceptions from these standards, pursuant to the procedure articulated *N.J.S.A. 40:55D-51*.

General Requirements

1. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
2. Permitted building materials for primary exterior wall surfaces shall generally include brick, fiber cement siding and smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC.
3. Conceptual architectural plans including materials, colors, finishes and/or details shall be provided for all buildings.

Brick Mill Building Design

1. The brick mill building shall utilize the rear portion of the existing building as the main entrance for residents and visitors. A secondary entrance along Bank Street is encouraged to be provided for both residents and visitors.
2. Mechanical equipment will generally be placed on the roof and shall be screened from visibility by landscaping or an enclosure to match the building façade.

Concrete Mill Building Design

1. The concrete mill building has an existing main entrance on the east side of the existing building. The main entrance is encouraged to be relocated to a new location along Bank Street, with the existing main entrance converted to a secondary entrance for both residents and visitors.
2. Mechanical equipment will generally be placed on the roof and shall be screened from visibility by landscaping or an enclosure to match the building façade.

Mixed-Use Building Design

1. The mixed-used building shall maintain the architectural integrity and be compatible and/or complementary of the design style and character of historic industrial and/or warehouse buildings.

2. Mechanical equipment will generally be placed on the roof and shall be screened from visibility by landscaping or an enclosure to match the building façade.
3. Generators will either be located at grade, in the building or placed on the roof. Where located at grade, such shall not be in the front yard area and shall be screened from visibility by landscaping, fence or wall. Where placed on the roof, such shall be screened from visibility by landscaping or an enclosure to match the building façade.

Structured Parking Garage Design

1. No portion of a structured parking garage shall have frontage along a public street.
2. All facades shall provide visual interest by utilizing one or more of the following treatments: compatible and/or complementary materials, colors, finishes and details as found on a primary façade or on surrounding buildings; exterior cladding in a vine-covered trellis; landscape screening; or graphic panels which may contain historic imagery or other content to be approved by the Borough.
3. Vehicular access to parking structures shall be designed in a manner that does not negatively affect pedestrian circulation along a public street and/or within the Redevelopment Area.
4. At least 30 parking spaces on the ground level of the structured parking garage attached to the mixed-use building on Tract B shall be reserved for public use and 6 spaces for the use by Hightstown Engine Company 1.

Townhouse Design

1. At least one of the townhouses shall have a finished floor elevation that is within four (4) inches of the finished exterior grade, so as to eliminate the need for ramps to provide access.
2. All townhouses shall maintain the architectural integrity and be compatible and/or complementary of the design style and character of the existing brick and concrete mill buildings. Such can be achieved by utilizing primarily brick façades.
3. For those townhouse units that front both Bank Street and North Academy Street, the North Academy Street façades shall maintain the architectural integrity and be compatible and/or complementary of the design style and character of the North Academy Street and Stockton Street neighborhood. Such can be achieved by having the main entrance, porch and private walkway to be oriented to face toward and relate to North Academy Street.
4. The townhouse unit's brick façades shall be distinguished from each other through the use of subtle shifts in front setbacks, variation of front entry types and window details, using a complimentary design vocabulary, and variation in front yard landscape design patterns which may include hedges, fencing and low walls.
5. HVAC equipment will generally be located at grade at the rear of the building.

Amenity Center Design

- I. Tract C Amenity Center. The Amenity Center located on Tract C shall be a freestanding structure designed to exhibit the overall architecture and design style of the Willis House, the yellow house formerly at the corner of North Academy Street and Bank Street. Such may be achieved by utilizing primarily clapboard facades and/or porches utilizing primarily wood or wood-like materials and elements.



Figure 6 Willis House

- a. The Tract C Amenity Center may contain a superintendent's apartment which shall be completely separate from the public use areas of the Amenity Center.
- b. The superintendent's apartment shall occupy the second floor of the building and have a private entrance at the ground level facing Academy Street. The apartment entrance shall simulate a typical residential building entrance employing a covered porch.
- c. HVAC equipment for both the superintendent's apartment and the amenity center shall be located at grade at the rear of the building and be screened from public view.

2. Amenity Centers in Other Tracts. Amenity space may be provided throughout the rehabilitated mill buildings and mixed use building.

Building Lots Not Required to Abut Street

It is recognized that lots within the Redevelopment Area may be created that do not have frontage on a street. The development of any new buildings in the Redevelopment Area first requires the submission and approval of a comprehensive conceptual plan (that will, ultimately, be appended to this Redevelopment Plan). Additionally, the requirements of this Redevelopment Plan require integrated pedestrian and vehicular access and circulation throughout the entirety of the Redevelopment Area, which would provide access to Bank Street or Main Street. Such access must be expressed and memorialized within the concept plan and must meet emergency access standards and requirements.

Buildings are required to be located on a lot with street frontage (*N.J.S.A. 40:55D-35*), and where such a configuration is impractical or unnecessary, an appeal may be sought under *N.J.S.A. 40:55D-36*. Any lot created that does not have street frontage, but that has access to the vehicular circulation system within the Redevelopment Area that provides access to a public street, shall be deemed to have sufficient emergency access for the purposes of any application or appeal.

Public Improvements

Public improvements may be required or proposed and shall be installed at the full expense of the designated redeveloper consistent with the design policies and standards that are contained within this

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Plan. The redeveloper is expected to install necessary public improvements on the property they control as well as abutting rights-of-way. No recapture of off-site improvement expenses from future development should be anticipated. However, nothing contained herein shall be construed to preclude the ability of the municipality or redeveloper from obtaining any governmental programs, grants, loans, or other financial support or incentives for public infrastructure improvements or other construction, or from the municipality to consider a recapture provision.

Relocation Provisions

There are no occupied residences located within the Redevelopment Area. There are four occupied buildings in the Redevelopment Area that include Hightstown Engine Company No. 1 and the Hightstown East Windsor Historical Society on Tract B, Hightstown First Aid Squad building on Tract C, and the Hightstown Public Works facility on Tract D. No relocation is contemplated for the Fire House. The Borough Council is exploring the feasibility of relocating the Public Works facility and utilizing Tract D for a new first aid squad building and historical society building with museum which would allow for the full use of Tracts B and C for redevelopment (excepting the fire house). For any relocation, the Borough will comply with the requirements of *N.J.A.C. 5:11* for relocation assistance in accordance with applicable law. Participation in relocation assistance by the designated redeveloper shall be as set forth in the Redevelopment Agreement.

Affordable Housing

The Bank Street Redevelopment Plan contains one vacant dwelling unit that is not an affordable unit as defined by the Fair Housing Act (*N.J.S.A. 52:27D-301 et seq.*). Consequently, no dislocation of any households will occur and no replacement of affordable units is required as a result of its implementation.

DEVELOPMENT PLAN REVIEW AND APPROVAL

Concept Plan Required

Prior to any application for development that includes a new building or structure, the redeveloper shall submit a comprehensive, conceptual site plan, depicting the planned redevelopment for the entirety of the Redevelopment Area, to the Redevelopment Entity for review and approval. Once approved by the Redevelopment Entity, and found consistent with this plan, the conceptual site plan shall be appended to this redevelopment plan as an exhibit with which to determine consistency of any subsequent development applications. The Redevelopment Entity may delegate the consistency review to another agency or entity. Any amendment to the adopted conceptual plan shall require an amendment to this redevelopment plan. The conceptual plan shall indicate all uses, buildings, structures, parking, circulation, stormwater management and buffers for a consistency determination.

Application for Development

Preliminary and final site plan/subdivision applications for the project shall be submitted to the Hightstown Borough Planning Board for review and approval pursuant to state law and the Hightstown Borough Code Chapter 26 “Land Use Procedures” with the exception that Section 26-7 Community Impact Statement and Section 26-8 Environmental Impact Assessment shall not be required. Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Redevelopment Entity as part of the concept plan consistency review.

Planning Board Review

- I. Site plan or subdivision review shall be conducted by the Hightstown Borough Planning Board pursuant to *N.J.S.A. 40:55D-1 et seq.*
2. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirement set forth in *N.J.S.A. 40:55D-12a and -b.*

Variances, Exceptions and Submission Waivers

Any plan approved by the Planning Board for redevelopment within the Bank Street Redevelopment Area, shall conform to use and other standards of this Redevelopment Plan. Variances shall not be granted from “Use Regulations” or other mandatory components of this plan and any such deviations shall require an amendment to this redevelopment plan. Variances and design exceptions may be granted by the Planning Board from other standards contained in the remaining sections, herein, or within the Borough Code. Consideration of variances shall be undertaken pursuant to *N.J.S.A. 40:55D-70.c.* Consideration of exceptions shall be undertaken pursuant to *N.J.S.A. 40:55D-51.* Consideration of submission waivers shall be undertaken pursuant to *N.J.S.A. 40:55D-10.3.*

Effects of Approval

The effects of any Planning Board approval shall be consistent with the rights granted by Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*) except to the extent they may be modified by an agreement between the Borough and a redeveloper.

Acquisition of Property

No property is anticipated to be acquired in this plan, either through condemnation or arms-length transactions, however future land acquisition is not precluded by this plan. The Redevelopment Area has been designated as an Area in Need of Condemnation Redevelopment, and the Borough may acquire properties in order to achieve the goals and objectives of this redevelopment plan pursuant to *N.J.S.A. 40A:12A-16(a)*4.

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RELATIONSHIP TO THE MASTER PLAN AND PLANS OF OTHER JURISDICTIONS

There are no significant relationships between this plan and the master plans of adjacent municipalities. However, consistency is apparent in the 2014 Hightstown Reexamination of the Master Plan, the 2016 Mercer County Master Plan, the Delaware Valley Regional Planning Commission's Connections 2040 Plan and the 2001 NJ State Development and Redevelopment Plan, as indicated in the following section.

2014 Borough of Hightstown Reexamination of the Master Plan

As required by N.J.S.A. 40A:12A-7(d), the Bank Street Redevelopment Plan helps to achieve the Master Plan Goals and Objectives as expressed in the Borough of Hightstown's Master Plan, which was last re-examined in 2014.

The Borough has long sought to improve the downtown. The 1998 Master Plan focused primarily on economic redevelopment "in hopes of jump starting the local economy and stimulating positive and prolonged change in Hightstown." In 1997, the Borough was awarded Center Designation and was recognized as a Town Center, committed to redeveloping the business district and defining its historic image and capitalizing on its open space connections.

The 2014 Master Plan Amendment and Redevelopment Re-Examination Report refined the Borough's planning policy by establishing the concept of Hightstown as a destination, "a place that visitors come to because it is a great place to spend the day, evening or a weekend. The uses in downtown should complement this objective – eateries, specialty retail, and uses that generate night life."

The following is an excerpt from the 2014 Master Plan Re-Examination Report, which provides clear statements about the Borough's desire to see the Rug Mill redeveloped:

Goal #12: Redevelopment Plan: "The process of redeveloping under Redevelopment Law provides the Borough with the greatest flexibility to respond to interested developers who want to re-purpose the Rug Mill. The Borough should continue to utilize the State's Redevelopment process to promote the potential of the Rug Mill."

Section IV-B: Rug Mill: "The Planning Board continues to feel that the redevelopment process in lieu of rezoning offers the greatest opportunities for reusing the site. It gives the Borough flexibility to meet the needs of interested developers and it also provides incentives, such as a possible PILOT program, (Payment in Lieu of Taxes), and negotiated design solutions that make the land development process easier, and therefore more attractive to prospective developers. ... Most likely, the current redevelopment plan will be revised when a new redeveloper is identified. Any revision to the Redevelopment Plan should embrace the concepts of form-based zoning."

Generally, redevelopment should consider a range of neighborhood commercial, "which would be more easily accomplished if Mechanic Street south of Bank Street were vacated" as well as a range of residential uses that complement the abutting residential uses. The brick building of the original mill should be preserved and could be reused in a creative way.

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Other Plans of Hightstown

In 2015, the *Vision Plan for Downtown and Lakeside Improvements* was developed following extensive public input. This plan strives to make the downtown more vibrant with higher pedestrian activity and sales, the more complete use of the waterfront of Lake Peddie by residents and visitors and thus create more prosperity for the Borough and the region as a whole.

This was followed by the *Public Art Master Plan* for the Borough that was published by the Hightstown Cultural Arts Commission in 2017. This document recognized the value of public art in creative place making in developing Hightstown as a cultural center through goal setting, event hosting, educational classes and community partnerships. These goals are consistent with this redevelopment plan to revitalize a long dormant part of the nether downtown.

Adjacent Municipalities

The Redevelopment Area is not physically contiguous to the adjacent municipality of the Township of East Windsor and the redevelopment of this area is not inconsistent with the land uses or the Master Plan of the Township of East Windsor, which surrounds the Borough.

Mercer County Growth Management Plan

Mercer County recently completed a Master Plan in May 2016 which took an innovative three system approach to planning. It considers land use impacts and examines the interrelationship of impacts while using data and mapping to provide a sound basis for evaluating growth options and opportunities. This Redevelopment Plan is consistent with the following broad policies laid out in the Mercer County Master Plan:

- Promote redevelopment
- Direct growth to centers; and
- Mix uses to promote walkable communities.

Delaware Valley Regional Planning Commission (DVRPC)

The Redevelopment Plan is consistent with the goals of the Delaware Valley Regional Planning Commission's Connections 2040 Plan as follows:

- Encourages center-based planning as a New Jersey designated Town Center redeveloping an abandoned and underutilized site into a mixed-used development.
- Assists in stabilizing an older borough by concentrating growth within and around Centers which will allow for the preservation of open space, reduce strains on natural resources, and create thriving, pedestrian-friendly communities that offer an improved quality of life for all residents.

State 2001 Development and Redevelopment Plan

In 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the "SDRP"). The SDRP guides State-level development and redevelopment policy as well as local and

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regional planning efforts. The SDRP includes eight (8) statewide goals and several policies which are intended to implement those goals. The SDRP's statewide goals are as follows:

- Revitalize the State's cities and towns;
- Conserve the State's natural resources and systems;
- Promote beneficial economic growth, development and renewal for all New Jersey residents;
- Protect the environment, prevent and clean up pollution; Provide adequate public facilities and services at a reasonable cost;
- Provide adequate housing at a reasonable cost;
- Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value; and,
- Ensure sound and integrated planning and implementation statewide.

This Redevelopment Plan is consistent with the SDRP, meeting several of the above goals. Additionally, the SDRP also provides a State Plan Policy Map, which divides the State into several planning areas as well as the identifies a number of "Centers" and "Environs". According to this map, the Borough of Hightstown is contained entirely within the Suburban Planning Area (or "PA2"), which includes a wide variety of viable, traditional settlements and is seen as a key area for accommodating market forces and demand for development. In the Suburban Planning Area, the State Plan's intention is to:

- Provide for much of the state's future development;
- Promote growth in Centers and other compact forms;
- Protect the character of existing stable communities;
- Protect natural resources;
- Redesign areas of sprawl;
- Reverse the current trend toward further sprawl; and,
- Revitalize cities and towns.

This Redevelopment Plan will serve to meet each of these goals.

Finally, the Borough of Hightstown was designated as a Town Center by the State Planning Commission through the Centers Designation Process in 1997. This Redevelopment Plan will specifically promote the Borough's state certified Center Designation Plan and Implementation Agenda. According to page 15 of the Town Center petition, "Enhancing the appearance of the downtown will attract people and business. Similar coordination will be required to improve accessibility to an interconnected system of parking."

The Redevelopment Plan is also consistent with a number of activities outlined in the Town Center petition to promote economic growth in the Borough Hightstown including:

- Revitalizing the Main Street business district and transportation corridor;
- Creating a more inviting user-friendly downtown;

- Improving parking facilities and access to parking; and,
- Expanding access to existing and future commercial establishments.

Consequently, this Redevelopment Plan is consistent with the goals and objectives and advances the purposes of the Master Plan of the Borough of Hightstown, the Master Plan of the Township of East Windsor, the Mercer County Master Plan, the DVRPC's Connections 2040 Plan and the State Development and Redevelopment Plan.

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Meeting Minutes
Hightstown Borough Council
July 20, 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 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; Fred Raffetto, Borough Attorney; George Lang, CFO; Kevin McManimon, Redevelopment Attorney and Donna Miller, CCH-Borough Planner’s Office.

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Councilmember Bluth requested to amend the agenda to add a discussion regarding hybrid meetings to New Business. Council President Musing moved the agenda as amended; Seconded by Councilmember Bluth.

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

Agenda approved as amended 6-0.

APPROVAL OF MINUTES

June 10, 2020 – Public Session

Moved by Councilmember Bluth; Seconded by Councilmember Misiura.

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

Minutes approved 6-0.

June 10, 2020 – Executive Session

Moved by Councilmember Bluth; Seconded by Councilmember Stults.

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

Minutes approved 6-0.

June 15, 2020 – Public Session

Moved by Council President Musing; Seconded by Councilmember Jackson.

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

Minutes approved 6-0.

PUBLIC COMMENT

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

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

ORDINANCES

Discussion Ordinance 2020-04 Planning Board Recommendations for Revisions to the Redevelopment Plan

Councilmember Jackson recused himself at this time.

Borough Attorney, Fred Raffetto, reviewed changes brought forth by the Planning Board:

Tract C Sub-Zone (Page 16) – Permitted Principal Uses: add New Item #5 – Amenity Center/Amenity Space:
5. Amenity Center / Amenity Space shall mean space within the redevelopment area where social, leisure and recreational facilities are offered to residents of the redevelopment area and may include ancillary support services such as leasing and property management offices, storage, business center, conference/meeting rooms and resident services.

Townhouse – Bulk Standards, Tract A and C - Maximum building height requirement of 2-1/2 stories appearance from any public street.

Both Mr. Raffetto and Mr. McManimon, Redevelopment Attorney, feel that these changes are substantive and would require the reintroduction of the ordinance and rescheduling of the public hearing.

Donna Miller, CCH, further explained the changes to the draft redevelopment plan.

Ordinance 2020-04 Reintroduction Ordinance of the Borough of Hightstown, In the County of Mercer Adopting a New Redevelopment Plan for Tax Block 8, Lots 12-14; Tax Block 18, Lots 8-12; Tax Block 21, Lots 1-14, 20 and 26; and Tax Block 30, Lots 1-13

Councilmember Stults moved to amend Ordinance 2020-04, excepting the changes brought forth by Planning Board; Seconded by Councilmember Misiura.

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

Ordinance amended 5-0.

Moved for reintroduction by Councilmember Stults; Seconded by Councilmember Misiura.

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

Ordinance reintroduced 5-0. Public Hearing scheduled for August 3, 2020.

