

Agenda
Hightstown Borough Council
 March 1, 2021
 6:30 PM – Public Session

[www.zoom.com](https://us02web.zoom.us/j/81588242600?pwd=d0RyVmgzdllrZWJveTR2OG1tVUttQT09)
 Meeting ID: 815 8824 2600
 Passcode: 32PUcQ
<https://us02web.zoom.us/j/81588242600?pwd=d0RyVmgzdllrZWJveTR2OG1tVUttQT09>
 (929)205-6099
 Meeting ID: 815 8824 2600#
 Participant code #
 Passcode: 574223#

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's website.

Roll Call

Flag Salute

Approval of the Agenda

Minutes Amending May 20, 2019 Public Session Minutes

February 16, 2021 – Public Session

Presentations Habitat for Humanity Update

Engineering Items Windsor Property Associates, LLC Connection to Water-Sewer

Public Comment Any person wishing to address Council with his or her comments will have a maximum of three minutes to do so at this time.

Ordinances **2021-02 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 \$1,630,000 therefor and Authorizing the Issuance of \$600,368 Bonds or Notes of the Borough to Finance Part of the Cost thereof

2021-03 First Reading and Introduction – Bond Ordinance Providing for Water and Sewer Improvements to Various Roads for the Water-Sewer Utility in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$710,000 therefor and Authorizing the Issuance of \$710,000 Bonds or Notes of the Borough to Finance the Cost thereof.

Resolutions **2021-045** Authorizing Payment of Bills

- 2021-046** Authorizing Payment No. 4 Assuncao Brothers, Inc. (Construction of Peddie Lake Dam Walking Bridge Replacement)
- 2021-047** Resolution Authorizing a 4th Amendment to the Lease Agreement for the Borough's Continued Use of a Portion of the Property Known and Designated as Block 61.01, Lots 43, 44 & 45, Commonly Known as 415A Mercer Street, Hightstown, New Jersey
- 2021-048** Authorizing Design, Inspection and Administration of Improvements to Railroad Avenue and Dey Street
- 2021-049** Resolution Authorizing the Execution of an Agreement Relating to the Installation of an Above-Ground Swimming Pool within a Borough-Held Sewer Line Easement Located on and Across the Property Located at 201 Glen Brook Place (Block 5, Lot 5)

New Business

Approval of Letter of Support – Safe Routes to School

Complete & Green Streets Model Policy Review

To review New Jersey's Model and Complete Streets Policy Guide follow the link below

https://www.state.nj.us/transportation/eng/completestreets/pdf/CS_Model_Policy_2019.pdf

Cannabis

Old Business

Undersized Vacant Lots (11/2/2019; 02/16/2021)

Revisions to Generator Ordinance (02/01/2021)

Subcommittee Reports

Mayor/Council/Administrative Reports

Executive Session

Resolution 2021-050 Authorizing a Meeting that Excludes the Public

Contract Negotiations – Dispatch

Contract Negotiations – Police/Court Facilities

Adjournment

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 2019 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 \$200,284.45, and that the CY 2019 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.

Ordinance 2019-07 Final Reading and Public Hearing – Bond Ordinance Providing a Supplemental Appropriation of \$65,000 for Improvements to Maple Avenue and Sunset Avenue in and by the Borough of Hightstown, In the County of Mercer, New Jersey, and Authorizing the Issuance of \$65,000 Bonds or Notes of the Borough to Finance Part 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 ~~introduction~~ adoption by Councilmember Stults; Seconded by Councilmember Egan.

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

Ordinance ~~introduced~~ adopted ~~6-0~~ 5-0 with one abstention.

~~Public Hearing scheduled for June 3, 2019.~~

Ordinance 2019-07

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

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL
APPROPRIATION OF \$65,000 FOR IMPROVEMENTS TO MAPLE
AVENUE AND SUNSET AVENUE IN AND BY THE BOROUGH OF
HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, AND
AUTHORIZING THE ISSUANCE OF \$65,000 BONDS OR NOTES OF
THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HIGHSTOWN, 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 has heretofore been authorized

**Meeting Minutes
Hightstown Borough Council
February 16, 2021
6:30 p.m.**

The meeting was called to order by Council President Bluth at 6:32 p.m. and she 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 www.zoom.com.

The flag salute followed Roll Call.

	PRESENT	ABSENT
<i>Councilmember Bluth</i>	✓	
<i>Councilmember Cicalese</i>	✓	
<i>Councilmember Fowler</i>	✓	
<i>Councilmember Jackson</i>	✓	
<i>Councilmember Misiura</i>	✓	
<i>Councilmember Musing</i>	✓	
<i>Mayor Quattrone</i>		✓

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

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Musing; Seconded by Councilmember Cicalese.

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

Agenda approved 6-0.

APPROVAL OF MINUTES

January 19, 2021 – Public Session

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

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

Minutes approved 6-0.

January 19, 2021 – Executive Session

Moved by Councilmember Musing; Seconded by Councilmember Cicalese.

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

Minutes approved 5-0 with 1 abstention.

February 1, 2021 – Public Session

Moved by Councilmember Fowler; Seconded by Councilmember Jackson.

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

Minutes approved 6-0.

Improvements to Railroad Avenue and Dye Street

Borough Engineer, Carmela Roberts, reviewed her letter to Council dated February 4, 2021. The construction contract for this grant must be awarded by November 21, 2021. This project will impact the new Borough Hall. She is expecting we will have a lot of public input. She is requesting authorization to begin the process of funding this project so her office can begin their work. She will need to meet with Complete Streets, Planning Board and the Environmental Commission. This project will be impacted by the new Storm Water requirements. Discussion ensued. Councilmember Misiura stated that no work is being done yet at the new municipal building. He questioned how this project will impact the Municipal Building. Ms. Roberts stated that the most impact will be the need for the Municipal Buildings rear entrance/exit. While this project needs to be awarded by November of this year, work will not begin until spring of 2022. Adjustments can be made. Each project will be addressing their own storm water portion. Councilmember Musing wanted clarification that there will be an entrance on to the Municipal Building on Railroad Avenue. Borough Administrator, Debra Sopronyi stated that yes, there will be an entrance on Railroad Avenue. Ms. Roberts also stated that the water sewer work that needs to be done would total approximately \$10,000. Ms. Roberts is asking for authorization to begin engineering work. By a unanimous straw vote, Council authorized Ms. Roberts to begin the engineering work related to this project.

CFO, George Lang, joined the meeting at this time.

Improvements to Hausser Avenue, Bennett Place and Prospect Drive

Borough Engineer Carmela Roberts reviewed her letter to Council dated February 4, 2021. The grant received for this project was for \$500,000.00. The estimated total amount of project \$630,000.00. This does not include costs for sanitary sewer repairs and water main replacement. This project does not need to be awarded until November of 2022. She is asking for authorization by this summer because of the length of time it takes to complete the plans and secure funding through USDA or NJ Infrastructure Bank. She estimates that the cost to replace the water main and services is approximately \$290,000.00. She does not have a cost for the sanitary sewer repairs. Discussion ensued. Council questioned what the impact will be on the water sewer budget and rates. Borough Administrator, Debra Sopronyi, stated that there has been only one increase to water sewer rates in the last 10 years. Ms. Sopronyi suggested a small increase to the rate now to cover infrastructure costs. CFO, George Lang, stated that he will look at what kind of funding we can acquire and what income we will be getting from the Rug Mill redevelopment once those services are up and running. The connection fees and new users will all play a part in how we move forward. Mr. Lang stated that the water sewer budget will be ok this year but will probably need some increase for the 2022 budget. Discussion ensued. Council asked if the rate could be increased 1-2% this year and another 1-2% next year. Mr. Lang agreed that going up a small amount each year is the way to go. Councilmember Musing asked if the increase would be put into surplus for next year or if it is used for other expenses. Mr. Lang stated that the surplus

would stay in the water sewer budget to cover water sewer expenses. Councilmember Misiura stated that we need to do better planning for our water sewer projects. It is important to know what we projects we have upcoming. Council President Bluth asked Mr. Lang when we will be ready to start scheduling Budget Meetings. Mr. Lang stated that budget sheets will be sent to Department Heads next week. We can look to have budget meetings in March .He is looking to introduce the 2021 Budget at the April 5th meeting.

Mayor Quattrone joined the meeting at this time.

Resolution 2021-037 Awarding a Contract for Lagoon Liner Replacement – Water Treatment Plant

Moved by Councilmember Misiura; Seconded by Councilmember Jackson.

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

Resolution adopted 6-0.

Resolution 2021-037

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

**AWARDING A CONTRACT FOR LAGOON LINER REPLACEMENT – WATER
TREATMENT PLANT**

WHEREAS, Two (2) quotes were received for the replacement of the lagoon liner at the Water Treatment Plant; and,

WHEREAS, the quotes have been reviewed by the Borough Engineer and the Superintendent of the Water Treatment Plant, and it is their recommendation that the contract for the replacement of the lagoon liner be awarded to the lowest quote submitted by Atlantic Lining Co., Inc. of Eastampton, New Jersey in an amount not to exceed \$39,900.00; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the replacement of the lagoon liner at the Water Treatment Plant be awarded to the lowest quote submitted by Atlantic Lining Co., Inc. of Eastampton, New Jersey in an amount not to exceed \$39,900.00.

Resolution 2021-038 Awarding a Contract for Improvements to Stockton Street (C.R. 571) and Joseph Street – Earle Asphalt Company

Moved by Councilmember Cicalese; Seconded by Councilmember Fowler.

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

Resolution adopted 6-0.

Resolution 2021-038

*BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER*

STATE OF NEW JERSEY

AWARDING A CONTRACT FOR IMPROVEMENTS TO STOCKTON STREET (C.R. 571) AND JOSEPH STREET – EARLE ASPHALT COMPANY

WHEREAS, six (6) bids were received on January 11, 2021, for Improvements Stockton Street (C.R. 571) and Joseph Street; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a contract for the Improvements to Stockton Street (C.R. 571) and Joseph Street be awarded to the low bidder, Earle Asphalt Company of Wall, New Jersey at the price of \$370,013.13; and

WHEREAS, this project is funded through the Safe Routes to School Grant as administered by the New Jersey Department of Transportation and the award of this contract is conditional upon approval by the New Jersey Department of Transportation; and

WHEREAS, the execution of this contract is subject to the review and approval of the Borough Attorney to assure that the bid submitted Earle Asphalt Company is in order with respect to legal compliance; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for the Improvements to Stockton Street (C.R. 571) and Joseph Street be awarded to the low bidder, Earle Asphalt Company of Wall, New Jersey at the price of \$370,013.13.

Resolution 2021-039 Authorizing Payment No. 6 – S&G Paving Construction (Improvements to Lincoln Avenue, Hagemount Avenue and Rocky Brook Court)

Moved by Councilmember Jackson; Seconded by Councilmember Misiura.

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

Resolution adopted 6-0.

Resolution 2021-039

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

**AUTHORIZING PAYMENT NO. 6 – S & G PAVING CONSTRUCTION
(IMPROVEMENTS TO LINCOLN AVENUE, HAGEMOUNT AVENUE AND ROCKY
BROOK COURT)**

WHEREAS, on March 2, 2020, the Borough Council awarded a contract for Improvements to Lincoln Avenue, Hagemount Avenue and Rocky Brook Court in Hightstown Borough to S & G Paving Construction, Inc, of Monroe, New Jersey at the price of \$764,028.15; and

WHEREAS, the contractor has submitted payment No. 6, in the amount of \$76,164.43, for sanitary sewer laterals and cleanouts, water services, storm cleanouts, curb, concrete driveways, driveway repair, traffic markings and striping, topsoil and fertilizer and credit for water services for partial payment through January 7, 2021; and

WHEREAS, the Borough Engineer has recommended approval of payment No. 6, in the amount of \$76,164.43; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown payment No. 6, in the amount of \$76,164.43 to S&G Paving Construction, Inc. of Monroe, New Jersey is hereby approved as detailed herein.