ORDINANCE 2020-04

BOROUGH OF HIGHTSTOWN COUNTY OF MERCER STATE OF NEW JERSEY

ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER ADOPTING A NEW REDEVELOPMENT PLAN FOR TAX BLOCK 8, LOTS 12-14; TAX BLOCK 18, LOTS 8-12; TAX BLOCK 21, LOTS 1-14, 20 AND 26; AND TAX BLOCK 30, LOTS 1-13

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., by Resolution 2003-19 adopted on December 1, 2003, as amended by Resolution 2018-72, adopted on March 19, 2018, and Resolution 2019-224, adopted on December 16, 2019, 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 revised redevelopment plan containing development standards for that portion of the Redevelopment Area known as Sub-Area I (Bank Street) was adopted by Ordinance Number 2015-04 on April 20, 2015 by the Borough Council, which revised those redevelopment plans for the Redevelopment Area previously adopted by the Borough on September 7, 2004, October 2, 2006, and October 6, 2008, and which was subsequently further amended by ordinances adopted by the Borough Council on March 6, 2017 and April 2, 2018 (the "Original Bank Street Redevelopment Plan"); and

WHEREAS, RBG Hightstown, LLC (the "RBG") proposed to redevelop that portion of the Redevelopment Area consisting of Block 30, Lots 1-7 and Lots 10-13, and Block 21, Lots 1-5 & 26 on the Borough's official tax map (collectively, the "Original Project Area"), which constitutes part of Sub-Area I (Bank Street); and

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

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

WHEREAS, the Redeveloper expressed a desire to redevelop the RBG Project Area in a manner generally consistent with the RBG Amended and Restated Redevelopment Agreement, as well as the parcels designated on the Borough's tax map as Block 21, Lot 14; Block 8, Lots 12-14; and Block 18, Lots 8-12 (the "Additional Property") and together with the RBG Project Area, the "Project Area"; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, the Borough identified and designated the Additional Property as an "area in need of redevelopment"; and

WHEREAS, the Borough owns that portion of the Project Area consisting of Block 30, Lots 10-13 and Block 21, Lot 20 on the Borough's tax map ("Borough Property"); and

WHEREAS, the Hightstown East Windsor Historical Society (the "Historical Society") owns that portion of the Project Area consisting of Block 30, Lots 8 & 9 on the Borough's tax map (the "Historical Society Property"); and

WHEREAS, the Redeveloper owns that portion of the Project Area consisting of Block 30, Lots 1-7, and Block 21, Lots 1-14 and 26 on the Borough's tax map ("PRC Property"); and

WHEREAS, by Resolution Number 2020-37, adopted on January 21, 2020, the Borough Council designated Redeveloper as the conditional redeveloper of the Project Area, and

WHEREAS, the Borough Council desires to adopt a new redevelopment plan for the Project Area containing development standards therefor; and

WHEREAS, Clarke Caton Hintz prepared a redevelopment plan, entitled "Bank Street Redevelopment Plan" (the "Bank Street Redevelopment Plan"), setting forth such development standards for the Project Area.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED 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 Bank Street Redevelopment Plan is hereby approved and adopted.

Section 3. The sections(s) of the Borough's Zoning Map that related to the property governed by the Bank Street Redevelopment Plan are hereby amended to incorporate the provisions of the Bank Street Redevelopment Plan.

Section 4. All ordinances and resolutions or parts thereof inconsistent with this ordinance, including those relating to the Original Bank Street Redevelopment Plan, are hereby rescinded.

Section 5. This ordinance shall take effect in accordance with applicable law.

Appendix 1 attached hereto and made part thereof.

Councilmember Jackson returned at this time.

Ordinance 2020-05 Final Reading and Public Hearing Bond Ordinance Providing for Improvements to Various Roads in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$873,000 therefor and Authorizing the Issuance of \$273,000 Bonds or Notes of the Borough to Finance Park of the Cost Thereof

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

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

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

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

Ordinance adopted 6-0.

ORDINANCE 2020-05

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO
VARIOUS ROADS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN
THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING
\$873,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$273,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART
OF THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$873,000, including the \$600,000 grant expected to be received from the State of New Jersey Department of Transportation Municipal Aid Program (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the project since the project is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement not covered by the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$273,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to various roads, including Springcrest Drive, Taylor Avenue, Spruce Court and Glen Drive, including curb, sidewalk and roadway improvements, and further including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law,

according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$273,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$113,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 2020-06 Final Reading and Public Hearing Bond Ordinance Providing for Drainage Improvements to the Water and Sewer Utility and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$310,000 Therefor and Authorizing the Issuance of \$295,200 Bonds or Notes in the Borough to Finance the Cost Thereof

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

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

Ordinance adopted 6-0.

ORDINANCE 2020-06

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

**BOND ORDINANCE PROVIDING FOR DRAINAGE IMPROVEMENTS TO THE
WATER AND SEWER UTILITY AND BY THE BOROUGH OF HIGHTSTOWN, IN THE
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$310,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$295,200 BONDS OR NOTES OF THE BOROUGH
TO FINANCE THE COST THEREOF.**

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$310,000, including the sum of \$14,800 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more

previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$295,200 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is drainage improvements to Springcrest Drive, Taylor Avenue, Spruce Court and Glen Drive, including all work and materials necessary therefor and incidental thereto and further including all related costs and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as

applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$295,200, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time

to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 40c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Ordinance 2020-07 First Reading and Introduction An Ordinance to Establish Superior Officer Salaries for the Years 2019, 2020, and 2021

Moved by introduction by Council President Musing; Seconded by Councilmember Stults.

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

Ordinance introduced 6-0. Public Hearing scheduled for August 3, 2020.

Ordinance 2020-07

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

**AN ORDINANCE TO ESTABLISH SUPERIOR OFFICER SALARIES
FOR THE YEARS 2019, 2020, AND 2021.**

BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that as a result of a settlement agreement between FOP Lodge 140 (Superior Officers) and the Borough of Hightstown, that Superior Officers compensation shall be as follows:

SECTION 1.

A. Base "A" salaries shall be as follows:

	<u>2019</u>	<u>2020</u>	<u>2021</u>
Sergeant	\$109,876.00	\$112,074.00	\$114,315.00
Lieutenant	\$122,748.00	\$125,207.00	\$127,711.00

- B. The Sergeants' 2019 and 2020 salaries shall be retroactive to January 1, 2019 and January 1, 2020 respectively, if the Sergeant(s) are on the active payroll of the Borough as of the final execution date of the Memorandum of Agreement between both parties.
- C. In addition to their base salary increases, each bargaining unit member shall be eligible to receive Seven Hundred Fifty (\$750.00) Dollars annually, less all applicable deductions if they work the full year, if they work less than a full year, they will receive a pro-rata share.
- D. If, during the period of January 1, 2019 and December 31, 2021, the Borough determines to reinstate the position of Police Lieutenant, the Borough and the FOP agree to meet to negotiate the compensation for the position of Police Lieutenant and any related benefits that are specific to the position of Police Lieutenant.

SECTION 2. Formula for Salary Computation.

- A. For the purposes of computing the employee's yearly salary, the Borough shall use the following formula:
 Base "A"+ Longevity= Base "B"
 Base "B" divided by 2080 = Hourly rate for Holiday pay.
 Holiday hourly rate x 104 holiday hours= Holiday Adjustment Value (HAV)
 Base "B" + HAV +stipends= Base "C"
 BASE "C" divided by 2080 = Current year's holiday pay rate.

Base "A" is set forth in Article XI, Section B
 Base "B" is only used to calculate holiday Pay
 BASE "C" is the current year's salary

SECTION 3. Longevity pay.

- A. Effective January 1, 2011, each employee covered by this Agreement shall, in addition to his/her regular wages and benefits, be paid longevity increments based upon years of service with the Department of Police in accordance with the following schedule:

<u>YEARS OF SERVICE</u>	<u>LONGEVITY</u>
After five (5) years of service	\$ 850.00
After ten (10) years of service	\$1,800.00
After fifteen (15) year of service	\$2,600.00
After twenty (20) years of service	\$3,500.00
After twenty-four (24) years of service	\$4,400.00

- B. Any new Officers hired after March 20, 2015 will no longer receive longevity.

SECTION 4. Other compensation.

A. The following stipends shall be paid:

- | | | |
|----|--|-----------------|
| 1. | Officers assigned to head the Traffic Bureau and Detectives on call 24/7 | \$2000 per year |
| 2. | Highest college of university degree obtained: | |
| a. | Associates Degree in field of police science, public administration or criminal justice | \$150 |
| b. | Bachelor's Degree in field of police science, public administration or criminal justice | \$250 |
| c. | Master's Degree in field of police science, public administration or criminal justice | \$350 |
| d. | Doctorate in field of police science, public administration or criminal justice | \$450 |
| | e. No member who becomes part of this bargaining unit on or after January 1, 2019 shall be eligible for the stipends in paragraph A. (2) | |
| 3. | Officer In Charge Pay (when designated by appropriate authority) | \$2.50/hour |

B. Off Duty Employment Rates.

Members of the Department shall be eligible for extra duty pay, effective July 1, 2020, as follows:

1. Seventy-Five (\$75.00) Dollars per hour, with a minimum obligation of four (4) hours pay, for all non-Borough/Board of Education and related entities off-duty activities/ events.
2. Seventy (\$70.00) Dollars per hour for all Borough and/or Board of Education activities/events and/or other related obligations, of which there shall be no minimum pay or time obligation.
3. One Hundred Five (\$105.00) Dollars per hour for every hour worked on an extra duty assignment, if said assignment lasts beyond eight (8) hours, except for Borough or Board of Education activities/events or other related obligations, for which the hourly rate shall remain at Seventy (\$70.00) Dollars per hour.
4. These rates shall remain in effect until, at very least, a new collective bargaining agreement is executed by both parties covering the period of January 1, 2022 and thereafter.
5. With the exception of Borough and Board of Education and related entities matters, if a job is cancelled with less than twelve (12) hour notice and the cancellation is not weather related, the applicable officers will receive Seventy-Five (\$75.00) Dollars per hour for four (4) hours.
6. All monies paid shall be less all applicable deductions.

SECTION 5. This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2019, except where noted.

SECTION 6. The salary ranges established in this ordinance supersede any established for the same positions in previous salary ordinances and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

Ordinance 2020-08 First Reading and Introduction An Ordinance to Establish Police Salaries for the Years 2019, 2020, and 2021

Moved for introduction by Council President Musing; Seconded by Councilmember Stults.

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

Ordinance introduced 6-0. Public Hearing scheduled for August 3, 2020.

Ordinance 2020-08

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

**AN ORDINANCE TO ESTABLISH POLICE SALARIES
FOR THE YEARS 2019, 2020, AND 2021.**

BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that as a result of a settlement agreement between FOP Lodge 140 (Rank and File) and the Borough of Hightstown, that police officer compensation shall be as follows:

SECTION 1.

- B. Two (2%) increase, retroactive to January 1, 2019, if the employee was on the active payroll of the Borough as of December 31, 2018.
- C. Two (2%) percent increase, retroactive January 1, 2020, if the employee was on the active payroll of the Borough as of December 31, 2019.
- D. Two (2%) percent increase, effective January 1, 2021.
- E. Base "A" salaries based on the above shall be as follows:

<u>Steps</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Academy/ Probation	\$45,000.00	\$45,000.00	\$45,000.00
1	\$52,020.00	\$53,060.00	\$54,121.00
2	\$58,140.00	\$59,303.00	\$60,489.00
3	\$64,260.00	\$65,545.00	\$66,856.00
4	\$70,890.00	\$72,308.00	\$73,754.00

5	\$77,520.00	\$79,070.00	\$80,651.00
6	\$83,640.00	\$85,313.00	\$87,019.00
7	\$89,760.00	\$91,555.00	\$93,386.00
8	\$93,298.00	\$95,164.00	\$97,067.00
9	\$97,067.00	\$99,008.00	\$100,988.00
10	\$100,989.00	\$103,009.00	\$105,069.00

F. Base salaries for employees hired from January 1, 2019 through December 31, 2021 shall be as follows:

1. Classification – Academy - \$45,000.00
2. Patrolman, once they are hired and the probationary period is complete, shall be entitled to the contractual wage increases as required by the 2019-2021 collective bargaining agreement between FOP and the Borough of Hightstown.
3. As to step increments during the period of 2019 through 2021:
 - a. If a bargaining unit member is at Step 3 in 2019 and his/her anniversary date is June 1, then for calendar year 2020, on January 1, 2020, his/her pay will remain at \$64,260.00 until June 1, 2020, when he/she would go to Step 4 at \$72,308.00. The same situation would continue in 2021, his/her pay would remain at \$72,308.00 until June 1, 2021, when he/she would go to Step 5 at \$80,651.00. This would continue under a new CBA is reached and this issue is again addressed.
 - b. If a bargaining unit member reaches Step 9 on October 1, 2019, he/she continue at the 2019 Step 9 pay of \$97,067.00 until October 1, 2020, at which time he/she would receive Step 10 pay at \$103,009.00. He/she would stay at \$103,009.00 until October 1, 2021, at which time he/she would make \$105,069.00 and stay that way until a new CBA is reached and this issue is again addressed.

SECTION 2. Formula for Salary Computation.

A. For the purposes of computing the employee's yearly salary, the Borough shall use the following formula:

Base "A" + Longevity = Base "B"
 Base "B" divided by 2080 = Hourly rate for Holiday pay.
 Holiday hourly rate x 104 holiday hours = Holiday Adjustment Value (HAV)
 Base "B" + HAV + stipends = Base "C"
 BASE "C" divided by 2080 = Current year's holiday pay rate.

Base "A" is set forth in Article XI, Section E
 Base "B" is only used to calculate holiday pay.
 Base "C" is the current year's salary.

SECTION 3. Longevity Pay.

A. Effective January 1, 2015, each employee covered by this Agreement shall, in addition to his/her regular wages and benefits, be paid longevity increments based upon years of service with the Department of Police in accordance with the following schedule. Any current employee receiving the five (5) year longevity payment of Eight Hundred Fifty (\$850) Dollars will continue through their tenth (10th) year:

<u>YEARS OF SERVICE</u>	<u>LONGEVITY</u>
After ten (10) years of service	\$1,800.00
After fifteen (15) years of service	\$2,600.00

After twenty (20) years of service	\$3,500.00
After twenty-four (24) years of service	\$4,400.00

B. Any new Officers hired after March 20, 2015 will no longer receive longevity.

SECTION 4. Off Duty Employment Rates.

Members of the Department shall be eligible for extra duty pay, effective July 1, 2020, as follows:

7. Seventy-Five (\$75.00) Dollars per hour, with a minimum obligation of four (4) hours pay, for all non-Borough/Board of Education and related entities off-duty activities/ events.
8. Seventy (\$70.00) Dollars per hour for all Borough and/or Board of Education activities/events and/or other related obligations, of which there shall be no minimum pay or time obligation.
9. One Hundred Five (\$105.00) Dollars per hour for every hour worked on an extra duty assignment, if said assignment lasts beyond eight (8) hours, except for Borough or Board of Education activities/events or other related obligations, for which the hourly rate shall remain at Seventy (\$70.00) Dollars per hour.
10. These rates shall remain in effect until, at very least, a new collective bargaining agreement is executed by both parties covering the period of January 1, 2022 and thereafter.
11. With the exception of Borough and Board of Education and related entities matters, if a job is cancelled with less than twelve (12) hours notice and the cancellation is not weather related, the applicable officers will receive Seventy-Five (\$75.00) Dollars per hour for four (4) hours.
12. All monies paid shall be less all applicable deductions.

SECTION 5. This Ordinance shall take effect after final passage and publication as provided by law, but the ranges of compensation herein provided shall be retroactive to January 1, 2019, except where noted.

SECTION 6. The salary ranges established in this ordinance supersede any established for the same positions in previous salary ordinances and will remain in effect until changed by the adoption of a new or amending Salary Ordinance.

RESOLUTIONS

Resolution 2020-143 Payment of Bills

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 2020-143

*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 \$297,271.23 from the following accounts:

Current		\$129,402.88
W/S Operating		58,855.78
General Capital		20,999.58
Water/Sewer Capital		82,839.37
Grant		179.00
Trust		4,890.37
Housing Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>104.25</u>
Total		<u><u>\$297,271.23</u></u>

CONSENT AGENDA

Councilmember Jackson moved Resolutions 2020-144, 2020-145, 2020-146, 2020-147 as a Consent Agenda; Council President Musing seconded.

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

Resolutions adopted 6-0.

Resolution 2020-144

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

**SUPPORTING AND AUTHORIZING A GRANT APPLICATION BETWEEN
HIGHTSTOWN BOROUGH AND THE STATE OF NEW JERSEY BY AND
FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT
IDENTIFIER: UCF-2019-BOROUGH OF HIGHTSTOWN-00076**

WHEREAS, the governing body of the Borough of Hightstown desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$14,000.00 the fund the Reforestation/Tree Planting – 2020 Street Tree Planting; and

WHEREAS, the Hightstown Borough Council authorizes and hereby agrees to match 33.33% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property is hereby certified; and

WHEREAS, 100% of the match will be made up of in-kind services; and

WHEREAS, the Grantee agrees to comply with all applicable federal, State and municipal laws, rules and regulations in its performance pursuant to the agreement.

THEREFORE, the governing body of the Borough of Hightstown resolves that Lawrence D. Quattrone or the successor to the office of Mayor is authorized to (a) make application for such a grant and (b) if awarded to execute a grant agreement with the State for a grant in an amount of not more than \$14,000, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

Resolution 2020-145

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

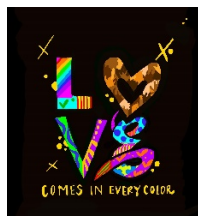
**AUTHORIZING THE HIGHTOWN BOROUGH CULTURAL ARTS COMMISSION
PERMISSION FOR A MURAL LOCATED AT 148 NORTH MAIN STREET**

WHEREAS, Pursuant to the Revised General Ordinances of the Borough of Hightstown, Chapter 29 Section 29-5, murals painted on buildings are prohibited except those painted as a Cultural Arts Commission project and specifically authorized by the Borough of Hightstown Council; and

WHEREAS, the Cultural Arts Commission desires to have day campers from the Rise summer camp create a mural on the old Municipal Building located at 148 North Main Street; and

WHEREAS, it is the desire of the Mayor and Council to allow said mural, a copy of which is attached.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown that the Hightstown Borough Cultural Arts Commission is hereby authorized to have Rise summer camp create a mural at 148 North Main Street as detailed herein.



Resolution 2020-146

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER*

STATE OF NEW JERSEY

AMENDING RESOLUTION 2020-25 AUTHORIZING DEPOSITORIES AND
SIGNATURES FOR BOROUGH ACCOUNTS

WHEREAS, resolution 2020-25 authorized officers of the Borough of Hightstown to sign for the payment of money from the accounts that the Borough if Hightstown; and

WHEREAS, it is necessary to amend resolution 2020-25 by removing the name of Monika Patel as a designated officer who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown; and

WHEREAS, it is necessary to further amend resolution 2020-25 by adding the name Nicolette Devish as a designated officer who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown.

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the banks designated as depositories of monies of the Borough of Hightstown are hereby established in accordance with the Cash Management Plan adopted by the Borough on January 1, 2020; and

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown and that **all notes and drafts** of the Borough of Hightstown be signed in like manner by any two of said same officers:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for the **payment of salaries and wages** from the accounts of the Borough of Hightstown:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for the payment of money from the **Animal Control Account**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for the payment of money from the **Water & Sewer Operating Account**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer

Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Trust Accounts**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Unemployment Trust Fund**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Public Defender Account**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Current Account**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for the payment of money from the **Capital Funds** of the Borough of Hightstown:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance
Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Grant Account**:

Lawrence Quattrone, Mayor
Michael J. O'Connor, Accounts Payable
George J. Lang, Chief Financial Officer
Nicolette Devish, Administrative Assistant-Finance

Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Law Enforcement Trust Account**:

Lawrence Quattrone, Mayor
 Michael J. O'Connor, Accounts Payable
 George J. Lang, Chief Financial Officer
 Nicolette Devish, Administrative Assistant-Finance
 Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED that the following officers of the Borough of Hightstown be hereby authorized to sign checks for payment of money from the **Escrow Accounts (Subdivision Site Plan)**:

Lawrence Quattrone, Mayor
 Michael J. O'Connor, Accounts Payable
 George J. Lang, Chief Financial Officer
 Nicolette Devish, Administrative Assistant-Finance
 Debra L. Sopronyi, Borough Clerk

BE IT FURTHER RESOLVED, that the Borough Clerk, Borough Administrator, Chief Financial Officer, Tax Collector, and the Municipal Court Administrator shall not be held liable for any loss of public money deposited by them with the aforesaid banks when such loss is occasioned by the failure of such banks faithfully to account for and pay over such money on legal demand.

Resolution 2020-147

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS
 PRIOR TO ADOPTION OF THE 2020 BUDGET**

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2020 temporary budget; and

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

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

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	243,200.00	1,784,326.00	2,027,526.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	136,000.00	796,136.00	932,136.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00

TOTAL	379,200.00	2,580,462.00	2,959,662.00
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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hightstown (not less than two-thirds of all the members of thereof affirmatively concurring) that, in accordance with N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2020 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

NEW BUSINESS

Revisions to Parks and Recreation Rules and Regulations

Borough Administrator/Clerk, Debra Sopronyi, and Police Chief Gendron made revisions to regulations for Parks and Rec. One of the changes made was to change the hours in Memorial Park. At present time, parks close at dusk. Extending the hours in Memorial Park would allow people to use the bridge and fish at night. Ms. Sopronyi explained that Parks and Rec would be the entity to adopt the modifications to the rules. Discussion ensued. Councilmember Misiura questioned way it was only Memorial Park whose hours changed. There are other parks in the town that host Borough sponsored events. Ms. Sopronyi stated the she will have the verbiage changed to allow for extended hours in all parks for Borough sponsored events. Council approved the changes. Ms. Sopronyi will forward to Parks and Rec.

Additional Work Pricing – S&G Paving Construction

Ms. Sopronyi reviewed her memo to Council dated July 15th. At the direction of Council, the Borough Engineer received prices for additional work to be done by S&G Paving. The additional work consists of 1) Raising a manhole; 2) Association Park asphalt sidewalks; 3) Crosswalk at Sunset and North Main Street. The CFO confirmed that funds are available in the Bond to cover the manhole and the sidewalk (\$17,100.00). The CFO also confirmed that there are funds available in the Bond used for the Improvements to Sunset and Maple to cover the cost of the crosswalk (\$5,000.00). The Borough Engineer and the Administrator find the proposed prices reasonable. Ms. Sopronyi explained that a change order can be issued for the manhole and sidewalks. Since the crosswalk would be under bid threshold, a purchase order will be issued. After discussion and a unanimous straw vote, Council instructed the Borough Administrator to move forward with the additional work.

Hybrid Meetings

Ms. Sopronyi reviewed the guidelines and procedures for public meetings set forth by the OEM Coordinator and Health Officer. Council and the Deputy Clerk would meet live with all additional staff, professionals and public continuing to participate through freeconferencecall.com. Council needs to decide if they would like to move to hybrid meetings or continue virtually. Mayor Quattrone stated that he thinks the virtual meetings are working out fine. Council President Musing stated that virtual is working well. He asked that for future meetings all of Council turn their camera on. Councilmember Misiura agreed to continue virtually. It is not ideal, but we should continue virtual until we can all be present together. He agreed that having the cameras on is more transparent. After a unanimous straw vote, Council decided to keep meetings virtual. Council President Musing asked that we alert the public in the monthly newsletter about the meetings being virtual.

OLD BUSINESS

2020 Budget

CFO, George Lang, informed Council that he is still working on the Budget. He is hoping to have it complete by the end of the week. After discussion, it was decided to schedule a budget workshop meeting for Tuesday, July 28th at 6:30 p.m.

SUBCOMMITTEE REPORTS

Councilmember Stults stated that he had a meeting for the Police/Court building with Robbinsville. The architect is back to the drawing board for a design because of lack of parking.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

Had the opportunity to represent Hightstown Borough at an Eagle Scout Ceremony. The Complete Streets Committee may meet in August.

Councilmember Misiura

Planning Board met last week and discussed the redevelopment plan that was addressed tonight. First aid is still concerned about their parking lot stability. He advised them that this is not a Borough project since we do not own the First Aid Building. He stated that the squad talked about billing for services but stated that there is a lot of administrative work involved and they would not be able to provide the administrative hours. Hightstown Theatre in the Park has been all virtual and is going well.

Councilmember Bluth

Cultural Arts, Theatre in the Park will be having a virtual performance in August. Cultural Arts is looking to provide a virtual pumpkin carving demonstration in October.

Deputy Clerk, Peggy Riggio

Reminded everyone that the Municipal Offices are closed to the public. Please use the drop box and USPS and email or call to contact Borough staff.

Borough Administrator/Clerk, Debra Sopronyi

Stated that the Mercer County Library System is offering virtual programs. She will contact DCA to find out regulations for EMS billing.

Mayor Quattrone

It has been a pleasure to watch the Rise campers work on the mural. Thanked the Garden Club for the hanging flower baskets. As always, they look beautiful downtown.

EXECUTIVE SESSION

Resolution 2020-148 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

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

Resolution adopted 6-0.

Council adjourned into Executive Session at 8:09 p.m.

Council returned to Public Session at 8:57 p.m.

Resolution 2020-148

*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 July 20, 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 – Housing Authority
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 October 20, 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.

ADJOURNMENT

Moved by Councilmember Jackson at 8:58 p.m.; Seconded by Councilmember Stults. All ayes.

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk



Bank Street Redevelopment Plan



JULY 20, 2020

Hightstown Borough, Mercer County, New Jersey

Clarke Caton Hintz | 100 BARRACK STREET | TRENTON, NJ | 08608



Bank Street Redevelopment Plan

Sub-Area 1 of the Main Street Redevelopment Plan

Hightstown Borough, Mercer County, New Jersey

Prepared for Hightstown Borough by:

Clarke Caton Hintz, P. C.

Brian Slaugh, PP, AICP

Principal

PP License 3743

Donna Miller, PP, AICP

Planner

PP License 5919

A signed and sealed copy is available at the municipal building.



BOROUGH COUNCIL

Lawrence D. Quattrone, Mayor

Dimitri Musing, Council President

Susan Bluth, Councilwoman

Joseph Cicalese, Councilman

Joshua Jackson, Councilman

Steven Misiura, Councilman

Charles L. Stults, Councilman

STAFF

Debra L. Sopronyi, RMC/CMC, QPA, CMR, Borough Administrator/Clerk

Peggy Riggio, RMC/CMR, Deputy Clerk

Frederick Raffeto, Esq., Borough Attorney

Carmela Roberts, PE, CME, Borough Engineer

Brian Slauch, PP, AICP, Borough Planner

ACKNOWLEDGEMENTS

James Constantine, PP, AICP

Christopher Cosenza, PP, AICP, LEED AP

William Feinberg, RA, AIA

Nicholas Perrotto



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INTRODUCTION

The primary purpose of the Bank Street Redevelopment Plan (the “Redevelopment Plan”) is to provide a formula for improvement, investment and transformation of the redevelopment areas designated by the Borough of Hightstown. The recommendations contained within this document provide a structure for both physical improvements to the lands and structures within the designated areas as well as policies to guide the redevelopment.

NJ LRHL:

Redevelopment Process

- Borough Council directs the Planning Board to undertake a preliminary investigation to determine whether or not an identified area requires redevelopment.
- Planning Board conducts an investigation and holds a public hearing on the proposed redevelopment-area designation.
- Based on the Planning Board’s recommendation, Borough Council may designate all or some of the study area as an “area in need of redevelopment”.
- The Borough Council either prepares a redevelopment plan for the area, or directs the Planning Board to prepare the plan.
- The Borough Council adopts the redevelopment plan.
- The Borough Council or other public agency / authority is designated as the “redevelopment entity” to oversee the implementation of the redevelopment plan.
- The redevelopment entity selects a redeveloper(s) to undertake a project(s) that implements the plan.

History and Background

The designation of the redevelopment areas began in 2003, when the Borough of Hightstown determined that the Main Street Redevelopment Area, defined as “the southern side of Bank Street from North Main Street to North Academy Street; the western side of South Academy Street from Rogers Avenue to Railroad Avenue; all parcels fronting on the eastern side of Mercer Street from West Ward Avenue to South Main Street and including the right-of-way; the block bound by Main Street, Stockton Street, Railroad Avenue and Rogers Avenue and the right-of-way of Railroad Avenue, and, the area on the eastern side of Main Street from the Borough parking lot to and including the walking bridge over the Peddie Lake dam” qualified as an Area in Need of Redevelopment (ANR) under the criteria in New Jersey’s Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq. or “LRHL”).

The Borough of Hightstown subsequently adopted a redevelopment plan in 2004, which was further amended in 2006. The redevelopment plan divided the redevelopment area into three (3) sub-areas, including “Sub-Area 1 (Bank Street)” which was described as a “proposed mixed use redevelopment project that includes the southern side of Bank Street from North Main Street to North Academy Street, the eastern side of North Academy Street, and the western side of North Main Street from the Firehouse to Bank Street. The Sub-Area includes Block 30, Lots 1-13; and Block 21, Lots 1-14 & 26”. Ultimately two different developers were designated, however neither one undertook any of the redevelopment activities proposed in the adopted plan.

Redevelopment Area Expansion

In 2018, the PRC Group acquired several tracts from the designated redeveloper and began negotiations with the Borough to consider expanding the redevelopment area. In June 2019, the Borough began a preliminary investigation to determine whether additional

Bank Street Redevelopment Plan

HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ

JULY 20, 2020 | PAGE 1

Draft Bank Street Redevelopment Plan_for Adoption

lands, abutting the previously designated redevelopment area would also qualify as Area in Need of Redevelopment pursuant to the criteria established by the “LRHL”. Block 8, Lots 12-14, and Block 18, Lots 8-12, on the north side of Bank Street, opposite from the existing redevelopment area, were investigated for conditions that would qualify them as an Area in Need of Redevelopment. The Planning Board found that the statutory criteria was met for the additional areas under *N.J.S.A. 40A:12A-5*. In December 2019, the Hightstown Borough Council accepted the Planning Board’s recommendations and formally designated the additional lands as an Area in Need of Redevelopment. On the following page is a map indicating the three Sub-Areas of the Main Street Redevelopment Plan, including the expanded area of Sub-Area 1. This plan, the Bank Street Redevelopment Plan, is synonymous with the expanded area of Sub-Area 1 of the greater redevelopment areas of the Borough of Hightstown.

Redevelopment Plan Process

A new redevelopment plan which takes into account all of the land areas designation as in need of redevelopment must be created and adhere to the following procedures for adoption:

- The Borough Council directs the Borough Planner to prepare a redevelopment plan;
- The Borough Council refers the redevelopment plan to the Planning Board for review and comment;
- The Planning Board has 45 days to review the proposed redevelopment plan and prepare a report offering its recommendations; and,
- The Borough Council holds a public hearing on the redevelopment plan and, taking into consideration the recommendations of the Planning Board, may adopt the redevelopment plan through an adopting ordinance.

Plan Components

The Redevelopment Plan includes the following components as required by *N.J.S.A. 40A:12A-7.a-f*:

- Redevelopment Goals and Objectives;
- Proposed Land Uses and Design Concepts;
- Redevelopment Regulations and Standards;
- Relationship of the Redevelopment Plan to Other Plans;

Redevelopment Plan: *Required Elements (N.J.S.A. 40A:12A-7.a)*

- The plan’s relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- Proposed land uses and building requirements in the project area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- An identification of any property within the redevelopment area that is proposed to be acquired in accordance with the redevelopment plan.
- The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.
- Pursuant to *N.J.S.A. 40A:12A-7.c.*, the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law”, *N.J.S.A. 40:55D-1 et seq.*

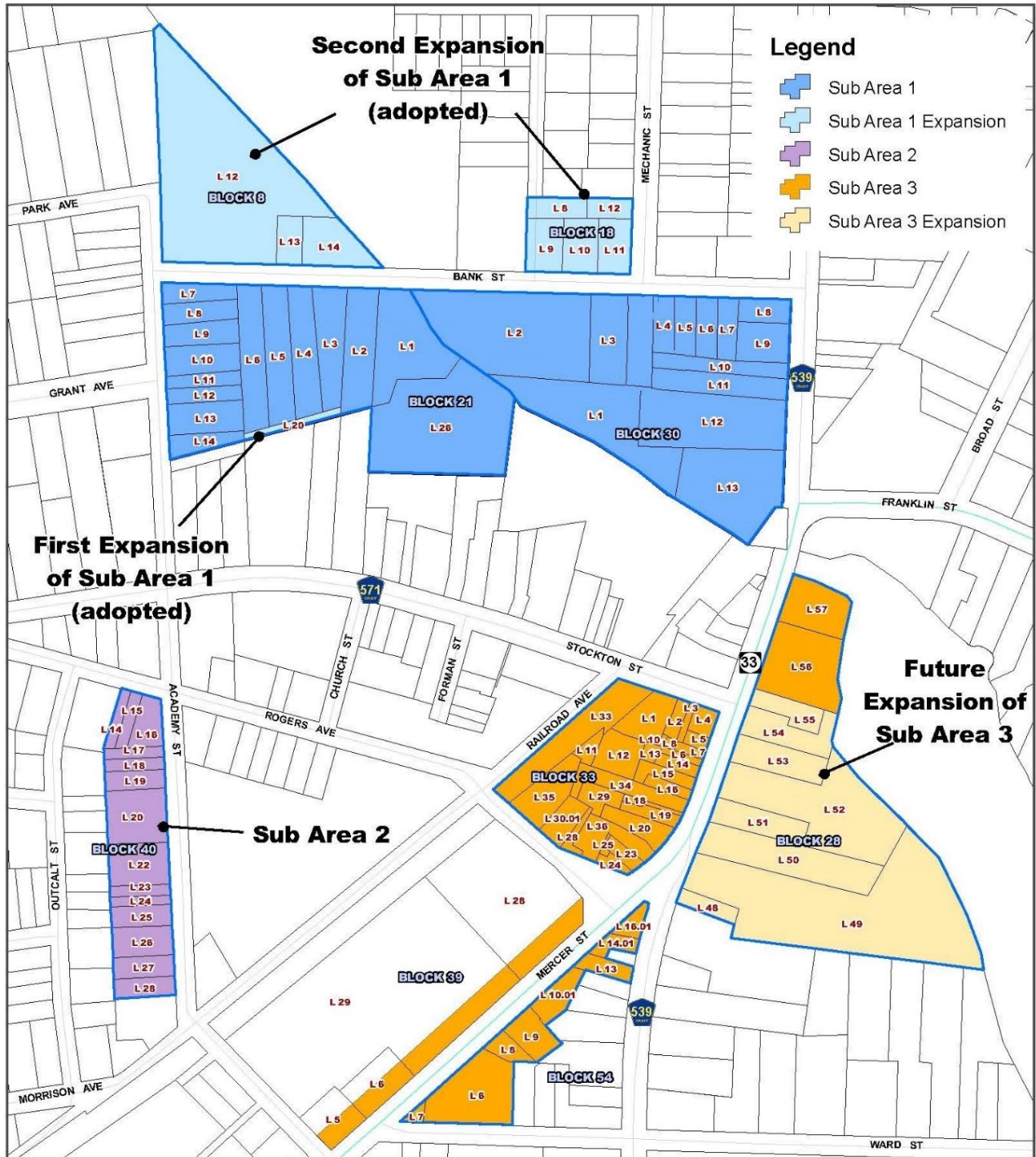
Bank Street Redevelopment Plan

HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ

JULY 20, 2020 | PAGE 2

Draft Bank Street Redevelopment Plan for Adoption

- Property Acquisition; and
- Provision of Affordable Housing and Replacement, if needed.



0 100 200 Feet

Clarke Caton Hintz
Architecture
Planning
Landscape Architecture

MAIN STREET REDEVELOPMENT AREA

Bank Street Redevelopment Plan

LOCATION:
Hightstown Borough, Mercer County, NJ

DATE:
February 2020

Bank Street Redevelopment Plan
HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ
JULY 20, 2020 | PAGE 4
Draft Bank Street Redevelopment Plan_for Adoption



BANK STREET REDEVELOPMENT PLAN

Environmental Constraints

LOCATION:
Borough of Hightstown, Mercer County, New Jersey

DATE:
February 2020

Bank Street Redevelopment Plan

HIGHTSTOWN BOROUGH, MERCER COUNTY, NJ

JULY 20, 2020 | PAGE 5

Draft Bank Street Redevelopment Plan for Adoption

Clarke Caton Hintz

Architecture

Planning

Landscape Architecture

REDEVELOPMENT PLAN GOALS AND OBJECTIVES

The primary purpose of the Bank Street Redevelopment Plan is to alleviate the existing conditions found in the Redevelopment Area and support the use of property to better serve the public health, safety, and welfare of the community and the region. More specifically, the Redevelopment Plan provides the framework for improvement, investment and transformation of the Redevelopment Area by establishing standards for development that is compatible with the use, scale, density and design of the downtown, as well as the Borough's historic development patterns.

Objectives

To achieve this overarching goal, the following goals and objectives are hereby established:

- A. Turn Hightstown into a destination; a place that visitors come to because it is a great place to spend the day, evening or a weekend;
- B. Incorporate elements of the Borough's history into the design of the public spaces, including rug mill features and railroad/train artifacts;
- C. Promote the types of development that deliver better outcomes than existing zoning can currently provide, such as new mixed-use development within the town center;
- D. Provide opportunities for new commercial, municipal, greenway, and residential facilities, including a range of housing types;
- E. Provide a new greenway along Rocky Brook to link existing facilities within the Borough;
- F. Preserve and conserve existing uses, buildings, open spaces and landscape features of locally historic or cultural value;
- G. Apply Master Plan recommendations regarding appropriate uses and transitions between non-residential districts and residential neighborhoods;
- H. Mitigate and improve upon deleterious conditions resulting from blighted, underutilized or poorly designed buildings and land;
- I. Utilize a Smart Growth perspective for new development in the broader context of the region, Borough and neighborhood.

The Redevelopment Plan will facilitate the Borough's efforts to achieve these goals and objectives, and will improve the quality of life for residents and the economic development climate for the entire Borough. The Plan will generate positive psychological effects in the population by converting an existing eyesore into an attractive, mixed-use neighborhood.

RELATIONSHIP TO THE HIGHTSTOWN BOROUGH LAND DEVELOPMENT REGULATIONS

Supersedes Existing Zoning

The allowed uses in this Redevelopment Plan and their associated development regulations shall supersede the use and bulk regulations of the Hightstown Borough Zoning Ordinance and related land development regulations. Where the standards of the redevelopment plan are silent, the regulations of the Land Development Ordinance shall apply to the Redevelopment Area as permitted by N.J.S.A. 40A:12A-7.a(2).

Zoning Map

The zoning map of the Borough of Hightstown shall be amended upon the adoption of this Plan in accordance with N.J.S.A. 40A:12A-7.c to reflect the area encompassed by this redevelopment plan as the Bank Street Redevelopment Area.

GENERAL PROVISIONS

Redevelopment Entity

The Borough Council shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing the Bank Street Redevelopment Plan and carrying out redevelopment projects. In doing so, the Borough Council shall have the powers set forth in N.J.S.A. 40A:12A-8 to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

Redeveloper Selection

The Redevelopment Entity may select redeveloper(s) for the redevelopment of specific sites, blocks, or districts in any number or combination as it deems necessary for one or more projects based on the entity’s experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of the Redevelopment Plan, and additional criteria that demonstrate the redeveloper’s ability to implement the goals and objective of the plan. Preference shall be given to existing landowners in the Bank Street Redevelopment Area for designation as a redeveloper.

Redevelopment Agreement

Once a redeveloper has been selected, the Redevelopment Entity shall enter into a redevelopment and/or financial agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9.

Any development or construction within the redevelopment area shall be undertaken in accordance with a contractual redevelopment agreement between the Redevelopment Entity and a municipally designated redeveloper or redevelopers, which may include optional provisions as mutually determined. The Redevelopment Agreement shall be in full force and effect prior to the redeveloper

Redeveloper Agreement: Optional Provisions

- Interim and final redeveloper designations;
- Terms for dispute resolution;
- Allowance for changes in the agreement should a “force majeure” event occur;
- A guarantee of performance by the redeveloper to ensure completion of the project and that other obligations of the agreement are met;
- Any sharing of costs between the public and private entities;
- Default and termination clauses and their remedies for failure to perform by the redeveloper;
- Provisions that specify allowed deviations from the development plan regulations, excepting the use regulations;
- Provisions addressing Payments in Lieu of Taxes or other tax abatement and impact mitigation provisions;
- Transfer of development and other rights of the redeveloper;
- Development pro-forma;
- Affordable housing obligations or fees to the extent required by law; and
- Any other clause deemed necessary to effectuate the Redevelopment Plan by the Redevelopment Entity or that are required to be included under *N.J.S.A. 40A:12A-9*.

making application to the Planning Board for any general development plan, conditional use, site plan or subdivision approval.