PUBLIC COMMENT I

Council President Bluth opened public comment period I and the following individuals spoke:

There being no one coming forward, Council President Bluth closed the public comment period.

ORDINANCES

Ordinance 2021-01 Public Hearing and Final Reading An Ordinance Amending Chapter 25 “Stormwater Control” of the Revised General Ordinances of the Borough of Hightstown

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

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

Ordinance adopted 6-0.

ORDINANCE 2021-01

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 25, “STORMWATER CONTROL” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN

WHEREAS, the Borough of Hightstown maintains a Tier A MS4 New Jersey Pollutant Discharge Elimination System (NJPDES) Stormwater Permit; and

WHEREAS, The New Jersey Department of Environmental Protection amended the Stormwater Management rules at NJAC 7:8 which requires the Borough to update its Stormwater Control Ordinance in order to stay in compliance with the Borough’s NJPDES Stormwater Permit.

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

Section 1. Chapter 25 “Stormwater Control” of the Revised General Ordinances of the Borough of Hightstown is hereby amended in its entirety as follows:

CHAPTER 25 STORMWATER CONTROL

Subsections:

- 25-1. Scope and Purpose
- 25-2. Definitions
- 25-3. Design and Performance Standards for Stormwater Management Measures
- 25-4. Stormwater Management Requirements for Major Development
- 25-5. Calculation of Stormwater Runoff and Groundwater Recharge
- 25-6. Sources for Technical Guidance
- 25-7. Solids and Floatable Materials Control Standards
- 25-8. Safety Standards for Stormwater Management Basins
- 25-9. Requirements for a Site Development Stormwater Plan
- 25-10. Maintenance and Repair
- 25-11. Penalties
- 25-12. Severability
- 25-13. Effective Date

25-1. Scope and Purpose

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section 2.

C. Applicability

1. This ordinance shall be applicable to the following major developments:

- a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Hightstown.
 3. This ordinance shall also apply to any Borough issued Zoning Permits which are not covered under items 1 and 2 above. The Zoning Officer shall provide a copy of all applications for Zoning Permits issued in accordance with this section to the Borough's Environmental Commission for review and recommendation.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

25-2. Definitions

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA Centers, Cores or Nodes" means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

"CAFRA Planning Map" means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

"Community basin" means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

"Compaction" means the increase in soil bulk density.

"Contributory drainage area" means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

"Core" means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

A county planning agency or

A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 et seq.

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

"Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

"Infiltration" is the process by which water seeps into the soil from precipitation.

"Lead planning agency" means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

"Major development" means an individual "development," as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021 {or the effective date of this ordinance, whichever is earlier}; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

NOTE: The definition of major development above aligns with the definition at N.J.A.C. 7:8-1.2 and is recommended for consistency. Alternatively, a municipality may adopt the following definition, which is the minimum standard required. Municipalities that have already adopted the definition at N.J.A.C. 7:8-1.2 or another definition that goes beyond the minimum requirement should not reduce the stringency of their definition by adopting the minimum standard.

"Major development" means an individual "development," as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually result in the disturbance of one or more acres of land since February 2, 2004. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

Additionally, individual municipalities may define major development with a smaller area of disturbance, a smaller area of regulated impervious or motor vehicle surface, or both.

"Motor vehicle" means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include

farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means the Borough of Hightstown.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

25-3. Design and Performance Standards for Stormwater Management Measures

A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Note: Alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in N.J.A.C. 7:8-5.

25-4. Stormwater Management Requirements for Major Development

A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 25-10.

B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).

C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 25-4.P, Q and R:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 25-4.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 25-4.O, P, Q and R to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of Section 25-4.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Section 25-4.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 25-4.O, P, Q and R that were not achievable onsite.

E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 25-4.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Grass Swale	50 or less	No	No	2 ^(e)
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale	80	Yes	Yes	2
Vegetative	60-80	No	No	--

(Notes corresponding to annotations (a) through (g) are found below Table 3)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate	Stormwater Runoff	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention	80 or 90	Yes	Yes ^(b)	2 ^(b)
Infiltration Basin	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A

(Notes corresponding to annotations (b) through (d) are found below Table 3)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate	Stormwater Runoff	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Subsurface Gravel Wetland	90	No	No	1

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section 25-4.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;

(h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 25-6.B. Alternative stormwater management measures may be used to satisfy the requirements at Section 25-4.O only if the measures meet the definition of green infrastructure at Section 2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 25-4.D is granted from Section 25-4.O.

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 25-8.C;
3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may

be used only under the circumstances described at Section 25-4.O.4.

K. Any application for a new agricultural development that meets the definition of major development at Section 25-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections 25-4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 25-4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Mercer County's Office of the County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 25-4.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 25-10.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 25-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Mercer County's Office of the County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section 25-4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 25-4.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres

Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section 25-4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 25-4.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 25-4.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 25-4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 25-4.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section 25-4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 25-4.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 25-5, either:
 - a. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - b. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - a. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as

defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

- b. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - a. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - b. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500
Distribution					

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs,

A = the TSS Percent Removal Rate applicable to the first BMP, and

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 25-4.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 25-5, complete one of the following:
 - a. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - b. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;

- c. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
- 3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

25-5. Calculation of Stormwater Runoff and Groundwater Recharge

A. Stormwater runoff shall be calculated in accordance with the following:

- 1. The design engineer shall calculate runoff using one of the following methods:
 - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

- 2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section 25-5.A.1.i and the Rational and Modified Rational Methods at Section 25-5.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- 3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

25-6. Sources for Technical Guidance

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department’s website at:

https://www.njstormwater.org/maintenance_guidance.htm.