Effect of Redevelopment Agreement

The execution of the Redevelopment Agreement shall convey the right to prepare a site plan or subdivision application for development to the Hightstown Planning Board in accordance with the terms of the Redevelopment Agreement and Redevelopment Plan, among other rights that may be granted by the Redevelopment Entity. In addition, the execution of the Redevelopment Agreement shall establish the period of time as such rights to develop under the terms and conditions of the Redevelopment Plan shall be granted. Nothing herein shall prevent the Redevelopment Entity and redeveloper from mutually agreeing to an amendment of the Redevelopment Plan as it affects the redeveloper’s property from time to time or at any time.

Staff Employment

The Redevelopment Entity may employ or contract for and fix compensation of such experts and other staff and services as it may deem necessary, including, but not limited to, architecture, economic forecasting, engineering, environmental, landscape architecture, legal, market analysis, planning, and transportation consulting services. The Redevelopment Entity, however, shall not authorize expenditures which exceed, exclusive of gifts, grants or escrow accounts, the amounts appropriated for redevelopment purposes.

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Clarke Caton Hintz



Architecture
Planning
Landscape Architecture

BANK STREET REDEVELOPMENT PLAN

Conceptual Layout Plan

LOCATION:
Hightstown Borough, Mercer County, NJ

DATE:
June 2020

SOURCE:
Looney Ricks Kiss, NJ DEP

Bank Street Redevelopment Plan

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LAND USES IN THE BANK STREET REDEVELOPMENT AREA

The proposed land use in the redevelopment area is primarily residential, including multifamily dwellings in the two historic mill buildings, townhouses and mixed residential-commercial development. These are to be supplemented by surface and structured parking and recreational amenities. Leasing and property management offices serving the development are also anticipated to be accommodated within the redevelopment area. It is anticipated that no more than 398 dwelling units will be constructed within the entirety of the redevelopment area, including two single family detached dwellings which would adjoin existing residences on the western edge of the redevelopment area.

On the southern flank of the redevelopment area, on N. Main Street, the Hightstown Engine Company is expected remain in their existing building. A mixed use building containing multifamily dwelling units, recreation and other amenities/services for the use of residents is envisioned on N. Main Street. Non-residential uses intended for this location include public display space, such as a gallery/museum, and a boutique hotel. A parking garage, incorporated into the mixed use building, shall serve residents of the multi-family units and the general public while also providing some parking for the Hightstown Engine Company. Public and quasi-public uses, such as the Hightstown East Windsor Historical Society and Hightstown First Aid Squad, are expected to remain within the redevelopment area; new facilities may be constructed for the First Aid Squad, while the Historical Society facilities may be relocated to another site within the redevelopment area.

Within the core of the redevelopment area, multi-family apartments are anticipated to be developed within the historic brick and concrete mill buildings. These structures may be expanded to accommodate recreational or other amenities to serve their residents.

On the northern and western edges of the redevelopment area, townhouses provide a transition between the multi-family development and the existing residential neighborhood along N. Academy Street.

Fully realized, the Redevelopment Plan would result in the demolition of the vacant and dilapidated municipal building on N. Main Street, the Willis house and the ancillary metal buildings associated with the former rug mill, replacing them with a diverse stock of housing that preserves the historic mill buildings and expands recreation and open space along Rocky Brook.



0 100 200 Feet

Clarke Caton Hintz



Architecture

Planning

Landscape Architecture

BANK STREET REDEVELOPMENT PLAN

Tract Map

LOCATION:
Hightstown Borough, Mercer County, NJ

DATE:
February 2020

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PERMITTED USES, BULK REGULATIONS & ADDITIONAL STANDARDS

Redevelopment Area Sub-Zones

The Bank Street Redevelopment Area is composed of areas exhibiting differences in its planned intensity and nature of development. To address these differences, the regulations in the Redevelopment Area have been calibrated to reflect these conditions and the Plan's objectives. To that end, the Redevelopment Area is divided into four tracts, A through D, encompassing the following blocks and lots:

Tract A: Block 21, Lots 1-14, 20 and 26 (Brick Mill Building, Metal Warehouse)

Tract B: Block 30, Lots 1-13 (Concrete Mill Building, Municipal Building, Firehouse and Historical Society)

Tract C: Block 8, Lots 12-14 (Willis House, Hightstown First Aid Squad)

Tract D: Block 18, Lots 8-12 (Public Works)

The tracts provide the geographical basis for the use and development regulations that follow.

Tract A Sub-Zone

The intent for the Tract A Sub-zone is to retain the historic brick mill building and metal footbridge and redevelop the area of the former metal warehouse building (demolished) at the west end of the Tract with residential uses. A maximum of 130 dwelling units is permitted within the Tract.

Permitted Principal Uses: Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses. Multiple principal uses are permitted.



Figure 1 Brick Mill Building

1. Multi-family dwelling units within the existing brick mill building; which may be accomplished through adaptive re-use, additions, expansions and/or extensions to the existing building.

2. Townhouses.

Bulk Standards: The following area and bulk standards shall apply specifically to Tract A:

1. Tract Requirements:

a. Maximum Building Coverage: 35% of the tract.

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2. Multi-family Building Requirements:
 - a. The footprint of the historic brick mill building will be retained. Any addition, expansion and/or extension to the building shall maintain the existing setbacks along Bank Street. Any vertical extension shall be stepped back a minimum of 15 feet from the Bank Street façade of the floor below.
 - b. Maximum Building Height: Four (4) stories.
3. Townhouse Requirements:
 - a. Minimum Front Yard Setback from Bank Street: 10 feet.
 - b. Minimum Front Yard Setback from North Academy Street: 10 feet.
 - c. Minimum Building Setback from all other Tract boundary lines: 30 feet.
 - d. Minimum spacing between front of townhouse building to front of townhouse building: 30 feet.
 - e. Minimum spacing between front of townhouse building to side of townhouse building: 20 feet.
 - f. Minimum Distance between the side of a townhouse building to side of townhouse building: 10 feet.
 - g. Minimum spacing between side or rear of townhouse building to rear of townhouse building: 30 feet.
 - h. Minimum spacing between two rear faces of townhouse buildings: 30 feet.
 - i. Maximum Building Height: Two and a half (2½) stories facing a public street and three (3) stories in any other location.
4. Structured Parking Garage Requirements:
 - a. Maximum Height: Two (2) levels.
 - b. Minimum Setback from Tract boundary lines: 5 feet.

Tract B Sub-Zone

The intent for the Tract B Sub-zone is to retain the existing Hightstown Engine Company building and the historic concrete mill building while redeveloping the remaining area, including the vacant municipal building and the Hightstown East Windsor Historic Society property. The public right-of-way of Mechanic Street within this tract shall be vacated, however a public access easement is to be provided to permit access to the parking garage and an alternate access for the Engine Company. A maximum of 258 dwelling units are permitted within the Tract.



Figure 2 Concrete Mill Building

Permitted Principal Uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses. Multiple principal uses are permitted.

- i. Mixed-use buildings which may contain any combination of the following uses:
 - a. Multi-family dwelling units.
 - b. Museum and gallery spaces.
 - c. Studios for the visual and performing arts including performance and gallery spaces.
 - d. Resident / Guest services.
 - e. Personal and other business services.
 - f. Restaurants and other places to eat and drink.
 - g. Banks and financial institutions.
 - h. Offices and workspaces, including shared and co-working spaces.
 - i. Boutique Hotel, limited to a maximum of 36 rooms or suites.
 - j. Structured parking garage.
2. Multi-family dwelling units within the existing concrete mill building; which may be accomplished through adaptive re-use, additions, expansions and/or extensions to the existing building.
3. Governmental, public, quasi-public and community facilities, including a fire station, meeting spaces and other similar uses.

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Bulk Standards. The following area and bulk standards shall apply specifically to Tract B:

- I. Tract Requirements:
 - a. Minimum Individual Lot Area: 30,000 square feet.
 - b. Maximum Building Coverage: 60% of the Tract.
2. Mixed-Use Building Requirements:
 - a. Minimum Front Yard Setback from Bank Street: 10 feet.
 - b. Minimum Building Setback from North Main Street: 10 feet from curb line.
 - c. Minimum Building Setback from all other Tract boundary lines: 50 feet.
 - d. Maximum Building Height: Four (4) stories; six (6) parking levels.
3. Multi-family Building Requirements:
 - a. The footprint of the historic concrete mill building will be retained. Any addition, expansion and/or extension to the building shall maintain the existing setbacks along Bank Street. Any vertical extension shall be stepped back a minimum of 15 feet from the Bank Street façade of the floor below.
 - b. Maximum Building Height: Four (4) stories.
5. Governmental, Public, Quasi-public and Community Facilities:
 - a. Hightstown Engine Company building height and footprint shall be retained.
 - b. Hightstown East Windsor Historic Society building height and footprint shall be retained.

Tract C Sub-Zone

The intent for the Tract C Sub-zone is to provide for new residential development, recreation/amenity space and public uses. Up to 10 dwelling units may be proposed within the Tract.

Permitted Principal Uses: Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses. Multiple principal uses are permitted.



Figure 3 Willis House

1. Townhouses.
2. Single-family detached dwelling units.
3. Superintendent's apartment.
4. Governmental, public, quasi-public and community facilities, meeting spaces and other similar uses, including the existing First Aid Squad.
5. Amenity center.

Bulk Standards: The following area and bulk standards shall apply specifically to Tract C:

1. Tract Requirements:
 - a. Minimum Individual Lot Area: 7,500 square feet.
 - b. Maximum Building Coverage: 25% of the Tract.
2. Townhouse Requirements:
 - a. Minimum Front Yard Setback from Bank Street: 10 feet.
 - b. Minimum Front Yard Setback from North Academy Street: 10 feet.
 - c. Minimum Setback from all other Tract boundary lines: 50 feet.
 - d. Maximum Building Height: Two and a half (2½) stories facing a public street and three (3) stories in any other location.
3. Amenity Center Requirements:
 - a. Minimum Lot Frontage: 50 feet.
 - b. Minimum Lot Depth: 100 feet.
 - c. Minimum Front Yard Setback from North Academy Street: 10 feet.
 - d. Minimum Building Setback from Block 8, Lot 11: 15 feet from the front or southerly lot property line; 20 feet from the side or easterly property line.

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- e. Maximum Building Height: Three (3) stories.
- 4. Single-family detached dwelling unit requirements.
 - a. Minimum Lot Width: 50 feet.
 - b. Minimum Lot Depth: 90 feet.
 - c. Minimum Front Yard Setback: Within two (2) feet of the average front yard setback of adjacent and nearby residential buildings along the same block on the west side of Mechanic Street.
 - d. Minimum setback from all other tract boundary and property lines: five (5) feet.
 - e. Maximum building height: Three (3) stories.

Tract D Sub-Zone

The intent for the Tract D Sub-zone is to provide for the improvement and efficient use of land for governmental, public, quasi-public and community facilities, including the potential relocation of the Hightstown East Windsor Historical Society and the Hightstown First Aid Squad. One dwelling unit may be proposed within the Tract.



Figure 4 Hightstown East Windsor Historical Society

Permitted Principal Uses. Any of the following principal uses are permitted within buildings, individually or in combination with any other permitted use or uses, except for single family detached dwellings.

1. Single-family detached dwellings.
2. Governmental, public, quasi-public and community facilities, including, but not limited to, the relocated Historic Society House and Rail Museum, a new First Aid Squad building, meeting spaces and other similar uses.

Bulk Standards: The following area and bulk standards shall apply specifically to Tract D:

- I. Tract Requirements:
 - a. Minimum individual lot area: 4,500 square feet.
 - b. Maximum building coverage: 40% of the tract.
2. Single-family detached dwelling unit requirements.
 - a. Minimum Lot Width: 50 feet.
 - b. Minimum Lot Depth: 90 feet.

- c. Minimum Front Yard Setback: Within two (2) feet of the average front yard setback of adjacent and nearby residential buildings along the same block on the west side of Mechanic Street.
 - d. Minimum setback from all other tract boundary and property lines: five (5) feet.
 - e. Maximum building height: Three (3) stories.
3. Governmental, Public, Quasi-public and Community Facilities requirements:
- a. Minimum Front Yard Setback: Within two (2) feet of the average front yard setback of adjacent and nearby residential buildings along the same block front.
 - b. Minimum Building Setbacks: Five (5) feet from a side or rear property line.
 - b. Maximum Building Height: Three (3) stories.

Provisions Applying to All Tracts in the Bank Street Redevelopment Area

Definitions

For the purposes of this plan, the following terms shall have the meanings herein indicated:

- **Alley or alleyway** shall mean a private, minor way which is used primarily for vehicular service access to the back or side of residences otherwise fronting on a public street.
- **Amenity Center / Amenity Space** shall mean space within the redevelopment area where social, leisure and recreational facilities are offered to residents of the redevelopment area and may include ancillary support services such as leasing and property management offices, storage, business center, conference/meeting rooms and resident services.
- **Building Coverage** shall mean shall mean the area of a tract, lot or parcel covered by roofed buildings or structures, exclusive of surface or structured parking facilities.
- **Building Height** shall mean the number of separate habitable levels, excluding cellars and basements. For the purposes of calculating the number of stories, building levels that are more than one-half ($1/2$) of their height measured from floor to ceiling, below the average established curb level at the street frontage shall not be counted as a story. Parking levels which have at least one-half ($1/2$) of their height below the average established curb level at the street frontage shall not be counted as a story.
- **Boutique Hotel** shall mean a commercial facility offering transient accommodations to the general public and providing additional services such as restaurants, meeting rooms, personal services and recreation facilities.
- **Multi-family** shall mean a building which contains more than two (2) dwellings, each of which is intended for occupancy by one (1) housekeeping unit.
- **Resident / Guest Services** shall mean personal services provided for the residents of the redevelopment area such as concierge services, dry cleaning, laundry and other pickup and delivery services.
- **Superintendent's Apartment** shall mean a dwelling unit contained within an amenity center for the sole use of providing lodging to property management staff.

General Requirements

1. All development within the Redevelopment Area shall be serviced with public, potable water and sanitary sewer, along with electric, natural gas, telephone and cable service. All new utilities shall be placed underground on the tract. Overhead utilities abutting the tract shall be placed underground to the extent feasible.
2. Existing or relocated public utilities within the tract boundary, shall be within easements located on privately-owned land in accordance with established protocols of the Borough of Hightstown and Mercer County.

3. Unless otherwise specifically provided herein or intended by the provisions of this Redevelopment Plan, all words and phrases used herein shall have the same definitions provided under the Borough of Hightstown Zoning Ordinance and the Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*)

Accessory Uses and Structures. Any of the following accessory uses and structures are permitted individually, or in combination with any other permitted use.

1. Off-street surface parking; attached and detached single level garages; multi-level structured parking garages.
2. Fences, walls, kiosks, street furniture and retaining walls.
3. Pedestrian walkways, ramps, bridges and stairways.
4. Private tool shed not exceeding 120 sf. in floor area for single family detached dwellings.
5. Active and passive recreation including fitness/recreation facilities, pools, courtyards, gardens, roof top terrace and other amenities for residents.
6. Property management and leasing offices serving the uses in the redevelopment area.
7. Conservation.
8. Signs.
9. Accessory uses and structures customarily permitted in conjunction with and on the same lot as a principal use.
10. Location of accessory uses and structures. No accessory use or structure, with the exception of utilities, plazas, street furniture and streetscape elements, including fencing, retaining walls and guide rails, shall be located in a front yard.

Permitted Projections into Yard Areas. The following permitted projections shall apply to all tracts:

1. Non-enclosed one-story porches, porticos, stoops and entrance platforms leading to the front entrance shall be permitted to project not more than eight (8) feet into a required front yard setback or building separation distance. Such porch, stoop and entrance platform may have an uncovered balcony directly above provided it has the same footprint as, and is attached to, the structure below.
2. Non-enclosed one-story porches, porticoes, stoops, entrance platforms, uncovered decks, basement entrances and balconies shall be permitted to project not more than four (4) feet into a side or rear yard setback or building separation distance.
3. Cornices, eaves, chimneys, gutters, downspouts, awnings, canopies, cantilevered roofs, uncovered balconies and bay windows shall be permitted to project not more than three (3) feet into any yard setback or building separation distance.
4. Belt courses, window sills and other similar ornamental features may project not more than nine (9) inches into any yard setback or building separation distance.
5. Window wells may project not more than five (5) feet into any yard setback or building

separation distance.

6. In no case shall a permitted projection attached: to any structure be less than five (5) feet from a front lot line; to any principal structure be less than three (3) feet from a side or rear lot line; and, to any accessory structure, be less than one (1) foot from a side or rear lot line.
7. Ramps and stairways leading to a porch, stoop or other building entrance may project into a yard setback or building separation distance without limitation, provided that the steps do not encroach upon the public right-of-way.
8. Awnings and canopies may project over a sidewalk and/or in the public right-of-way, provided that such structure has a minimum vertical clearance of eight (8) feet and is set back a minimum of four (4) feet from curb line along the street.

Building Height Exceptions.

- I. Exceptions to height restrictions include: non-habitable areas and enclosed spaces, including but not limited to, mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment; stair enclosures; skylights or atrium structures; roof-access stairwells and amenities on a roof top terrace (including, but not limited to decking, landscaping, railing, walls, furniture, lighting, pergolas and similar amenities); and architectural enhancements and appurtenances (including, but not limited to) parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements), provided that the total area of such roof top elements do not exceed fifty percent (50%) of the total roof area for each building, nor extend more than fifteen (15) feet above the roof deck.

Site Development Standards

The regulations pertaining to site development standards shall apply to all development in the Bank Street Redevelopment Area. The Planning Board may grant exceptions from these standards, pursuant to N.J.S.A. 40:55D-51.

Public Streets and Sidewalks

The existing public rights-of-way of North Main Street, Bank Street, North Academy Street, Park Avenue, Purdy Street and Mechanic Street shall be maintained, improved or modified as shown in the Redevelopment Plan. Improvements shall include sidewalks, striping and insets for on-street parallel parking, and the repair, replacement or installation of new curbing as appropriate.

1. The redeveloper shall restore the surface of the street to its original and proper condition to address existing conditions and those areas disturbed for the installation of new curbing and sidewalk where none presently exist.
2. In order to accommodate the mixed-use building on Tract B that will be situated within and/or extending over the Mechanic Street public right-of-way south of Bank Street, the Borough shall vacate the southern portion of the Mechanic Street public right-of-way and provide the necessary easement(s) to maintain adequate public utilities and public access to the structured parking garage and access to the Hightstown Engine Company.

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3. Sidewalks shall be provided in the public right-of-way along all street frontages within the redevelopment area. Where such sidewalks extend beyond the public right-of-way, the redeveloper shall be required to provide a public access easement for sidewalks located on private land.
4. Along North Main Street, sidewalks shall be constructed of pavers, concrete and/or textured concrete in colors and/or patterns consistent with the existing Main Street infrastructure. The sidewalk shall be a minimum of 10 feet in width, and shall extend from the building façade to the curb line, with an area for landscaping and street trees along the curb line and/or landscaping beds along the building façade.
5. Along Bank Street and North Academy Street, the location and width of sidewalks shall be consistent with the location and width of existing sidewalks adjacent to or near the Redevelopment Area to be developed. The existing sidewalk in front of the brick mill building and the bump-out portion of the concrete mill building shall be extended from the building façade to the curb line. The planting strip from North Main Street to Mechanic Street shall be brick to match the brick edging/ribbon along North Main Street. All other planting strips may consist of grass.
6. Sidewalks shall continue uninterrupted across all driveway and alley openings with the apron design accommodating a continuous sidewalk. The apron along Mechanic Street shall be brick or brick-faced to match the driveway apron along North Main Street.
7. Where sidewalks intersect at corners, accessible ramps and warning strips shall be provided.

Crosswalks

Along Bank Street and North Academy Street, pedestrian crosswalks shall be provided across all street intersections with “continental” or ladder striping.

Trail along the Rocky Brook

1. The existing pedestrian trail within the redevelopment area shall be maintained for both public and private access along the greenway corridor, to the extent possible, and as subject to NJDEP and DRCC review and approval.



Figure 5 Footbridge over Rocky Brook

2. The existing footbridge over Rocky Brook is to be improved as part of the rehabilitation of the mill buildings.
3. No tract perimeter setback or stream setback shall be required for any bridge spanning the Rocky Brook including for pedestrian access to the bridge.

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Pedestrian Walkways

- I. Walkways providing pedestrian connection between public sidewalks and entrances to buildings within the Redevelopment Area shall be provided.
2. Within individual tracts, walkways shall be provided providing pedestrian connection between entrances of buildings and parking areas, outdoor amenity spaces and other pedestrian accessible locations.

Vehicular Circulation and Parking

- I. The following standards shall apply to Tract A.
 - a. Vehicular access shall be from North Academy Street via a private access drive.
 - b. Emergency access shall be permitted to be provided from a driveway connecting to Stockton Street.
 - c. Parking shall be provided in garages accessed by alleys behind townhouses, in off-street surface areas, in a structured parking garage and/or within the lower level of the brick mill building. Individual driveways and garages for townhouses shall not be permitted to front on any public street.
2. The following standards shall apply to Tract B.
 - a. Vehicular access shall be from Bank Street with emergency access only from N. Main Street.
 - b. Parking for the Fire House shall be provided in off-street surface areas behind the Fire House building and accessed from N. Main Street via the existing driveway, or via the development's access drive from Bank Street.
 - c. Parking for uses within the mixed-use buildings, multi-family dwelling units within the existing concrete mill building and for the general public shall be provided within the structured parking garage.
3. The following standards shall apply to Tract C.
 - a. Vehicular access shall be from an alleyway connecting to North Academy Street.
 - b. Parking shall be provided in garages accessed by alleys behind townhouses and off-street surface areas.
4. The following standards shall apply to Tract D.
 - a. Vehicular access shall be from driveways connecting to Purdy Street or Bank Street.
 - b. Parking shall be in off-street surface spaces within a shared parking lot.
 - c. Parking for the single-family dwelling unit fronting on Mechanic Street shall be in a driveway and/or garage on the same lot, accessed from Mechanic Street.

5. Parking standards and additional requirements:
 - a. On-street parking along the frontage of the Redevelopment Area may be included in the calculation of required number of parking spaces and off-street parking facilities may be shared between uses throughout the redevelopment area.
 - b. Townhouses shall be provided with an average of 2.0 parking spaces per dwelling unit.
 - c. Multi-family dwelling units shall be provided with an average of 1.25 parking spaces for each dwelling unit.
 - d. At least 30 parking spaces on the ground level of the structured parking garage attached to the mixed-use building on Tract B shall be reserved for non-residential uses and the general public.
 - e. The Planning Board may approve a reduction of the required parking where such reduction is demonstrated by study of the combined, or shared uses and customary operation of the uses that adequate parking would be provided for the actual uses. It is further recognized that the parking ratios established in this section are less than that required under the Residential Site Improvement Standards (*N.J.A.C. 5:21-1 et seq.*) Consequently, any action by the Planning Board shall require a finding of a *de minimus* exception from the RSIS standards pursuant to *N.J.A.C. 5:21-3.1(f)1*.
6. Provisions for electrical vehicle charging stations shall be provided on all tracts. At least one percent (1%) of the total number of parking spaces in each tract shall be pre-wired for the installation of electrical vehicle charging stations.
7. Provisions for bicycle parking including exterior racks, covered exterior racks and interior bike rooms shall be provided on all tracts shall be provided to accommodate a minimum of fifteen percent (15%) of dwelling units.

Buffering and Screening

1. Buffers as required by the regulations in effect at the time of site plan approval shall be provided for any environmentally sensitive lands, such as floodplains, wetlands and open waters, as designated by New Jersey Department of Environmental Protection (NJDEP).
2. All parking areas shall be buffered and screened from public view and adjacent residences with a minimum five (5) foot wide planted buffer.
3. Screening within required buffer areas shall consist of a combination of the following: existing vegetation supplemented with additional vegetative screening, a masonry wall and/or a solid or twenty-five percent (25%) open fence a minimum of four (4) feet in height above grade.

Landscaping

1. Existing vegetation shall be preserved to the extent practical.
2. A fence, wall, hedge, landscape edge, or some other design element shall be provided adjacent to the sidewalk, where feasible, to delineate the public sidewalk from the front yards of

townhouse units and the frontages of other buildings, with the exception of those areas where the public sidewalk abuts the building.

3. Deciduous street trees shall be provided along all street frontages within the Redevelopment Area, with the exception of the crossing over Rocky Brook. Such trees shall be a minimum size of 2½ inches in caliper at time of planting. Where the location of such trees would lie outside the public right-of-way, the redeveloper shall be required to provide an access and maintenance easement for street trees located on private land.
4. All portions of the tract not utilized by buildings or paved areas shall be landscaped, utilizing combinations of tree and shrub plantings, fencing, lawn and other vegetative ground covers and existing foliage in order to maintain or reestablish vegetation in the area and lessen the visual impact and climatic effects of structures and paved areas. The use of native plant species that are tolerant of drought and urban conditions shall be prioritized.

Fences, Walls and Retaining Walls

1. Fences and walls shall be composed of materials, colors, finishes, and/or design elements that are consistent with the architecture of the buildings and in accordance with the design vocabulary that is compatible and/or complementary of the design, style and character of the buildings in the surrounding neighborhood. Chain-link fences shall be prohibited.
2. Fences and walls shall be permitted to be located in front yard areas, provided that such shall not exceed a height of three (3) feet above grade.
3. Fences and walls shall be permitted to be located in the side and rear yard areas, provided that such shall not exceed a height of six (6) feet above grade.
4. Retaining walls shall be permitted in all yard areas and shall not exceed eight (8) feet in height. Fencing above retaining walls is permitted to be up to forty-eight (48) inches in height.
5. Orientation. The face or finished side of a fence or wall shall face the adjacent property. All supporting posts and cross-members shall face the property upon which it is located.
6. Drainage. Fences and walls shall be constructed in a manner so as to permit the continued flow of natural drainage and shall not cause surface water to be blocked or dammed causing ponding, either on the property upon which such is located or on any adjacent lot or public right-of-way.

Lighting

1. Parking area lighting shall be post-mounted, located in landscaped islands, and the center of the light source shall not exceed eighteen (18) feet in height above grade.
2. Pedestrian and access point lighting shall be post-mounted, and the center of the light source shall not exceed fourteen (14) feet in height above grade.
3. Street lighting shall be provided along the Bank and Academy Street frontages within the Redevelopment Area. Such fixtures shall utilize the Borough-approved fixture similar to those found in the downtown area along Main Street and Mercer Street, and the center of the light source shall not exceed fourteen (14) feet in height above grade. Those fixtures shall generally

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be located along the curb line. Where located in a grass planting strip, those fixtures shall be located on concrete foundation flush with finished grade.

4. Bollard lighting, not more than four (4) feet in height and appropriately shielded, and ground recessed lighting may be provided along public sidewalks, walkways and within open space areas.
5. Lighting may be attached to a building, provided that such lighting is focused downward and the fixture has a full cut-off design.
6. Lighting fixtures shall be LED, non-glare, full cut-off and shall not exceed a color temperature of 3,300° K.
7. Where lighting abuts residential areas, fixtures shall be shielded to eliminate light overflow onto residential lots.

Signs

1. The Redeveloper shall provide a comprehensive sign package, including materials, colors, finishes and/or details to the Planning Board.
2. The Planning Board may approve a comprehensive sign package for the project that includes sign types not contemplated by or different from the standards enumerated in Chapter 29 of the Borough of Hightstown Code.

Refuse and Recycling Facilities

1. Refuse and recycling facilities shall be provided to adequately accommodate each use, and shall be provided either within the building being served or in nearby locations outside the building.
2. Outdoor refuse and recycling facilities shall be screened from public view within and outside the development.
3. Any outdoor area provided for the collection and pickup of refuse and recyclable materials shall be adequately lit and shall be safely and easily accessible by residents and recycling personnel and vehicles.
4. Collection vehicles shall be able to access refuse and recycling facilities without interference from parked vehicles or other obstacles.
5. Any bins or containers which are used for the collection of refuse and recyclable materials, and which are located in outdoor refuse and recycling facilities, shall be covered and be equipped with signage indicating the materials to be placed therein.

Stormwater Management

1. Any redevelopment activities or structures shall be in conformance with applicable NJDEP regulations and Borough Ordinances with regard to storm water control.
2. Rain gardens, bioswales, stormwater treatment trains and other best management practices related to stormwater management are encouraged to be incorporated into the site

development plans if soil conditions can adequately accommodate the function of such features.

Building Design Standards

The regulations pertaining to building design standards contained herein shall apply to all development in the Redevelopment Area. The Planning Board may grant exceptions from these standards, pursuant to the procedure articulated in *N.J.S.A. 40:55D-51*.

General Requirements

1. All materials, colors, finishes and/or details used on the exterior of a building shall be architecturally compatible with the style of such building, as well as with each other. A building designed of an architectural style that normally includes certain integral features, materials, colors, finishes and/or details shall have such incorporated into the design of such building.
2. Permitted building materials for primary exterior wall surfaces shall generally include brick, fiber cement siding and smooth finished stucco. Trim materials may consist of precast stone, wood, fiber cement and PVC.
3. Conceptual architectural plans including materials, colors, finishes and/or details shall be provided for all buildings.

Brick Mill Building Design

1. The brick mill building shall utilize the rear portion of the existing building as the main entrance for residents and visitors. A secondary entrance along Bank Street is encouraged to be provided for both residents and visitors.
2. Mechanical equipment will generally be placed on the roof and shall be screened from visibility by landscaping or an enclosure to match the building façade.

Concrete Mill Building Design

1. The concrete mill building has an existing main entrance on the east side of the existing building. The main entrance is encouraged to be relocated to a new location along Bank Street, with the existing main entrance converted to a secondary entrance for both residents and visitors.
2. Mechanical equipment will generally be placed on the roof and shall be screened from visibility by landscaping or an enclosure to match the building façade.

Mixed-Use Building Design

1. The mixed-used building shall maintain the architectural integrity and be compatible and/or complementary of the design style and character of historic industrial and/or warehouse buildings.

2. Mechanical equipment will generally be placed on the roof and shall be screened from visibility by landscaping or an enclosure to match the building façade.
3. Generators will either be located at grade, in the building or placed on the roof. Where located at grade, such shall not be in the front yard area and shall be screened from visibility by landscaping, fence or wall. Where placed on the roof, such shall be screened from visibility by landscaping or an enclosure to match the building façade.

Structured Parking Garage Design

1. No portion of a structured parking garage shall have frontage along a public street.
2. All facades shall provide visual interest by utilizing one or more of the following treatments: compatible and/or complementary materials, colors, finishes and details as found on a primary façade or on surrounding buildings; exterior cladding in a vine-covered trellis; landscape screening; or graphic panels which may contain historic imagery or other content to be approved by the Borough.
3. Vehicular access to parking structures shall be designed in a manner that does not negatively affect pedestrian circulation along a public street and/or within the Redevelopment Area.
4. At least 30 parking spaces on the ground level of the structured parking garage attached to the mixed-use building on Tract B shall be reserved for public use and 6 spaces for the use by Hightstown Engine Company 1.

Townhouse Design

1. At least one of the townhouses shall have a finished floor elevation that is within four (4) inches of the finished exterior grade, so as to eliminate the need for ramps to provide access.
2. All townhouses shall maintain the architectural integrity and be compatible and/or complementary of the design style and character of the existing brick and concrete mill buildings. Such can be achieved by utilizing primarily brick façades.
3. For those townhouse units that front both Bank Street and North Academy Street, the North Academy Street façades shall maintain the architectural integrity and be compatible and/or complementary of the design style and character of the North Academy Street and Stockton Street neighborhood. Such can be achieved by having the main entrance, porch and private walkway to be oriented to face toward and relate to North Academy Street.
4. The townhouse unit's brick façades shall be distinguished from each other through the use of subtle shifts in front setbacks, variation of front entry types and window details, using a complimentary design vocabulary, and variation in front yard landscape design patterns which may include hedges, fencing and low walls.
5. HVAC equipment will generally be located at grade at the rear of the building.

Amenity Center Design

- I. Tract C Amenity Center. The Amenity Center located on Tract C shall be a freestanding structure designed to exhibit the overall architecture and design style of the Willis House, the yellow house formerly at the corner of North Academy Street and Bank Street. Such may be achieved by utilizing primarily clapboard facades and/or porches utilizing primarily wood or wood-like materials and elements.



Figure 6 Willis House

- a. The Tract C Amenity Center may contain a superintendent's apartment which shall be completely separate from the public use areas of the Amenity Center.
- b. The superintendent's apartment shall occupy the second floor of the building and have a private entrance at the ground level facing Academy Street. The apartment entrance shall simulate a typical residential building entrance employing a covered porch.
- c. HVAC equipment for both the superintendent's apartment and the amenity center shall be located at grade at the rear of the building and be screened from public view.

2. Amenity Centers in Other Tracts. Amenity space may be provided throughout the rehabilitated mill buildings and mixed use building.

Building Lots Not Required to Abut Street

It is recognized that lots within the Redevelopment Area may be created that do not have frontage on a street. The development of any new buildings in the Redevelopment Area first requires the submission and approval of a comprehensive conceptual plan (that will, ultimately, be appended to this Redevelopment Plan). Additionally, the requirements of this Redevelopment Plan require integrated pedestrian and vehicular access and circulation throughout the entirety of the Redevelopment Area, which would provide access to Bank Street or Main Street. Such access must be expressed and memorialized within the concept plan and must meet emergency access standards and requirements.

Buildings are required to be located on a lot with street frontage (*N.J.S.A. 40:55D-35*), and where such a configuration is impractical or unnecessary, an appeal may be sought under *N.J.S.A. 40:55D-36*. Any lot created that does not have street frontage, but that has access to the vehicular circulation system within the Redevelopment Area that provides access to a public street, shall be deemed to have sufficient emergency access for the purposes of any application or appeal.

Public Improvements

Public improvements may be required or proposed and shall be installed at the full expense of the designated redeveloper consistent with the design policies and standards that are contained within this

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Plan. The redeveloper is expected to install necessary public improvements on the property they control as well as abutting rights-of-way. No recapture of off-site improvement expenses from future development should be anticipated. However, nothing contained herein shall be construed to preclude the ability of the municipality or redeveloper from obtaining any governmental programs, grants, loans, or other financial support or incentives for public infrastructure improvements or other construction, or from the municipality to consider a recapture provision.

Relocation Provisions

There are no occupied residences located within the Redevelopment Area. There are four occupied buildings in the Redevelopment Area that include Hightstown Engine Company No. 1 and the Hightstown East Windsor Historical Society on Tract B, Hightstown First Aid Squad building on Tract C, and the Hightstown Public Works facility on Tract D. No relocation is contemplated for the Fire House. The Borough Council is exploring the feasibility of relocating the Public Works facility and utilizing Tract D for a new first aid squad building and historical society building with museum which would allow for the full use of Tracts B and C for redevelopment (excepting the fire house). For any relocation, the Borough will comply with the requirements of *N.J.A.C. 5:11* for relocation assistance in accordance with applicable law. Participation in relocation assistance by the designated redeveloper shall be as set forth in the Redevelopment Agreement.

Affordable Housing

The Bank Street Redevelopment Plan contains one vacant dwelling unit that is not an affordable unit as defined by the Fair Housing Act (*N.J.S.A. 52:27D-301 et seq.*). Consequently, no dislocation of any households will occur and no replacement of affordable units is required as a result of its implementation.

DEVELOPMENT PLAN REVIEW AND APPROVAL

Concept Plan Required

Prior to any application for development that includes a new building or structure, the redeveloper shall submit a comprehensive, conceptual site plan, depicting the planned redevelopment for the entirety of the Redevelopment Area, to the Redevelopment Entity for review and approval. Once approved by the Redevelopment Entity, and found consistent with this plan, the conceptual site plan shall be appended to this redevelopment plan as an exhibit with which to determine consistency of any subsequent development applications. The Redevelopment Entity may delegate the consistency review to another agency or entity. Any amendment to the adopted conceptual plan shall require an amendment to this redevelopment plan. The conceptual plan shall indicate all uses, buildings, structures, parking, circulation, stormwater management and buffers for a consistency determination.

Application for Development

Preliminary and final site plan/subdivision applications for the project shall be submitted to the Hightstown Borough Planning Board for review and approval pursuant to state law and the Hightstown Borough Code Chapter 26 “Land Use Procedures” with the exception that Section 26-7 Community Impact Statement and Section 26-8 Environmental Impact Assessment shall not be required. Applications shall be accompanied by such maps, documents and materials in accordance with all relevant development application checklists. Applications may be submitted for the entire project or any number of phases, provided that all aspects of any proposed phasing, including phase configuration and location, and the timing and sequencing of phase development, shall be subject to Planning Board review, and will only be allowed if approved by the Redevelopment Entity as part of the concept plan consistency review.

Planning Board Review

- I. Site plan or subdivision review shall be conducted by the Hightstown Borough Planning Board pursuant to *N.J.S.A. 40:55D-1 et seq.*
2. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirement set forth in *N.J.S.A. 40:55D-12a* and *-b.*

Variances, Exceptions and Submission Waivers

Any plan approved by the Planning Board for redevelopment within the Bank Street Redevelopment Area, shall conform to use and other standards of this Redevelopment Plan. Variances shall not be granted from “Use Regulations” or other mandatory components of this plan and any such deviations shall require an amendment to this redevelopment plan. Variances and design exceptions may be granted by the Planning Board from other standards contained in the remaining sections, herein, or within the Borough Code. Consideration of variances shall be undertaken pursuant to *N.J.S.A. 40:55D-70.c.* Consideration of exceptions shall be undertaken pursuant to *N.J.S.A. 40:55D-51.* Consideration of submission waivers shall be undertaken pursuant to *N.J.S.A. 40:55D-10.3.*

Effects of Approval

The effects of any Planning Board approval shall be consistent with the rights granted by Municipal Land Use Law (*N.J.S.A. 40:55D-1 et seq.*) except to the extent they may be modified by an agreement between the Borough and a redeveloper.

Acquisition of Property

No property is anticipated to be acquired in this plan, either through condemnation or arms-length transactions, however future land acquisition is not precluded by this plan. The Redevelopment Area has been designated as an Area in Need of Condemnation Redevelopment, and the Borough may acquire properties in order to achieve the goals and objectives of this redevelopment plan pursuant to *N.J.S.A. 40A:12A-16(a)*4.

RELATIONSHIP TO THE MASTER PLAN AND PLANS OF OTHER JURISDICTIONS

There are no significant relationships between this plan and the master plans of adjacent municipalities. However, consistency is apparent in the 2014 Hightstown Reexamination of the Master Plan, the 2016 Mercer County Master Plan, the Delaware Valley Regional Planning Commission's Connections 2040 Plan and the 2001 NJ State Development and Redevelopment Plan, as indicated in the following section.

2014 Borough of Hightstown Reexamination of the Master Plan

As required by N.J.S.A. 40A:12A-7(d), the Bank Street Redevelopment Plan helps to achieve the Master Plan Goals and Objectives as expressed in the Borough of Hightstown's Master Plan, which was last re-examined in 2014.

The Borough has long sought to improve the downtown. The 1998 Master Plan focused primarily on economic redevelopment "in hopes of jump starting the local economy and stimulating positive and prolonged change in Hightstown." In 1997, the Borough was awarded Center Designation and was recognized as a Town Center, committed to redeveloping the business district and defining its historic image and capitalizing on its open space connections.

The 2014 Master Plan Amendment and Redevelopment Re-Examination Report refined the Borough's planning policy by establishing the concept of Hightstown as a destination, "a place that visitors come to because it is a great place to spend the day, evening or a weekend. The uses in downtown should complement this objective – eateries, specialty retail, and uses that generate night life."

The following is an excerpt from the 2014 Master Plan Re-Examination Report, which provides clear statements about the Borough's desire to see the Rug Mill redeveloped:

Goal #12: Redevelopment Plan: "The process of redeveloping under Redevelopment Law provides the Borough with the greatest flexibility to respond to interested developers who want to re-purpose the Rug Mill. The Borough should continue to utilize the State's Redevelopment process to promote the potential of the Rug Mill."