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

25-7. Solids and Floatable Materials Control Standards

A. Site design features identified under Section 25-4.F above, or alternative designs in accordance with Section 25-4.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 25-7.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

- a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- c. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- d. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

25-8. Safety Standards for Stormwater Management Basins

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and

ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 25-8.C.1, 25-8.C.2, and 25-8.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

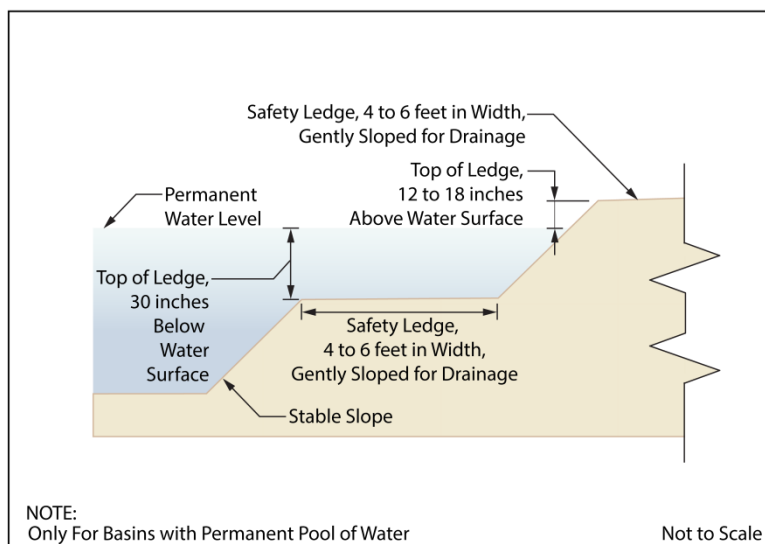
1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - a. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - d. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - a. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to 25-8.C, a free-standing outlet structure may be exempted from this requirement;
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See 25-8.E for an illustration of safety ledges in a stormwater management BMP; and
 - c. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



25-9. Requirements for a Site Development Stormwater Plan

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 25-9.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 16 copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 25-9.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and

other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 25-3 through 25-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- a. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 25-4 of this ordinance.
- b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 10.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 25-9.C.1 through 25-9.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

25-10. Maintenance and Repair

A. Applicability

Projects subject to review as in Section 25-1.C of this ordinance shall comply with the requirements of Section 25-10.B and 25-10.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section 25-10.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section 25-10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section 25-10.B.3 above shall perform all of the following requirements:

- a. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - b. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - c. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section 25-10.B.6 and B.7 above.
8. The requirements of Section 25-10.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

Note: It may be appropriate to delete requirements in the maintenance and repair plan that are not applicable if the ordinance requires the facility to be dedicated to the municipality. If the municipality does not want to take this responsibility, the ordinance should require the posting of a two-year maintenance guarantee in accordance with N.J.S.A. 40:55D-53. Maintenance and inspection guidance can be found on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
10. The owner of a private stormwater facility is required to inspect the facility after each major storm event and perform any maintenance and/or repairs that may be required, in addition to routine mowing and removal and disposal of accumulated debris from the facility. The owner shall file a report with the Borough annually which provides its inspection dates (which shall be performed quarterly) and any action(s) taken to rectify any condition(s) found. The Borough shall inspect the facility once per year at the cost of \$100.00 to the property owner. The Borough shall also maintain a log and map to demonstrate compliance with maintenance requirements and shall document any actions taken by the Borough to enforce compliance. If inspection reveals that maintenance has not been maintained by the owner of the stormwater facility, then the Borough Official will issue an order to correct the deficiency within 30 days. If the deficiency is not corrected within 30 days, the Borough will correct the deficiency and recover the cost under the Property Maintenance Section of the Borough Code (Section 14-12). The Borough, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause as approved by the Borough Engineer or his/her designee.

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

25-11. Penalties

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

Chapter 1, Section 5 of the Revised General Ordinances of the Borough of Hightstown.

25-12. Severability

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

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

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

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

Introduction: February 1, 2021

Adoption: February 16, 2021

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE

RESOLUTIONS

Resolution 2021-040 Authorizing Payment of Bills

Moved by Councilmember Fowler; Seconded by Councilmember Jackson.

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

Resolution adopted 6-0.

Resolution 2021-040

*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 \$336,861.11 from the following accounts:

Current		\$88,501.68
W/S Operating		155,809.54
General Capital		6,269.50
Water/Sewer Capital		52,029.46
Grant		676.00
Trust		0.00
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		33,539.93
Public Defender Trust		0.00
Escrow		<u>35.00</u>
Total		<u>\$336,861.11</u>

Resolution 2021-041 Awarding a Contract for Redevelopment Area Circulation Study – NV5

Moved by Councilmember Misiura; Seconded by Councilmember Fowler.

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

Resolution adopted 6-0.

Resolution 2021-041

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

**AWARDING A CONTRACT FOR REDEVELOPMENT AREA CIRCULATION
STUDY – NV5**

WHEREAS, The Borough of Hightstown has been awarded a Redevelopment Area Circulation Plan Grant through Delaware Valley Regional Planning Commission (DVRPC); and

WHEREAS, a Request For Proposal was advertised for a consultant to perform a Redevelopment Area Circulation Study; and

WHEREAS, three (3) proposals were received and reviewed by the Complete Streets Committee and it is the committee's recommendation that a contract be awarded to NV5 of Parsippany, New Jersey in the amount of \$49,970.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that a contract to perform a Redevelopment Area Circulation Study be awarded to NV5 of Parsippany, New Jersey in the amount of \$49,970.00.

Resolution 2021-042 Resolution in Support of H.R. 946 – The Stop the Attack Local Taxpayers Act

Moved by Councilmember Misiura; Seconded by Councilmember Musing.

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

Resolution adopted 6-0.