Section IV-B: Rug Mill: "The Planning Board continues to feel that the redevelopment process in lieu of rezoning offers the greatest opportunities for reusing the site. It gives the Borough flexibility to meet the needs of interested developers and it also provides incentives, such as a possible PILOT program, (Payment in Lieu of Taxes), and negotiated design solutions that make the land development process easier, and therefore more attractive to prospective developers. ... Most likely, the current redevelopment plan will be revised when a new redeveloper is identified. Any revision to the Redevelopment Plan should embrace the concepts of form-based zoning."

Generally, redevelopment should consider a range of neighborhood commercial, "which would be more easily accomplished if Mechanic Street south of Bank Street were vacated" as well as a range of residential uses that complement the abutting residential uses. The brick building of the original mill should be preserved and could be reused in a creative way.

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Other Plans of Hightstown

In 2015, the *Vision Plan for Downtown and Lakeside Improvements* was developed following extensive public input. This plan strives to make the downtown more vibrant with higher pedestrian activity and sales, the more complete use of the waterfront of Lake Peddie by residents and visitors and thus create more prosperity for the Borough and the region as a whole.

This was followed by the *Public Art Master Plan* for the Borough that was published by the Hightstown Cultural Arts Commission in 2017. This document recognized the value of public art in creative place making in developing Hightstown as a cultural center through goal setting, event hosting, educational classes and community partnerships. These goals are consistent with this redevelopment plan to revitalize a long dormant part of the nether downtown.

Adjacent Municipalities

The Redevelopment Area is not physically contiguous to the adjacent municipality of the Township of East Windsor and the redevelopment of this area is not inconsistent with the land uses or the Master Plan of the Township of East Windsor, which surrounds the Borough.

Mercer County Growth Management Plan

Mercer County recently completed a Master Plan in May 2016 which took an innovative three system approach to planning. It considers land use impacts and examines the interrelationship of impacts while using data and mapping to provide a sound basis for evaluating growth options and opportunities. This Redevelopment Plan is consistent with the following broad policies laid out in the Mercer County Master Plan:

- Promote redevelopment
- Direct growth to centers; and
- Mix uses to promote walkable communities.

Delaware Valley Regional Planning Commission (DVRPC)

The Redevelopment Plan is consistent with the goals of the Delaware Valley Regional Planning Commission's Connections 2040 Plan as follows:

- Encourages center-based planning as a New Jersey designated Town Center redeveloping an abandoned and underutilized site into a mixed-used development.
- Assists in stabilizing an older borough by concentrating growth within and around Centers which will allow for the preservation of open space, reduce strains on natural resources, and create thriving, pedestrian-friendly communities that offer an improved quality of life for all residents.

State 2001 Development and Redevelopment Plan

In 2001, the State Planning Commission adopted the State Development and Redevelopment Plan (the "SDRP"). The SDRP guides State-level development and redevelopment policy as well as local and

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regional planning efforts. The SDRP includes eight (8) statewide goals and several policies which are intended to implement those goals. The SDRP's statewide goals are as follows:

- Revitalize the State's cities and towns;
- Conserve the State's natural resources and systems;
- Promote beneficial economic growth, development and renewal for all New Jersey residents;
- Protect the environment, prevent and clean up pollution; Provide adequate public facilities and services at a reasonable cost;
- Provide adequate housing at a reasonable cost;
- Preserve and enhance areas with historic, cultural, scenic, open space, and recreational value; and,
- Ensure sound and integrated planning and implementation statewide.

This Redevelopment Plan is consistent with the SDRP, meeting several of the above goals. Additionally, the SDRP also provides a State Plan Policy Map, which divides the State into several planning areas as well as the identifies a number of "Centers" and "Environs". According to this map, the Borough of Hightstown is contained entirely within the Suburban Planning Area (or "PA2"), which includes a wide variety of viable, traditional settlements and is seen as a key area for accommodating market forces and demand for development. In the Suburban Planning Area, the State Plan's intention is to:

- Provide for much of the state's future development;
- Promote growth in Centers and other compact forms;
- Protect the character of existing stable communities;
- Protect natural resources;
- Redesign areas of sprawl;
- Reverse the current trend toward further sprawl; and,
- Revitalize cities and towns.

This Redevelopment Plan will serve to meet each of these goals.

Finally, the Borough of Hightstown was designated as a Town Center by the State Planning Commission through the Centers Designation Process in 1997. This Redevelopment Plan will specifically promote the Borough's state certified Center Designation Plan and Implementation Agenda. According to page 15 of the Town Center petition, "Enhancing the appearance of the downtown will attract people and business. Similar coordination will be required to improve accessibility to an interconnected system of parking."

The Redevelopment Plan is also consistent with a number of activities outlined in the Town Center petition to promote economic growth in the Borough Hightstown including:

- Revitalizing the Main Street business district and transportation corridor;
- Creating a more inviting user-friendly downtown;

- Improving parking facilities and access to parking; and,
- Expanding access to existing and future commercial establishments.

Consequently, this Redevelopment Plan is consistent with the goals and objectives and advances the purposes of the Master Plan of the Borough of Hightstown, the Master Plan of the Township of East Windsor, the Mercer County Master Plan, the DVRPC's Connections 2040 Plan and the State Development and Redevelopment Plan.

Ordinance 2020-09

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, *N.J.S. 40A: 4-45.1 et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, *N.J.S.A. 40A: 4-45.15a* provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Hightstown in the County of Mercer find that it may be advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$57,678.58 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determine that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$201,875.03, and that the CY 2020 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, be filed with said Director within 5 days after such adoption.

Introduction: August 3, 2020

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

Resolution 2020-159

*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 \$282,431.72 from the following accounts:

Water/Sewer Capital		0.00
Grant		0.00
Trust		4,829.52
Housing Trust		0.00
Animal Control		4.20
Law Enforcement Trust		0.00
Housing Rehab Loans		0.00
Unemployment Trust		0.00
Escrow		<u>0.00</u>
Total		<u>\$282,431.72</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 August 17, 2020.

Margaret Riggio
Deputy Borough Clerk

Date: August 17, 2020

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 8/17/2020

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
TOTAL				<u>\$0.00</u>
<u>WATER AND SEWER OPERATING</u>				
NJ INFRASTRUCTURE BANK	7/31/2020	20-00991	1342	\$ 82,361.93
NJ INFRASTRUCTURE BANK	7/31/2020	20-00992	1342	\$ 3,581.68
NJ INFRASTRUCTURE BANK	7/31/2020	20-00993	1342	\$ 45,258.57
NJ INFRASTRUCTURE BANK	7/31/2020	20-00994	1342	\$ 38,157.38
NJ INFRASTRUCTURE BANK	7/31/2020	20-00995	1342	\$ 33,075.51
TOTAL				<u>\$ 202,435.07</u>
<u>ESCROW</u>				
TOTAL				<u>\$ -</u>
<u>GRANT</u>				
TOTAL				<u>\$ -</u>
<u>TRUST</u>				
TOTAL				<u>\$ -</u>
<u>ANIMAL CONTROL TRUST</u>				
TOTAL				<u>\$ -</u>
<u>LAW ENFORCEMENT TRUST</u>				
TOTAL				<u>\$ -</u>
<u>PUBLIC DEFENDER TRUST</u>				
TOTAL				<u>\$ -</u>
<u>GENERAL CAPITAL</u>				
TOTAL				<u>\$ -</u>
<u>WATER AND SEWER CAPITAL</u>				
TOTAL				<u>\$ -</u>
MANUAL TOTAL				<u>\$202,435.07</u>

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	Stat/Chk	First	Rcvd	Chk/Void	1099
Item Description	Amount	Charge Account	Acct Type Description	Enc Date	Date	Date	Invoice	Exc		
BANK0005 BANK OF AMERICA										
20-00961 08/11/20 JULY 2020 INVOICES 3938 & 5289										
1 AMAZON MOVO PHOTO CREDIT 3938	53.53	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	8155899-8186669	N		
2 RESTAURANT DEPOT ZIP BAGS	42.54	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	121130 OP229436	N		
3 AMAZON PULSE OXIMETER 3938	71.97	0-01-25-260-001-080	B Medical Equipment	R	08/12/20	08/13/20	8848451-1585865	N		
4 AMAZON PARTICULATE FILTER 3938	187.48	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	4894129-2817044	N		
5 EMERGENCY MED PROD GLOVES 3938	209.80	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	202007626591	N		
6 AMAZON SPRAY BOTTLE 3938	25.97	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	9423275-4484207	N		
7 AMAZON LEMERO INK CARTRIDGE	35.98	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	3677672-1351416	N		
8 AMAZON INDUSTRIAL LIGHTING3938	255.95	0-01-25-260-001-024	B Building Maintenance	R	08/12/20	08/13/20	9709745-9001065	N		
9 FREE CONF CALL 3938	5.00	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	08/12/20	08/13/20	57956071	N		
10 CALENDARWIZ RENEWAL 3938	99.00	0-01-20-140-001-060	B Internet Services and Web Services	R	08/12/20	08/13/20	74015-2007	N		
11 INT'L INST OF MUNIC PEGGY 3938	110.00	0-01-20-120-001-044	B Professional Assoc. Dues	R	08/12/20	08/13/20	087220	N		
12 INT'L INST OF MUNIC DEBBIE3938	170.00	0-01-20-120-001-044	B Professional Assoc. Dues	R	08/12/20	08/13/20	083683	N		
13 OCPE@VCU CLERK WEBINAR 3938	100.00	0-01-20-120-001-042	B Education & Training	R	08/12/20	08/13/20	186404	N		
14 AMAZON CARBURETOR FORD TRACTOR	43.00	0-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	08/12/20	08/13/20	3913282-4039460	N		
15 ATS CARBURETOR 172 FORD 5289	276.96	0-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	08/12/20	08/13/20	19800	N		
16 AMAZON CARBURETOR REPAIR 5289	27.75	0-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	08/12/20	08/13/20	0549720-6041069	N		
17 AMAZON CARBURETOR TRACTOR CRDT	43.00	0-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	08/12/20	08/13/20	3913282-4039460	N		
	1,564.87									
Vendor Total:	1,564.87									

C0735 CHART POOL USA INC.										
20-00893 07/23/20 INFLUENT CHART PENS										
1 ITEM #500-801 INFLUENT CHART	52.38	0-09-55-501-002-531	B Office Supplies - AWWTP	R	07/23/20	08/13/20	1252522-01	N		
2 SHIPPING	17.89	0-09-55-501-002-531	B Office Supplies - AWWTP	R	08/13/20	08/13/20	1252522-01	N		
	70.27									
Vendor Total:	70.27									

C0058 CINTAS CORPORATION #061										
20-00964 08/12/20 UNIFORM ADVANTAGE 7/31/2020										
1 4054949297 7/2/2020	71.12	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	08/12/20	08/13/20	4054949297	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
C0058 CINTAS CORPORATION #061 Continued										
20-00964 08/12/20 UNIFORM ADVANTAGE 7/31/2020 Continued										
2	4055601303	7/10/2020	66.35	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	08/12/20	08/13/20	4055601303	N
3	4056221080	7/17/2020	75.08	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	08/12/20	08/13/20	4056221080	N
4	4056875653	7/24/2020	70.24	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	08/12/20	08/13/20	4056875653	N
5	4057505803	7/31/2020	65.98	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	08/12/20	08/13/20	4057505803	N
			348.77							
Vendor Total:			348.77							
COMCA005 COMCAST BUSINESS										
20-00936 08/07/20 8499 05 244 0157826 OAK LN										
1	8499 05 244 0157826 OAK LN		109.57	0-09-55-501-002-545	B Internet Services	R	08/07/20	08/13/20	08152020	N
Vendor Total:			109.57							
COREM005 CORE & MAIN LP										
20-00941 08/07/20 INV M759562 SUPPORT AGREEMENT										
1	INV M759562 SUPPORT AGREEMENT		9,334.50	0-09-55-501-001-503	B Water Plant Maintenance	R	08/07/20	08/13/20	M759562	N
2	INV M759562 SUPPORT AGREEMENT		9,334.50	0-09-55-501-002-503	B Sewer Plant Maintenance	R	08/07/20	08/13/20	M759562	N
			18,669.00							
Vendor Total:			18,669.00							
D0030 DELL COMPUTER CORP.										
20-00863 07/15/20 LAPTOP COMPUTERS (2)										
1	DELL LATITUDE 5410		1,363.28	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	07/15/20	08/13/20	10411989470	N
2	DELL LATITUDE 5410		1,363.28	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	07/15/20	08/13/20	10411989470	N
			2,726.56							
Vendor Total:			2,726.56							
DRPUT005 DR PUTHENMADAM RADHAKRISHNAN										
20-00989 08/12/20 PROF SVCS HEALTH CLINICS										
1	PROF SVCS HEALTH CLINIC MORN		350.19	0-01-27-330-001-031	B Contract-Professional Serv.(B)	R	08/12/20	08/13/20	8/10/20 MORNING	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
DRPUT005 DR PUTHENMADAM RADHAKRISHNAN Continued										
20-00989	08/12/20	PROF SVCS HEALTH CLINICS	Continued							
2 PROF SVCS HEALTH CLINIC EVE		350.19	0-01-27-330-001-031	B Contract-Professional Serv.(B)	R	08/12/20	08/13/20		8/10/20 EVENING N	
		700.38								
Vendor Total:		700.38								
E0054 ERIC M. BERNSTEIN & ASSOC.,LLC										
20-00977	08/12/20	JULY 2020 LABOR ATTY INVOICES								
1 LABOR - GENERAL INV 65358		675.00	0-01-20-155-001-031	B Labor,Personnel & Union Council	R	08/12/20	08/13/20		65358	N
2 POLICE OFFICERS FOP LODGE 140		621.00	0-01-20-155-001-031	B Labor,Personnel & Union Council	R	08/12/20	08/13/20		65359	N
3 OPEIU LOCAL 32 BLUE COLLAR		1,053.00	0-01-20-155-001-031	B Labor,Personnel & Union Council	R	08/12/20	08/13/20		65360	N
4 OPEIU LOCAL 32 WHITE COLLAR		540.00	0-01-20-155-001-031	B Labor,Personnel & Union Council	R	08/12/20	08/13/20		65361	N
5 MILTON MATAMOROS ENGINE CO #1		135.00	0-01-20-155-001-031	B Labor,Personnel & Union Council	R	08/12/20	08/13/20		65362	N
		3,024.00								
Vendor Total:		3,024.00								
G0337 GALL'S INC.										
20-00365	03/20/20	DIAMIND GRIP GLOVES								
1 DIAMIND GRIP GLOVES		128.00	0-01-25-240-001-112	B Prisoner Expense	R	03/20/20	08/13/20		015541228	N
2 DIAMIND GRIP GLOVES		76.80	0-01-25-240-001-112	B Prisoner Expense	R	03/20/20	08/13/20		015880646	N
3 DIAMIND GRIP GLOVES		20.99	0-01-25-240-001-112	B Prisoner Expense	R	03/20/20	08/13/20		015880646	N
		225.79								
Vendor Total:		225.79								
G1077 GEORGE S. COYNE CO., INC.										
20-00112	02/04/20	SODIUM BICARBONATE	B							
9 CREDIT 340061 6/19/20		1,840.52	0-09-55-501-002-552	B Sodium Bicarbonate	R	02/04/20	08/13/20		340061	N
10 INV 341188 DATED 7/27/2020		2,300.65	0-09-55-501-002-552	B Sodium Bicarbonate	R	02/04/20	08/13/20		341188	N
		460.13								
Vendor Total:		460.13								
G0185 GRAINGER, INC.										
20-00564	05/06/20	RAIN GEAR								
1 RAIN BIB XL		33.82	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	05/06/20	08/13/20		9526069852	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
G0185 GRAINGER, INC. Continued										
20-00564	05/06/20	RAIN GEAR	Continued							
2 RAIN JACKET LESTER SOTO		45.77	0-09-55-501-002-507	B Uniforms & Safety Equipment	R	05/06/20	08/13/20		9526069852	N
		79.59								
Vendor Total:		79.59								
H0126 HIGHTS ELECTRIC MOTOR, INC.										
20-00924	07/29/20	SUBMERSIBLE PUMP								
1 INV 0954701 - SUBMERSIBLE PUMP		175.20	0-09-55-501-001-503	B Water Plant Maintenance	R	07/29/20	08/13/20		0954701	N
20-00948	08/10/20	BARNES SUBMERSIBLE PUMP REPAIR								
1 BARNES SUBMERSIBLE PUMP REPAIR		973.58	0-09-55-501-002-503	B Sewer Plant Maintenance	R	08/10/20	08/13/20		0954776	N
Vendor Total:		1,148.78								
J0257 JCP&L										
20-00940	08/07/20	MASTER ACC 200 000 055 364								
1 100008438010 125 S MAIN ST		13.65	0-01-31-430-001-071	B Electric-Borough Hall	R	08/07/20	08/13/20		95008694312	N
2 100008438283 MAIN AND STOCKTON		25.62	0-01-31-430-001-071	B Electric-Borough Hall	R	08/07/20	08/13/20		95008694312	N
3 100008482018 RT 33 AND MAXWELL		23.98	0-01-31-430-001-071	B Electric-Borough Hall	R	08/07/20	08/13/20		95008694312	N
4 100010898904 FRANKLIN ST & N		29.43	0-01-31-430-001-071	B Electric-Borough Hall	R	08/07/20	08/13/20		95008694312	N
5 100012487714 148 N MAIN ST		956.83	0-01-31-430-001-071	B Electric-Borough Hall	R	08/07/20	08/13/20		95008694312	N
6 100012487862 FIRE 148 N MAIN ST		933.57	0-01-31-430-001-072	B Electric-Fire House	R	08/07/20	08/13/20		95008694312	N
7 100012529457 BORO HALL EQUIP		27.33	0-09-55-501-002-504	B Electricity	R	08/07/20	08/13/20		95008694312	N
8 100012487714 CRDT 148 N MAIN ST		545.62	0-01-31-430-001-071	B Electric-Borough Hall	R	08/11/20	08/13/20		95008694312	N
		1,464.79								
20-00942	08/07/20	MASTER ACC 200 00 055 315								
1 100008482778 MAXWELL AVE		22.00	0-09-55-501-002-504	B Electricity	R	08/07/20	08/13/20		95008700996	N
2 100009294701 WESTERLEA AVE		15.14	0-09-55-501-001-504	B Electricity	R	08/07/20	08/13/20		95008700996	N
3 100009296102 SPRINGCREST DR		15.86	0-09-55-501-002-504	B Electricity	R	08/07/20	08/13/20		95008700996	N
4 100012445746 BANK ST		3,826.21	0-09-55-501-001-504	B Electricity	R	08/07/20	08/13/20		95008700996	N
5 100012529309 OAK LN		27,353.90	0-09-55-501-002-504	B Electricity	R	08/07/20	08/13/20		95008700996	N

Vendor # Name													
PO #	PO Date	Description	Amount	Contract	PO Type	Acct Type	Description	Stat/Chk	First	Rcvd	Chk/Void		1099
Item	Description			Charge	Account				Enc Date	Date	Date	Invoice	Excl
J0257 JCP&L Continued													
20-00942 08/07/20 MASTER ACC 200 00 055 315 Continued													
6	100012529309	OAK LN CREDIT	21,139.66	0-09-55-501-002-504	B	Electricity	R	08/11/20	08/13/20			95008700996	N
			10,093.45										
Vendor Total:			11,558.24										
M0180 MCMaster-CARR													
20-00895 07/23/20 PLANT SUPPLY													
1	ITEM #90185A814	5/8-11 2 1/2	15.74	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	07/23/20	08/13/20			42961086	N
2	ITEM #4596K418	SCH 80 1"x3"	8.08	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	07/23/20	08/13/20			42961086	N
3	SHIPPING		6.45	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	07/28/20	08/13/20			42961086	N
			30.27										
20-00970 08/12/20 RATCHET STRAP INV 43479232													
1	RATCHET STRAP INV	43479232	66.30	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	08/12/20	08/13/20			43479232	N
2	SHIPPING		7.96	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	08/12/20	08/13/20			43479232	N
			74.26										
Vendor Total:			104.53										
M0256 MERCER CO IMPROVEMENT AUTH													
20-00872 07/15/20 JUNE 2020 TIPPING													
1	JUNE 2020 TIPPING		19,451.19	0-01-32-465-001-165	B	Landfill Solid Waste Disposal-MCIA	R	07/15/20	08/13/20			JUNE 2020	N
2	JUNE 2020 RECYCLING TAX		507.42	0-01-43-496-001-174	B	Recycling Tax	R	07/15/20	08/13/20			JUNE 2020	N
			19,958.61										
Vendor Total:			19,958.61										
M0536 MGL PRINTING SOLUTIONS													
20-00939 08/07/20 CHECKS FOR PAYROLL 46090-48089													
1	CHECKS FOR PAYROLL	46090-48089	379.00	0-01-20-125-001-036	B	Office Supplies	R	08/07/20	08/13/20			173946	N
20-00965 08/12/20 TAX BILLS INVOICE 174110													
1	TAX BILLS INVOICE	174110	282.00	0-01-20-145-001-023	B	Tax Bill/Notice Printing	R	08/12/20	08/13/20			174110	N
Vendor Total:			661.00										

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		
M0127	MONMOUTH COUNTY													
20-00873	07/15/20	JUNE 2020 ROOSEVELT TIPPING												
1	JUNE 2020	ROOSEVELT TIPPING	4,856.95	0-01-43-513-001-171	B	Borough of Roosevelt-Tipping Fees	R	07/15/20	08/13/20		JUNE 2020		N	
	Vendor Total:		4,856.95											
N0425	NJ DEPT. OF HEALTH & SR SERV.													
20-00972	08/12/20	DOG PILOT JULY 2020												
1	DOG PILOT	JULY 2020	4.20	T-13-05-265-000-001	B	DUE STATE OF NEW JERSEY	R	08/12/20	08/13/20		JULY 2020		N	
	Vendor Total:		4.20											
N0057	NORMAN'S GLASS & AUTO SERVICES													
20-00887	07/23/20	REPAIR TO FH LOBBY WINDOW												
1	REPAIR TO FH	LOBBY WINDOW	350.00	0-01-26-310-001-024	B	Building Maintenance	R	07/23/20	08/13/20		I4394143		N	
	Vendor Total:		350.00											
P0005	PARIS AUTOMOTIVE SUPPLY													
20-00833	07/13/20	INV 186731 DEGREAser, ETC												
1	INV 186731	DEGREAser, ETC	58.03	0-09-55-501-002-502	B	Vehicle Maintenance	R	07/13/20	08/13/20		186731		N	
20-00868	07/15/20	JUNE 2020 INVOICES												
1	JUNE 2020	INVOICES	141.75	0-01-26-315-001-134	B	Vehicle Maint.-EMS	R	07/15/20	08/13/20		185423,935,950		N	
2	JUNE 2020	INVOICES	269.64	0-01-26-315-001-134	B	Vehicle Maint.-EMS	R	07/15/20	08/13/20		185941		N	
3	JUNE 2020	INVOICES	<u>66.93</u>	0-09-55-501-002-502	B	Vehicle Maintenance	R	07/15/20	08/13/20		186475		N	
			478.32											
	Vendor Total:		536.35											
P0102	PEMBERTON ELECTRICAL SUPPLY CO													
20-00839	07/13/20	REPLACEMENT FLOOD LIGHT												
1	REPLACEMENT	FLOOD LIGHT	645.25	0-09-55-501-002-503	B	Sewer Plant Maintenance	R	07/13/20	08/13/20		033677		N	
	Vendor Total:		645.25											

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
P0044 PSE&G										
20-00935 08/07/20 ENERGY BILL DATED 7/22/20										
1	7341583509	140 N MAIN ST	68.02	0-01-31-446-001-143	B Gas/Heat - Fire House	R	08/07/20	08/13/20	503100075138	N
2	7341583606	148 N MAIN ST #R	46.12	0-01-31-446-001-070	B Gas Heat - Borough Hall	R	08/07/20	08/13/20	503100075138	N
3	7341583703	BANK ST	16.91	0-09-55-501-001-505	B Gas Service	R	08/07/20	08/13/20	503100075138	N
4	7341583800	OAK LN	265.67	0-09-55-501-002-505	B Gas Service	R	08/07/20	08/13/20	503100075138	N
			396.72							
Vendor Total:			396.72							
R0077 ROBERTS ENGINEERING GRP LLC										
20-00975 08/12/20 BILLING THROUGH 7/27/2020										
1	COUNCIL MEETINGS 2020 INV 3858		198.00	0-01-20-165-001-104	B Attendance at Meetings (B)	R	08/12/20	08/13/20	3858	N
2	MISC REQUESTS 2020 INV 3859		99.00	0-01-20-165-001-199	B MISCELLANEOUS	R	08/12/20	08/13/20	3859	N
3	NJDOT GRANTS 2020 INV 3861		122.00	0-01-20-165-001-103	B Misc-Req For Info & Data(B)	R	08/12/20	08/13/20	3861	N
4	GENERAL SEWER 2020 INV 3862		482.00	0-09-55-501-002-508	B Engineer	R	08/12/20	08/13/20	3862	N
5	IMP TO LINCOLN, HAGEMOUNT &		1,190.75	C-04-55-885-000-447	B LINCOLN, HAGEMOUNT, ROCKY BROOK SEC 20	R	08/12/20	08/13/20	3863	N
			2,091.75							
Vendor Total:			2,091.75							
S0061 SEA BOX										
20-00921 07/29/20 CONTAINER RENTAL										
1	INV SI105543	CONTAINER RENTAL	75.00	0-01-26-310-001-025	B Building Rental	R	07/29/20	08/13/20	SI105543	N
Vendor Total:			75.00							
SNEAH005 SNEAH SUKHADIA										
20-00836 07/13/20 MICROFLEX SUPRENO GLOVES										
1	REIMBURSEMENT FOR L & M		209.80	0-01-25-260-001-136	B Medical Supplies	R	07/13/20	08/13/20	202005614909	N
Vendor Total:			209.80							
S1096 STAPLES BUSINESS ADVANTAGE										
20-00615 05/19/20 HPD OFFICE SUPPLIES										
1	HPD OFFICE SUPPLIES		9.14	0-01-25-240-001-036	B Office Supplies & Equipment	R	05/19/20	08/13/20	3446948773	N
2	HPD OFFICE SUPPLIES		299.97	T-12-56-286-000-850	B STORM RECOVERY SNOW,STORM, OTHER	R	05/19/20	08/13/20	3451849916	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
V0290 VITAL COMMUNICATIONS INC.													
20-00959	08/11/20	MONTHLY AUGUST 2020 INV	V77613										
1	MONTHLY AUGUST 2020 INV	V77613	210.00	0-01-20-150-001-029	B	Maintenance Contracts	R	08/11/20	08/13/20			V77613	N
Vendor Total:			210.00										
W0002 W.B. MASON CO., INC.													
20-00866	07/15/20	HPD OFFICE SUPPLIES											
1	HPD OFFICE SUPPLIES	249.75	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, OTHER	R	07/15/20	08/13/20				212193383	N
2	HPD OFFICE SUPPLIES	19.30	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
3	HPD OFFICE SUPPLIES	9.56	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
4	HPD OFFICE SUPPLIES	9.99	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
5	HPD OFFICE SUPPLIES	1.95	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
6	HPD OFFICE SUPPLIES	4.60	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
7	HPD OFFICE SUPPLIES	26.91	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
8	HPD OFFICE SUPPLIES	11.02	0-01-25-240-001-036	B	Office Supplies & Equipment	R	07/15/20	08/13/20				212193383	N
			333.08										
Vendor Total:			333.08										
W0099 WATCHUNG SPRING WATER CO., INC													
20-00917	07/29/20	DISTILLED WATER											
1	DISTILLED WATER	50.95	0-09-55-501-002-506	B	Lab. Equipment & Supplies	R	07/29/20	08/13/20				0416023	N
20-00947	08/10/20	DISTILLED WATER DELIVERY											
1	DISTILLED WATER DELIVERY	61.94	0-09-55-501-002-506	B	Lab. Equipment & Supplies	R	08/10/20	08/13/20				0518009	N
Vendor Total:			112.89										
Total Purchase Orders: 40 Total P.O. Line Items: 107 Total List Amount: 79,996.65 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	35,161.97	0.00	35,161.97	0.00	0.00	35,161.97
	0-09	38,810.21	0.00	38,810.21	0.00	0.00	38,810.21
Year Total:		73,972.18	0.00	73,972.18	0.00	0.00	73,972.18
GENERAL CAPITAL	C-04	1,190.75	0.00	1,190.75	0.00	0.00	1,190.75
TRUST OTHER - FUND #12	T-12	4,829.52	0.00	4,829.52	0.00	0.00	4,829.52
ANIMAL CONTROL TRUST FUND #13	T-13	4.20	0.00	4.20	0.00	0.00	4.20
Year Total:		4,833.72	0.00	4,833.72	0.00	0.00	4,833.72
Total of All Funds:		79,996.65	0.00	79,996.65	0.00	0.00	79,996.65

Resolution 2020-160

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

AMENDING RESOLUTION 2020-157, RELATING TO THE STOCKTON STREET WATER MAIN REPLACEMENT PROJECT.

WHEREAS, on August 3, 2020, the Hightstown Borough Council adopted Resolution 2020-157, which authorized payment #6 and change order #2 relating to the Stockton Street Water Main Replacement Project, which project is being undertaken by Reivax Contracting Corp. of Newark, New Jersey (the “Contractor”); and

WHEREAS, the Borough Attorney and Borough Engineer have recommended that Resolution 2020-157 be amended in order to remove and rescind the approval of payment #6 in the amount of \$40,951.16, due to continued issues that the Borough is encountering with the Contractor with regard to completion of outstanding punch-list items; and

WHEREAS, notwithstanding the same, the Borough Attorney and Borough Engineer have recommended that the approval of change order #2 remain intact and undisturbed.

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 Resolution 2020-157, as adopted on August 3, 2020, is hereby amended in order to remove/rescind the approval of payment #6 to the Contractor in the amount of \$40,951.16.
2. That the remainder of Resolution 2020-157, specifically relating to the approval of change order #2, shall remain intact and undisturbed.
3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Debra L. Sopronyi, Borough Administrator/Borough Clerk;
 - b. Carmela Roberts, P.E., Borough Engineer; and
 - c. Frederick C. Raffetto, Esq., Borough Attorney.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret Riggio
Deputy Borough Clerk

Resolution 2020-161

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

**AUTHORIZING PAYMENT TO RICHARD GRUBB AND ASSOCIATES (RGA) FOR
INTENSIVE-LEVEL HISTORIC ARCHITECTURAL SURVEY FOR MUNICIPAL
FACILITIES LOCATED AT 230 MERCER STREET**

WHEREAS, on June 15, 2020, the Borough Council awarded a contract for an Intensive-Level Historic Architectural Survey associated with the Municipal Facilities located at 230 Mercer Street to Richard Grubb and Associates (RGA) of Cranbury, New Jersey at a cost not exceed \$9,688.00; and

WHEREAS, the architect has submitted payment request #2 for services through July 31, 2020, in the total amount of \$6,393.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that payment request #2 to Richard Grubb and Associates (RGA) in Cranbury, New Jersey in the amount of \$6,363.00, is hereby approved as detailed herein, and the CFO is authorized to issue same.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret M. Riggio
Deputy Borough Clerk



CULTURAL
RESOURCE
CONSULTANTS

HEADQUARTERS

259 Prospect Plains Road | Building D | Cranbury, New Jersey 08512 | 609-655-0692

The Borough of Hightstown
156 Bank Street
Hightstown, New Jersey
Atten: Debra L. Soprnyi

Invoice

Invoice Date: August 9, 2020

Invoice Number: 2020-180-02

Billing Period: 7/1 – 7/31/20

Intensive-Level Historic Architectural Survey, 230 Mercer Street (Block 60, Lot 16), Borough of Hightstown, Mercer County, New Jersey (HPO Project #19-2807)

PO 00772

Contract Amount: \$9,688.00

Services Performed:

Planning and Coordination, Research, Report Graphics, Report Writing, Report	Amount
Edits and Report Production	\$6,363.00

Amount Due This Invoice: \$6,363.00

Account Summary

Services BTD	Expenses	Last Inv	Last Inv Date	Last Inv Amt	Last Pay Amt	Prev Unpaid
\$7,193.00	\$0.00	2020-180-01	7/20/20	\$830.00		\$830.00

Total Amount Due Including This Invoice: \$7,193.00

This invoice is due within 30 days

Please remit payment to Richard Grubb & Associates, Inc at headquarters: 259 Prospect Plains Road, Building D, Cranbury, NJ 08512

Thank you for your business!

ADDITIONAL OFFICES | Florida | Pennsylvania | Maryland | Ohio

ON THE WEB | www.rgaincorporated.com | mail@rgaincorporated.com

DBE/WBE/SBE CERTIFIED

Resolution 2020-162

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

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-44-002-011 – HIGHTSTOWN LIQUORS & WINES, LLC

WHEREAS, Hightstown Liquors & Wines, LLC has made application to the Borough for renewal of their Plenary Retail Distribution License #1104-44-002-011, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Hightstown Liquors & Wines, LLC, is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to renewal of said license; and

WHEREAS, the Police Chief has been consulted and has no objections to renewal of this license.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Hightstown Liquors & Wines, LLC, doing business as Hightstown Liquor at 107 Stockton Street:

**2020-2021 Plenary Retail Distribution License
License #1104-44-002-011
Fee: \$2,500.00**

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to the Division of Alcoholic Beverage Control.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret Riggio
Deputy Borough Clerk



Hightstown Police Department

415A Mercer Street

Hightstown, New Jersey 08520

Phone: (609) 448-1234 ~ Fax: (609) 443-0310 ~ email: police@hightstownpd.org

Frank Gendron
Chief of Police

May 20, 2020

Borough of Hightstown
Mayor Lawrence Quattrone
& Council Members
156 Bank Street
Hightstown, NJ 08520

RE: Hightstown Liquors & Wines, LLC
License #1104-44-002-011

Dear Mayor Quattrone:

I have no objections to Hightstown Liquors & Wines, LLC renewing their Plenary Retail Distribution License. It is my understanding that all required documents have been furnished to and or made available to Hightstown Borough as the issuing authority.

Please feel free to contact me if I can be of further assistance.

Sincerely,

Frank Gendron
Chief of Police

Resolution 2020-163

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

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE #1104-33-003-009
PALUMBO RESTAURANTS, T/A TAVERN ON THE LAKE**

WHEREAS, Palumbo Restaurants, Inc. has made application to the Borough for renewal of their Plenary Retail Consumption License #1104-33-003-009, together with the required fees; and

WHEREAS, the State of New Jersey Division of Taxation has certified, by issuance of an ABC Retail Licensee Clearance Certificate, that Palumbo Restaurants Inc. is in compliance with Chapter 161, Laws of New Jersey 1995, and that they have no objections to the renewal of this license; and

WHEREAS, the Police Department has been consulted and has no objections to renewal of this license;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Municipal Clerk is hereby authorized to issue the following Alcoholic Beverage License to Palumbo Restaurants, Inc., doing business as Tavern on the Lake at 101-103 Main Street:

**2020-2021 Plenary Retail Consumption License
License #1104-33-003-009
Fee: \$2,500.00**

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret Riggio
Deputy Borough Clerk



Hightstown Police Department

415A Mercer Street

Hightstown, New Jersey 08520

Phone: (609) 448-1234 ~ Fax: (609) 443-0310 ~ email: police@hightstownpd.org

Frank Gendron

Chief of Police

May 20, 2020

Borough of Hightstown
Mayor Lawrence Quattrone
& Council Members
156 Bank Street
Hightstown, NJ 08520

RE: Tavern On The Lake
License #1104-33-003-009

Dear Mayor Quattrone:

I have no objection to Tavern on the Lake (Tavern 103 LLC) renewing their Plenary Retail Distribution License. It is my understanding that all required documents have been furnished to and or made available to Hightstown Borough as the issuing authority.

Please feel free to contact me if I can be of further assistance.

Sincerely,

Frank Gendron
Chief of Police

Resolution 2020-164

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND RELEASE OF AMOUNTS REMAINING IN ESCROW – UMBERTO PIRONE – 111 ORCHARD AVENUE

WHEREAS, in December of 2018, Umberto Pirone deposited performance guarantee funds with the Borough of Hightstown in the amount of \$12,930.00, along with escrow monies relative to work at 11 Orchard Avenue, Block 63, Lot 24; and

WHEREAS Mr. Pirone has requested the release of said performance guarantee funds and escrow; and

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

WHEREAS, The Borough has determined that a maintenance bond is not required for this project; and

WHEREAS, The Planning Board Secretary has confirmed that there are no outstanding invoices due to professionals for this project.

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

1. Hightstown Borough Finance is authorized and directed to release the performance guarantee funds on deposit with the Borough to Umberto Pirone for the project at 11 Orchard Avenue, Block 63, Lot 24.
2. Hightstown Borough Finance is authorized and directed to release to Umberto Pirone all of the amounts remaining in the escrow accounts for this project.
3. A certified copy of this Resolution shall be provided to the following:
 - a. Umberto Pirone
 - b. Mickie O'Connor, Hightstown Borough Finance
 - c. Sandy S. Belan, Planning Board Secretary
 - d. Carmela Roberts, Borough Engineer
 - f. Jolanta Maziarz, Planning Board Attorney

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret Riggio
Deputy Borough Clerk

Resolution 2020-165

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2020 BUDGET

WHEREAS, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2020 temporary budget; and

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

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

WHEREAS, the total emergency temporary appropriations in resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	164,000.00	2,071,726.00	2,235,726.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	50,000.00	1,119,015.00	1,169,015.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	214,000.00	3,190,741.00	3,404,741.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2020 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret Riggio
Deputy Borough Clerk

Borough of Hightstown		
Emergency Temporary		
8/17/2020		
Current Fund		
Office Supplies/Paper Products		
Other Expenses		2,000.00
Data Processing		
Other Expenses		3,000.00
Tax Assessor		
Salaries and Wages		1,500.00
Municipal Court		
Salaries and Wages		3,000.00
Police Department		
Salaries and Wages		80,000.00
Sanitation/Solid Waste		
Salaries and Wages		6,000.00
Parks and Recreation		
Salaries and Wages		3,000.00
Buildings and Grounds		
Salaries and Wages		4,000.00
Other Expenses		10,000.00
Recycling		
Other Expenses		15,000.00
Construction Code		
Salaries and Wages		5,000.00
Housing Code Enforcement		
Salaries and Wages		4,000.00
Telephone		4,000.00
Electricity		
Gasoline		5,000.00
Social Security		7,000.00
Recycling Tax		1,500.00
Robbinsville Vehicle Maintenance		4,000.00
Roosevelt Shared Service		6,000.00
		164,000.00
Water-Sewer Utility Fund		
Other Expense		50,000.00
Total Water-Sewer Utility		50,000.00
		214,000.00

Ordinance 2020-XX

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ENTITLED “ADMINISTRATION”, SUBSECTION 2-19.19, ENTITLED “ENGAGEMENT OF SERVICES OF OFF-DUTY POLICE OFFICERS”, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY

WHEREAS, the Administrator and Police Chief of the Borough find it necessary to amend the ordinance of the Borough governing the engagement of services of off-duty police officers to address the use of the third-party administrator with the scheduling of such services; and

WHEREAS, it is also necessary to address the FOP Agreement changes effective July 1, 2020 regarding the rate of compensation for such services; and

WHEREAS, the Mayor and Borough Council agree that the requested changes are required as requested.