Resolution 2021-042

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

**RESOLUTION IN SUPPORT OF H.R. 946 – THE STOP THE ATTACK
LOCAL TAXPAYERS ACT**

WHEREAS, each provision of the Federal Tax Code, which is incredibly complex, was enacted for a reason. While some of those reasons may no longer serve the public's interest, others remain fair and effective tools that promote the general welfare; and

WHEREAS, the deduction for state and local taxes (SALT) has been a feature of the tax code for more than 100 years. In 1913, the first federal income tax form allowed taxpayers to deduct state and local taxes, one of only six deductions allowed at the time; and

WHEREAS, a federal tax reform law passed in 2017 capped the deductibility of state and local taxes at \$10,000 forcing double taxation for residents that pay in excess of that amount, as well as harm to states and communities that rely on tax payments that support public services which benefit all citizens, such as K-12 schools, law enforcement and public safety, transportation and infrastructure, and vital community and public health services; and

WHEREAS, New Jersey 9th District Congressman Bill Pascrell has introduced H.R. 946 the Stop the Attack on Local Taxpayers (SALT) Act, which eliminates the \$10,000 cap on property tax deduction and retroactively removes the cap; and

WHEREAS, taxpayers in all 50 states benefit from the SALT deduction that is claimed by taxpayers of all income levels; and

WHEREAS, the deduction is especially important for middle-income homeowners, as fifty percent of the deductions claimed by taxpayers making \$50,000 to \$100,000 are for property taxes; and

WHEREAS, the SALT deduction does not unfairly benefit taxpayers in high tax states. To the contrary, low tax states are generally more dependent on the federal government, receiving more in federal funding than they pay in federal taxes. According to one study, New Jersey, New York, and Illinois are among the states that receive less than

\$1 from the federal government for every \$1 paid in federal taxes;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Hightstown, supports the full tax deductibility outlined in H.R. 946 and urges all members of the New Jersey Congressional Delegation as well as all members of congress to support the SALT Act, with voice and vote, to restore the fair and reasonable SALT deductibility provision from the Federal Tax Code; and,

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Congresswoman Bonnie Watson Coleman, Senators Booker and Menendez, President Joe Biden and the New Jersey State League of Municipalities.
Resolution 2021-043 Amending Resolution 2020-236 Awarding a Contract for Calcium Hydroxide (Hydrated Lime) – George S. Coyne Chemical Co., Inc.

Moved by Councilmember Jackson; Seconded by Councilmember Misiura.

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

Resolution adopted 6-0.

Resolution 2021-043
*BOROUGH OF HIGHTSTOWN
 COUNTY OF MERCER
 STATE OF NEW JERSEY*

**AMENDING RESOLUTION 2020-236 - AWARDING CONTRACT FOR CALCIUM
 HYDROXIDE (HYDRATED LIME) – GEORGE S. COYNE CHEMICAL CO., INC.**

WHEREAS, Resolution 2020-236 was adopted by Hightstown Borough Council on December 7, 2020 awarding a contract for Calcium Hydroxide (Hydrated Lime) to George S. Coyne Chemical of Croydon, Pennsylvania; and

WHEREAS, Resolution 2020-236 stated the two year contract was for Calcium Hydroxide (Hydrated Lime) for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the two year contract awarded for Calcium Hydroxide (Hydrated Lime) should include the Hightstown Borough Water Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Resolution 2020-236 awarding a contract for Calcium Hydroxide (Hydrated Lime) is amended to include the Hightstown Borough Water Treatment Plant.

Resolution 2021-044 A Resolution Opposing ACS 1571 & 1576 Which Imposes Prevailing Wage for Public Work on Properties Receiving Tax Abatements or Exemptions

Moved by Councilmember Musing; Seconded by Councilmember Fowler.

Borough Administrator, Debra Sopronyi explained the resolution. The NJ League of Municipalities put together a coalition. The sponsors of the bill are aware that are big problems with the legislation. The Municipalities do not want amendments, they want the bill gone. This legislation is off base and will affect all taxpayers. This will also impact abatements, not just PILOTS. Weekly meetings with the League of Municipalities will continue and Ms. Sopronyi will keep Council updated with the progress of the bill.

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

Resolution adopted 6-0.

Resolution 2021-044

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

**“A RESOLUTION OPPOSING ACS 1571 & 1576 AND S1956 WHICH IMPOSES
PREVAILING WAGE FOR PUBLIC WORK ON PROPERTIES RECEIVING TAX
ABATEMENTS OR EXEMPTIONS”**

WHEREAS, Assembly Committee Substitute (“ACS”) A1571 & A1576 in addition to its companion Senate Bill No. 1956, imposes prevailing wage requirements on any property where a public body has provided, approved, or authorized a tax abatement or tax exemption; and,

WHEREAS, Payments in lieu of taxes (PILOTS) are the single-most powerful tool available to municipalities to encourage property owners and developers to make improvements to property or to locate a project in a distressed or blighted area; and,

WHEREAS, PILOTS and Abatements are granted only where the municipality has determined that the project would not occur but for the PILOT; and,

WHEREAS, PILOTS and Abatements have been instrumental in the construction of affordable housing, environmental remediation, historic preservation, and the installation of infrastructure; and,

WHEREAS, Increasing the cost of already challenged projects by requiring a private property owner to pay prevailing wage for improvements on their property will prompt a greater demand on the municipality to provide additional concessions, such as increase density or building heights, in the PILOT at the expense of property taxpayers; and,

WHEREAS, PILOTS and Abatements provide necessary tools that make redevelopment and/or property improvement projects financially viable; and,

WHEREAS, ACS 1571/1576 and S-1956 will diminish redevelopment, revenue and property tax relief; and,

WHEREAS, ACS 1571/1576 and S-1956 defeats the efforts of Municipalities to improve the quality of life for its Residents.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of Hightstown Borough hereby strongly oppose ACS 1571/1576 and S-1956 and requests that the Legislators oppose same for the benefit of all New Jersey Taxpayers.