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

Section 1. That Chapter 2, entitled “Administration”, Subsection 2-19.19, entitled “Engagement of Services of Off-Duty Police Officers”, is hereby amended to read as follows (underline for additions, strikethroughs for deletions):

Subsection 2-19.19 Engagement of Services of Off-Duty Police Officers.

a. *Purpose.* To establish a policy regarding the hiring and use of off-duty Hightstown Borough police officers by any entity or person other than the Borough of Hightstown.

1. Members of the Police Department shall be permitted to accept police-related employment only during off-duty hours, only if authorized ~~in writing in advance~~ by the Chief of Police, and only at such time as will not interfere with the efficient performance of regularly-scheduled or emergency duty for the Borough.

2. Any person or entity wishing to employ off-duty police officers shall first ~~obtain the approval, in advance and in writing, of the Chief of Police, which approval shall be granted if, in the opinion of the Chief, such employment would not be inconsistent with the efficient functioning and good reputation of the Police Department, and would not reasonably endanger or threaten the safety of the officer or officers who are to perform the work, and would not impair the reputation of the Borough of Hightstown, the Hightstown Police Department or its officers.~~ contact the Police Department to obtain the borough's -contracted Third Party Outside Employment Administrator information for such services.

b. ~~Insurance requirement.~~

1. ~~No party or employer shall employ any off-duty Borough police officer in order to perform the services of security guard, traffic control officer or plain clothes surveillance officer without having first filed with the Borough ClerkPolice Chief and Third Party Administrator a certificate of comprehensive general liability insurance in the amount of not less than \$1,000,000.00 combined single limits for any one occurrence with respect to injuries and damages suffered or caused by Borough police officers while in the employ of the party or employer. The insurance certificate shall list the Borough, the Borough Police Department and municipal officials, representatives and employees as additional insureds.~~

2. ~~No certificate of insurance required by this section shall be deemed filed with the Borough Clerk unless it has first been approved by the Borough's municipal attorney.~~

3. ~~Any and all policies of insurance evidenced by any certificate filed hereunder shall be maintained by the party or employer in full force and effect at all times while any Borough police officer is employed by such party or employer. Upon the change or renewal of any such policy of insurance, the party or employer shall forthwith file with the Borough ClerkPolice Chief and Third Party Administrator a new and current certificate of insurance in compliance with the foregoing provisions.~~

4. ~~In the event of an emergency, which results in the person or entity being precluded from complying with the requirements of this subsection, the Police Chief shall have the authority to waive said insurance prerequisite prior to approving the use of off-duty officers for certain police-related employment; however, proof of insurance must be provided within forty-eight (48) hours.~~

c. ~~Hold harmless.~~ In addition to the aforesaid requirements, the party or employer shall indemnify and hold harmless the Borough, the Borough Police Department and all Borough officials, representatives and employees, from and against any claim, liability, damage or expense that may arise out of or relate to the actions of:

1. ~~Any Borough police officers employed by the party or employer, including any claims concerning the alleged negligence of the Borough's police officers; and~~

2. ~~The party or employer, its employees, officers and representatives.~~

d.b. ~~Escrow accounts~~Requests for Services-Outside Employment Services

1. Except as provided herein below, ~~Any~~ party or employer requesting the outside employment the services of an off-duty Borough police officer shall submit the following information to the Chief of Police for approval, estimate the estimated length (number of days) of the detail, the number of hours of the detail and number of hours such law enforcement services will be required number of officers requested, which estimate shall be approved in writing by the Chief, and shall establish an escrow account with the Chief Financial Officer of the Borough by depositing an amount sufficient to cover the rates of compensation and administrative fees set forth in subsection (f) herein below for the total estimated hours of service. The Chief of Police shall review the request and determine if it includes an adequate number of off-duty officers to ensure security, crowd control or traffic safety. The Chief of Police shall have the authority to require the requesting party hire additional officers to make sure that any security, crowd control or traffic safety concern is met.

2. ~~All deposits to the escrow account just described in subsection (1) shall be documented, and no cash will be accepted for this purpose. No officer or employee of the Police Department shall accept any payment in any form from any party or entity other than the Borough, and unless that payment will have been formally and permanently documented by the Chief Financial Officer of the Borough. No party or entity shall give or channel~~

any form of payment or gratuity to any Borough officer, employee, or representative in connection with the services of off-duty officers, but shall use the escrow account described in subsection (1).

3. Prior to posting any request for services of off-duty police officers, the Police Chief shall verify that the balance in the escrow account of the party or employer requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services.

4. The Police Chief shall not post a request for services from any party or employer unless all fees and compensation required in the manner described above have been deposited with the Chief Financial Officer of the Borough.

2. No officer shall provide any such services for more hours than are specified in the request for services. No officer shall arrange with any party or employer to work outside employment privately, or without the written authorization of the Police Chief, to provide such services.

5. In the event the funds in such an escrow account should become depleted, services of off-duty police officers shall cease and requests for further or future services shall not be performed or posted until additional funds have been deposited in the escrow account in the manner prescribed above.

6. The party or person requesting such services shall be responsible for ensuring that the sufficient funds remain in the escrow account in order to avoid any interruption of services.

7. In the event of an emergency, which results in the person or entity being precluded from timely complying with the requirements of this subsection, the Police Chief shall have the authority to waive the escrow account prerequisite and approve the use of off-duty officers for certain police-related employment. This waiver shall be limited to the escrow account/prepayment aspect of this subsection. The person or entity requesting the law enforcement services shall remain fully responsible for paying for same. In the event the person or entity requesting the off-duty police services fails to submit payment within 30 days of the approval of the use of the off-duty police officers, the Borough shall not be responsible for paying the subject officers for their off-duty services.

83. Every officer shall have the right to turn down without any penalty any request to work an -for outside employment detail, that she or he work as a private duty or off-duty officer. No officer shall be required or ordered to work any extra duty detail, as an off-duty officer for any party or entity.

94. The Police Chief shall keep in view the needs of the Borough for shift coverage in determining whether to approve or to deny any request for off-duty officer services by any party or entity.

5. Requests by a party to hire off-duty officers must be made to the borough's Outside Employment Administrator (3) three business days prior to the date off-duty officers are needed. Emergency requests to hire off-duty officers will be evaluated on a case by case basis and approved by the Chief of Police.

e. Requests for services, and posting of authorizations. All requests to the Borough for services of off-duty police officers for a period of one week or longer shall be forwarded to the Police Chief for posting at least ten days before such services are required. The Police Chief may relax this time restriction in the event of an emergency. Requests for services of off-duty officers for periods less than a week may be reviewed by the Police Chief on a case-by-case basis, but with denial warranted where the needs of the Police Department, including need to have officers available for additional shifts or for overtime service, are obvious. All of the authorizations issued by the Police Chief for services of off-duty officers shall be posted so that the information is available to all officers, and shall be provided in advance to

the Police Commissioner. Any police officers, when so employed, shall be treated as an employee of the Borough provided, however, that wages earned for outside employment shall not be applied toward the pension benefits of police officers so employed, nor shall hours worked for outside employment be considered in any way as compensable overtime.

~~e.c.~~ Outside Employment ~~Private duty assignment/rate for extra duty.~~

~~1.1.~~ The rate charged by the Borough of Hightstown for outside employment ~~quasi-duty~~ performed by officers of the Hightstown Police Department ~~within the geographical limits of the Borough~~ shall be in accordance with the collective negotiations bargaining agreement between the Borough and FOP, a copy of which is on file in the Municipal Clerk's office.

2. A \$15.00 per hour Administrative Fee shall apply for each hour of outside employment performed by officers of the Hightstown Police Department. This fee shall be in addition to the hourly rate determined by the negotiations bargaining agreement between the Borough and FOP. The Administrative Fee shall be retained by the Borough and shall not be paid to officers who perform the services.

~~f.d.~~ Minimum number of hours.

~~1. f.~~ Rates of compensation; administrative fees; payment for services. Rates of compensation for contracting the services of off-duty Borough police officers shall be as follows:

- ~~1.~~ For all non-traffic assignments, for the first eight hours, the rate shall be \$70.00 per hour for each officer, of which \$15.00 per each hour shall be an administrative fee retained by the Borough.
- ~~2.~~ For all traffic assignments, including construction project assignments, for the first eight hours, the rate shall be \$80.00 per hour for each officer, of which \$15.00 per each hour shall be an administrative fee retained by the Borough.
- ~~3.~~ After eight hours, the hourly rate for each officer shall increase by \$10, without an increase in the administrative fee.
- ~~4.~~ No administrative fee shall be assessed to any Board of Education, schools, or government units or agencies.
- ~~5.~~ Any variance from the above rate schedule shall be authorized only after it shall first have been submitted to, reviewed and approved by the Borough Council by resolution.

There shall be a minimum obligation of four (4) hours pay for each off-duty officer hired to work an outside employment detail. This four (4) hour pay obligation shall not apply to any , for all non-Borough/Board of Education and related entities off-duty activities/events.

~~There shall be no minimum pay or time obligation all Borough and/or Board of Education activities/events and/or other related obligations.~~

~~ggf.~~ e. Use of marked police vehicles. In the event that a party or employer employs any off-duty Borough police officer pursuant to this section, in addition to any compensation to be paid to the Borough pursuant to the requirements herein, there shall also be a \$1520.00 per hour per vehicle fee for the use of marked or unmarked police vehicles.

~~hhg.~~ f. Penalty. Any person or entity who employs off-duty Borough police officers in order to perform the above services without first having complied with the requirements of this section shall be subject to the fines set forth section 1-5 of the Borough Code for each day that the party or entity employs any Borough police officer, unless a waiver of said requirements shall have been granted, ~~in writing and~~ in advance, by the Police Chief. Any officer or employee of the Hightstown Police Department who provides off-duty services in a manner other than as specified in this section shall be subject to prosecution for violation of the Borough Code, and also for disciplinary process and penalties,

including administrative penalties up to and including dismissal, in addition to the penalties set forth in section 1-5 of the Borough Code.

~~iih. g. Cancellation Policy. Any private employer who determines to cancel the services of police officers, after entering into a contract, shall be required to provide notice to the police. With the exception of Borough and Board of Education and related entities matters, if a job is cancelled with less than twelve (12) hours notice the applicable officers will receive four (4) hours. This officers not less than eight hours before the scheduled start time of the assignment. If a contractor fails to provide such notice, the officer shall be entitled to two hours' payment for said assignment, with and the administrative fee to be paid as well to the Borough shall apply and be payable by the person or entity who reserved said services. This four (4) hour pay obligation shall not apply to any Borough/Board of Education and related entities off-duty activities/ events.~~

~~ii- h. Control vested in the Police Chief.~~ The Police Chief of the Borough of Hightstown shall be responsible for the overall conduct of the members of the Police Department in following the rules and regulations promulgated herein, and shall insure that the terms, conditions and provisions of this section shall be fully and faithfully carried out. Additionally, the Police Chief shall have authority to control officers engaged in off-duty or outside employment pursuant to this section, and shall further have the authority and the duty to commence disciplinary process as to any and all officers so engaged in outside employment by private employers, should cause for such charges arise or exist. The Police Chief shall be accountable for the failure to abide by or to enforce the terms of this section as to off-duty employment by police officers.

~~k. i. Adherence to Department Rules and Regulations. While employed as an off-duty officer on an outside employment detail, officers shall adhere to all department rules, regulations, policies and procedures. Officers shall also follow any commands or directions given to them by the Chief of Police, Supervisor or On-Duty Officer In-Charge (OIC).~~

(Ord. No. 1998-7; Ord. No. 2011-10; Ord. No. 2016-03)

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

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

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

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

DRAFT

ORDINANCE 2020-XX

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 3, “POLICE REGULATIONS”, SECTION 3-7 “NOISE CONTROL” OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN, NEW JERSEY.”

WHEREAS, the Chief of Police, Zoning Official and Administration of the Borough ~~has~~ have requested that the ~~noise-control ordinance~~ Noise Control Ordinance of the Borough be amended for appropriate enforcement; and

WHEREAS, in order to maintain a quality of life for residents within the Borough, the Hightstown Borough Council agrees with the ~~Chief of Police and Administration recommendations suggested by the Chief of Police, Zoning Official and Administration~~ for amendment to the Noise Control Ordinance within the Borough.

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

Section 1. Chapter 3, entitled “Police Regulations,” Section 3-7 “Noise Control,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in the following respects (additions are shown with underline, deletions are shown with ~~strikeout~~):

Section 3-7

NOISE CONTROL

Subsections:

- 3-7.1 Findings: Unnecessary Noise Unlawful.
- 3-7.2 Radios; Musical Instruments and Other Devices.
- 3-7.3 Advertising with Sound.
- 3-7.4 Sound Trucks and Other Instruments.
- 3-7.5 Vehicular Horns and Warning Devices.
- ~~3-7.6 Pets and Animals—LEAVE IN AND REFERENCE OR TAKE OUT?~~
- ~~3-7.7 Lawnmowers, Power tools, Chain Saws~~
- ~~3-7.8 People Noises~~
- ~~3-7.9 Construction~~
- ~~3-7.10 Miscellaneous Night Noises~~
- ~~3-7.11 Enforcement~~
- ~~3-7.12 Prevailing Time~~
- ~~3-7.13 Violations and Penalties~~

3-7.1 Findings: Unnecessary Noise Unlawful.

Excessive noise is a serious hazard to the public health, safety and welfare, and to the quality of life of the residents of the Borough of Hightstown, and is hereby declared to be a public nuisance. The residents of the Borough of Hightstown have a right to and should be insured an environment free from excessive sound. The following regulations are enacted to prevent excessive sound that may jeopardize the health, safety or welfare of the Borough’s residents or degrade their quality of life.

In that regard, No no person shall permit, make or continue or cause to be permitted, made or continued any loud, disturbing, or unnecessary noise which annoys, injures, endangers or disturbs the comfort, rest and repose, or the peace, or the health or safety of any person being in his or her place of abode, or at any public or private meeting or at church services or make, cause or permit to be made or caused upon any premises owned, occupied or controlled by him or her or in any public place or upon any public street, alley or thoroughfare in the Borough any unnecessary noises or sounds by means of the human voice or by any other means or methods which are physically annoying to persons or which are so harsh or prolonged or unnatural or unusual in their use, time and place as to occasion physical discomfort or which are injurious to the lives, health, peace and comfort of the inhabitants of the Borough or any number thereof. Such conduct shall be deemed a nuisance.

3-7.2 Radios; Musical Instruments and Other Devices.

—No person shall play, use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the production or reproduction of sound with louder volume than is necessary for convenient hearing of the person so playing, using or operating such instrument or device and persons who are voluntary listeners thereto or in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants. The operation of any radio receiving set, musical instrument, phonograph or other machine or sound amplifying device for the production or reproduction of sound between the hours of 10:00 p.m. and 11:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be evidence of a violation of this chapter. Any such conduct shall be deemed a nuisance. Nothing herein contained shall be construed to prohibit playing by a band or orchestra in a hall, building, or in the open air when sponsored by the Borough or an appropriately permitted special event. Downtown Businesses who provide such music on their property as entertainment for their customers and have hours extending past 10:00pm shall be permitted to continue the entertainment until 11:00pm. (1991 Code § 147-2)

3-7.3 Advertising with Sound.

No person shall, for advertising purposes or for the purpose of attracting the attention of the passing public, play, use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound on the streets or public places of the Borough or in any place where the sound is cast directly upon the streets or public places or which is so placed and operated that the sound can be heard to the annoyance or inconvenience of travelers upon any street or public place or of persons in neighboring premises. Such conduct shall be deemed a nuisance.

3-7.4 Sound Trucks and Other Instruments.

No person shall play, use or operate for advertising purposes or for any other purpose whatsoever in public places or in or upon the public streets, alleys or thoroughfares in the Borough any device known as a "sound truck," "loudspeaker" or "sound amplifier" or radio or phonograph with a loudspeaker or sound amplifier or any other instrument known as a "calliope" or any instrument of any kind or character which emits therefrom loud and raucous noises and is attached to and upon any vehicle operating or standing upon the streets or public places aforementioned. Such conduct shall be deemed a nuisance.

3-7.5 Vehicular Horns and Warning Devices.

No person shall sound any horn or warning device on any automobile, motorcycle, bus or other vehicle except when required by law or when necessary to give timely warning of the approach of the vehicle or

as a warning of impending danger to persons driving other vehicles or to persons upon the street. No person shall sound any horn or warning device on any automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound or for any unnecessary or unreasonable purpose or period of time. Such conduct shall be deemed a nuisance.

3-7.6—Pets and Animals— I ADDED THIS TO THE PET ORDINANCE AT CHIEF'S SUGGESTION. DO WE REFERENCE THAT SECTION, OR JUST LEAVE THIS OUT? [I WOULD SUGGEST CROSS-REFERENCING IT HERE TOO, BY REFERENCE TO SECTION 5-1.3]

No person shall keep any animal, including but not limited to any bird or dog, which, which causes frequent or long continued noise, or shall disturb the comfort or repose of any persons in the vicinity. For purposes of this subsection, a dog barking continually for ten (10) minutes or intermittently for thirty (30) minutes, and plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be evidence of a violation of this section.

3-7.7 Lawnmowers, Power tools, Chain Saws

No person shall operate or use any power lawnmower, tool, chain saw or like item between the hours of 9:00 P.M. and 7:00 A.M., Mondays through Saturdays, and 9:00 P.M. and 10:00 A.M., on Sundays; except that the use of same shall not be prohibited during these times when used in response to an emergency, such as to clear a walkway or street from fallen branches or trees following a storm or other natural disaster. Use of any power lawnmower, tool, chain saw or like item within these hours, and does not meet the emergency exemption shall be evidence of a violation of this section. Any such conduct which does not meet the exceptions noted herein shall be deemed a nuisance.

3-7.8 People Noises

No person shall yell, shout, hoot, whistle, sing or cause unnecessary vocal noises in the public street, particularly between the hours of 10:00 p.m. and 10:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, or in any other type of residence, or of any persons in the vicinity. Such conduct shall be deemed a nuisance.

3-7-9 Construction

All construction and demolition activity noise shall be restricted to the hours of 7:00 A.M. to 7:00 P.M., Monday through Friday, and 8:00 A.M. to 5:00 P.M. on Saturdays and those holidays when construction activity is not prohibited. All construction activity including but not limited to deliveries for same, shall be prohibited on Sundays and the following holidays: New Year's Day, Memorial Day, July Fourth, Labor Day, Thanksgiving Day and Christmas Day.

1. The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.
- 1-2. The provisions of this subsection shall not apply except in case of urgent necessity in the interest of public health and safety; and, if the nature of the emergency

2.3. Any such conduct which does not meet the exceptions noted herein shall be deemed a nuisance.

4.

3-7-10 Miscellaneous night noises

The warming up of diesel motors or motor vehicles; creation of loud or excessive noise in connection with the loading or unloading of any vehicle; or the creation of any other loud or raucous sound or noise between the hours of 10:00 p.m. and 7:00 a.m. in proximity to any dwelling, residence or other inhabited buildings is prohibited. Such conduct shall be deemed a nuisance.

3-7.11 Enforcement

Violations in this section are enforceable by the Hightstown Police Department, Zoning Official and Housing Inspector for the purpose of enforcement and issuing violations.

3-7.12 Prevailing Time.

The hours referenced in this Section shall refer to current prevailing time, i.e., either Eastern Standard Time or Eastern Daylight Savings Time, depending upon the time of year.

3-7.13 Violations and Penalties.

- a. Any person violating any provision of this section shall, upon conviction, be liable to the penalty as stated in Chapter I, Section 1-5.
- b. Separate Violations. Except as otherwise provided, each and every day in which a violation of any provision of this section exists shall constitute a separate violation.
- c. Any violation of this section is hereby declared to be a nuisance. In addition to any other relief provided by this section, the Borough, through the Borough Attorney, may apply to the Superior Court for an injunction to prohibit the continuation or repetition of any violation of this section.

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

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

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

Introduction:

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR

DRAFT

Resolution 2020-166

*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 August 17, 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:

Attorney Client Privilege

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 November 17, 2020, or when the need for confidentiality no longer exists.

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on August 17, 2020.

Margaret Riggio
Deputy Borough Clerk