BE IT FURTHER RESOLVED, that a copy of this resolution and the Mayor’s letter shall be sent to Senator Linda R. Greenstein, Assemblyman Daniel R. Benson, Assemblyman Wayne P. DeAngelo, with a copy to Governor Phil Murphy, Senate President Steve Sweeney, Assembly Speaker Craig Coughlin Assemblyman John Burzichelli, Chair to Assembly Appropriations and the New Jersey League of Municipalities.

George chin joined the meeting at this time.

NEW BUSINESS

RISE Cardboard Pickup

Councilmember Musing recused himself from this discussion.

Ms. Sopronyi explained that Rise has requested an additional pick up for cardboard (letter of 2/4/2021) Mayor Quattrone stated that anyone accumulating excess cardboard would need to get their own dumpster. Ms. Sopronyi's recommendation was for RISE to reach out to vendor to have an additional pick up scheduled at Rise's expense. The vendor has provided a dumpster already to help with recycling all over Broad Street. She does not think it is fair to ask the vendor for an additional pick up at no cost. Council President Bluth stated that it would be beneficial to sit down with Rise to discuss this rather than just sending a letter. Council President Bluth and Ms. Sopronyi will schedule a meeting with Rise to discuss options.

OLD BUSINESS

Undersized Lot Ordinance (11/02/2020)

George Chin, Zoning Official, stated that undersized lots need to go before the Planning Board and the cost is prohibitive. Most people will walk away when they find out what is involved and the expense. Mr. Chin is proposing 9 requirements, that if all are met, would alleviate having to appear before Planning Board. Councilmember Misiura stated that the Planning Board's comments may have to do with land use laws. He thinks there may have been legal issues with the proposed wording. Borough Attorney, Fred Raffetto, will reach out to the Planning Board Attorney to find out the issues that rose from Planning Board's discussion. This will be put on the next agenda for clarification and further discussion.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Fowler

Environmental Commission - Meeting this Tuesday.

Downtown Hightstown - The Hop n Shop event was successful. Most businesses saw extra foot traffic. The restaurants are happy about the increase in indoor dining facilities. Flowers have been ordered and hope to be in place by May. The Brewery has received a nomination for the NJBIA 2021 New Good Neighbor Award.

Councilmember Jackson

HPC - Will be meeting Thursday at 6:30 via Zoom. The information is on the Borough Website. There have been complaints about homeowners not shoveling sidewalks after snowstorms. Can homeowners be reminded on the website?

Councilmember Cicalese

Board of Health - John Laudenberger was appointed President and Elizabeth Morely appointed Vice President. They are discussing how they will move forward with their meetings. Hightstown COVID total to date - 661 cases with 8 deaths. The Board of Health received a grant for Vulnerable Population Coordinator. This individual is working with different groups in the Borough to identify who needs assistance in getting access to vaccinations.

Parks and Rec - They could not get an RFQ from Hicks for Dawes Park Project. They hope to get this project going by the spring. They are looking to start planning for Fun Fridays and the Triathlon.

Councilmember Musing

Trash and recycling - Speaking to the Stockton Street lot, having trash and recycling on 2 areas on the lot never made sense. There must be better ideas on how to better use that parking lot for trash and recycling. During the summer, the smell can get unpleasant.

Council President Bluth

Great having the Mayor back to participate.

Cultural Arts Commission - Hightstown's Got Talent submission deadline has passed. This program will be provided through Zoom on March 20th. They are currently working on a calendar for the 300th anniversary.

Questioned what we do with sidewalks that are not shoveled. Ms. Sopronyi stated that Construction and Zoning will go to investigate. If needed, Public Works will be notified to clear the sidewalk and the homeowner will be billed for the snow removal.

Peggy Riggio, Deputy Clerk

Elections - Nomination Petition filing deadline for the Primary Election is 4:00 April 5th. Contact the Clerk's office for information and petitions.

Cat & Dog Licenses - As of February 1st there is a \$5 late fee to renew the license.

Borough Administrator, Debra Sopronyi

Public Works - The last snowstorm cost the Borough roughly \$20,000. This includes repairs being made to plows.

Court - Judge Kurs informed her that the Hightstown and Robbinsville Court has the lowest backlog in Mercer County.

She received a request from Jasmine Beauty Salon. They would like to host a ribbon cutting. She will forward information to Council once it was received.

Mercer County TMA is nominating Hightstown for a Safe Routes to School our Safe Routes to Schools projects.

ADJOURNMENT

Councilmember Musing moved to adjourn at 8:06 p.m.; Councilmember Cicalese seconded. All ayes

Respectfully Submitted,

Margaret M. Riggio
Deputy Borough Clerk



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

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

February 24, 2021

Mayor and Council
Borough of Hightstown
156 Bank Street
Hightstown, NJ 08520

Re: Windsor Property Associates, LLC.
Utility Connection Request
East Windsor Township, Block 53.03, Lots 101, 102, 103
Hightstown Borough Block 48, P.O. Lot 31
Our File No.: HPB1601

Dear Mayor and Council:

Enclosed with this letter, please find:

1. Copy of a Utility Plan entitled, "Preliminary & Final Site Plan, Lots 99, 100, 101, 102 & 103 in Block 53.03, East Windsor Township—Mercer County, NJ, Lot 31 in Block 48, Borough of Hightstown—Mercer County, NJ, revised January 26, 2021." The set consists of 1 sheet.

This utility plan has been submitted by Windsor Property Associates, LLC for an application to connect to the Borough of Hightstown's water and sanitary sewer systems. The applicant proposes the demolition of the existing vacant two-story commercial building located on Mercer Street at #602 NJ-33, East Windsor. In its place, they will construct the Madadi Shopping Center, a single story 8,872 square foot office/retail building with 45 related parking spaces. The applicant is requesting an increase in water provided from 637 gallons per day (gpd) to 1,109 gpd and a sewage increase from 665 gpd to 887 gpd. The plan as submitted is in conformance with all Borough requirements.

The site consists of five adjoining lots containing 52,474 sq. ft on the west bound side of Rt. 33 adjacent to the Joe Canal's site and Victoria Classics warehouse. One of the lots, Lot 31 in Block 48, lies within Hightstown and contains approximately 680 sq. ft.

Water and sewer service are currently provided by Hightstown. Although the exact location of the water and sewer laterals are not fully known, it is known that this site was at one time owned by the same owner as the Joe Canal's property, the existing services come through the Joe Canal's building, and continue to the adjacent lot.

There are several businesses in this area outside the Borough which are currently provided water and sewer service by the Borough. These connections were made many years ago. Presently, the Borough is providing service to Precious Pets, the bus depot and what was the Agway site. Other sites in the area are not operational and are not currently receiving water and sewer but are connected to your system.

As you know the Borough recently approved a large redevelopment of the Rug Mill site along with the necessary water and sewer capacity. There is also expected redevelopment in the Downtown and other parts of the Borough. The Borough has limited amounts of water and sewer capacity available and you must consider how to use those resources in the best way possible for the benefit of the Borough. This may be the time to begin to transition users outside the Borough off the water and sewer systems.

With future development pressure in the Borough, Council may want to put in place a policy of ending service for properties that redevelop and request additional capacity.

Should you have any questions, please feel free to contact me.

Very truly yours,

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

cc: Debra Sopronyi, RMC, CMR, QPA, Borough Administrator/Clerk
Frederick C. Raffetto, Esq. Borough Attorney
Ken Lewis, Superintendent of Public Works
Bill Searing, AWWTP Superintendent
Kelly Pham, Roberts Engineering Group, LLC



The Borough of Hightstown

Public Works Department

156 Bank St.

Hightstown, New Jersey 08520

Telephone: 609-490-5115

Facsimile: 609-490-5111

Email: publicworks@hightstownborough.com

February 23, 2021

To: Debra Sopronyi, Borough Administrator
Mayor Lawrence Quattrone
Council President Susan Bluth
Council Member Steven Misiura
Council Member Joshua Jackson
Council Member Joe Cicalese
Council Member Dimitri Musing
Council Member Cristina Fowler

Re: Windsor Property Associates

Regarding Windsor Property Associates obtaining permission to connect to the Borough's Water and Sewer, it is my opinion that the Borough should prevent any connections to future new construction in East Windsor Township. The Borough has its own new development soon that we should be more concerned with.

In addition, the water infrastructure in the vicinity of the Mercer St. location they are looking to build on is already aging and would need significant improvement.

Please contact me should you need additional information.

Ken Lewis
Superintendent of Public Works and Water

LAW OFFICES

TURP, COATES, DRIGGERS AND WHITE

A PROFESSIONAL CORPORATION

170 SOUTH MAIN STREET

P.O. BOX 191

HIGHTSTOWN, NEW JERSEY 08520

TELEPHONE (609)448-0016

FAX (609)448-0127

WWW.TURPCOATESLAW.COM

February 12, 2021

Borough of Hightstown
Debra L. Sopronyi, Clerk/Administrator
156 Bank Street
Hightstown, N.J. 08520

RECEIVED

FEB 12 2021

MUNICIPAL CLERK'S OFFICE

Re: Windsor Property Associates, LLC
Borough of Hightstown Planning Board
Resolution No. 2020 – 10
WAIVING THE REQUIREMENT OF SITE PLAN APPROVAL
Adoption Date: December 4, 2020
Borough of Hightstown : Bl. 48, Lot 31
East Windsor Township : Block 53.03, Lot 103.01

Dear Ms. Sopronyi:

The undersigned represents Windsor Property Associates, LLC, Geeta Madadi, Managing Member. Submitted herewith are ten (10) Utility Plans prepared by Crest Engineering Associates, Inc. and a thumb drive of the Utility Plan depicting the proposed connections that are needed for the referenced project to the Borough of Hightstown water and sewer mains.

By Resolution No. 2020 – 12 Memorialized May 4, 2020, the East Windsor Township Planning Board granted Preliminary and Final Major Site Plan Approval on Block 53 Lot 103.01 (Lot 53.01 is a consolidated lot of former lots 99, 100, 101, 102 and 103 in East Windsor Township) with bulk variances on an improved 1.204-acre parcel located in the Corridor Revitalization Zoning District to construct a single story 8,872 square foot office/retail building with 45 related parking spaces including handicapped parking spaces which is a permitted use in the Corridor Revitalization Zoning District. The applicant is seeking to redevelop the site in East Windsor Township. The existing site includes a two story commercial building that is vacant and a dilapidated house which are to be demolished. The site on State Highway Route 33 straddles the municipal property line between The Borough of Hightstown and East Windsor Township. The applicant is the process of Resolution compliance for all outside agencies including the N.J.D.O.T., Mercer County Conservation District, and the Delaware Raritan Canal Commission which requirements are well underway.

Resolution No. 2020 -10 of the Borough of Hightstown Planning Board is conditioned upon the Applicant applying and obtaining approval for the water and sewer connections for this project

Borough of Hightstown

Page -2-

February 12, 2021

from the Borough of Hightstown Council in accordance with Subsection 19-1-1 of the Revised General Ordinances of the Borough of Hightstown, 1996. Paragraph 10. of Resolution 2020 – 10 conditions the Waiver of Site Plan approval on a Developer's Agreement, "if applicable". Should this application for approval of water and sewer connections for this project be granted, a Developer's Agreement with the Borough Council will need to be executed as a part of that approval.

Without approval for connection to the Borough of Hightstown water and sewer mains, this project will not be able to move forward. Paragraph 2. of Resolution No. 2020 – 10 required the applicant to comply with the recommendations in the Board Engineer's report dated June 25, 2020 to the satisfaction of the Board Engineer. The project engineering firm, Crest Engineering Associates, Inc. has conferred with Carmela Roberts, P.E. and addressed her comments and revised the Utility Plans to comport therewith.

My client has devoted substantial resources to this project and believes it will be a welcome gateway project to the Borough of Hightstown. The Borough of Hightstown Planning Board and the Borough of Hightstown Council have worked with East Windsor Township to create the Corridor Revitalization Zoning District. This project is the epitome of the type of development that is to be encouraged in that zoning district.

On behalf of my client, I respectfully request your approval of the Utility Plan presented and your authorization for the Borough Attorney to prepare a Developer's Agreement.

Respectfully Submitted,

TURP, COATES, DRIGGERS & WHITE

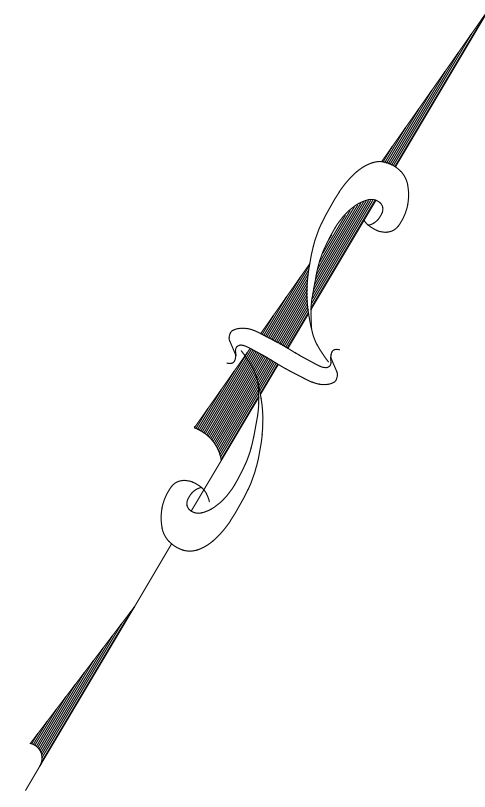


Leonard J. Coates, Esquire

LJC:sam

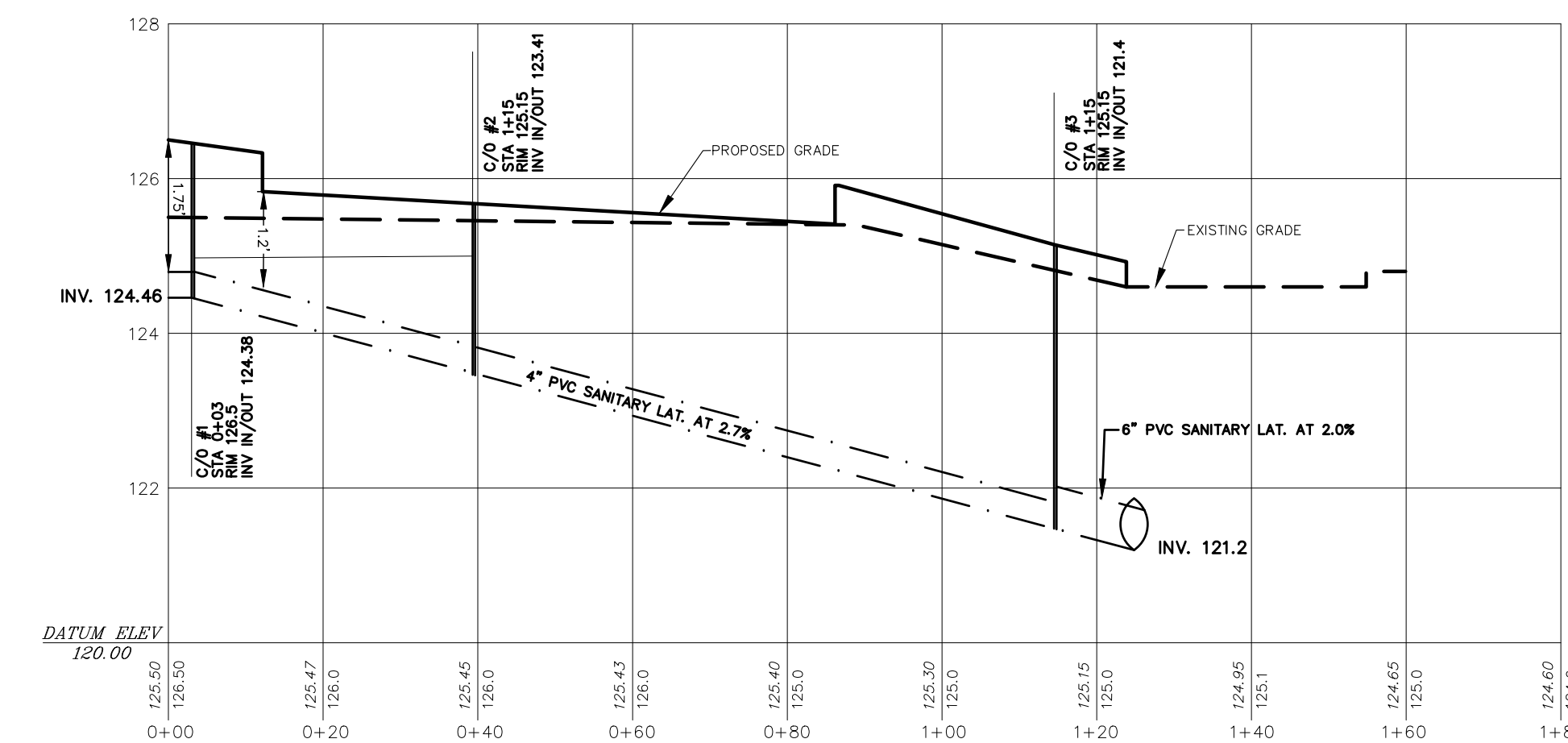
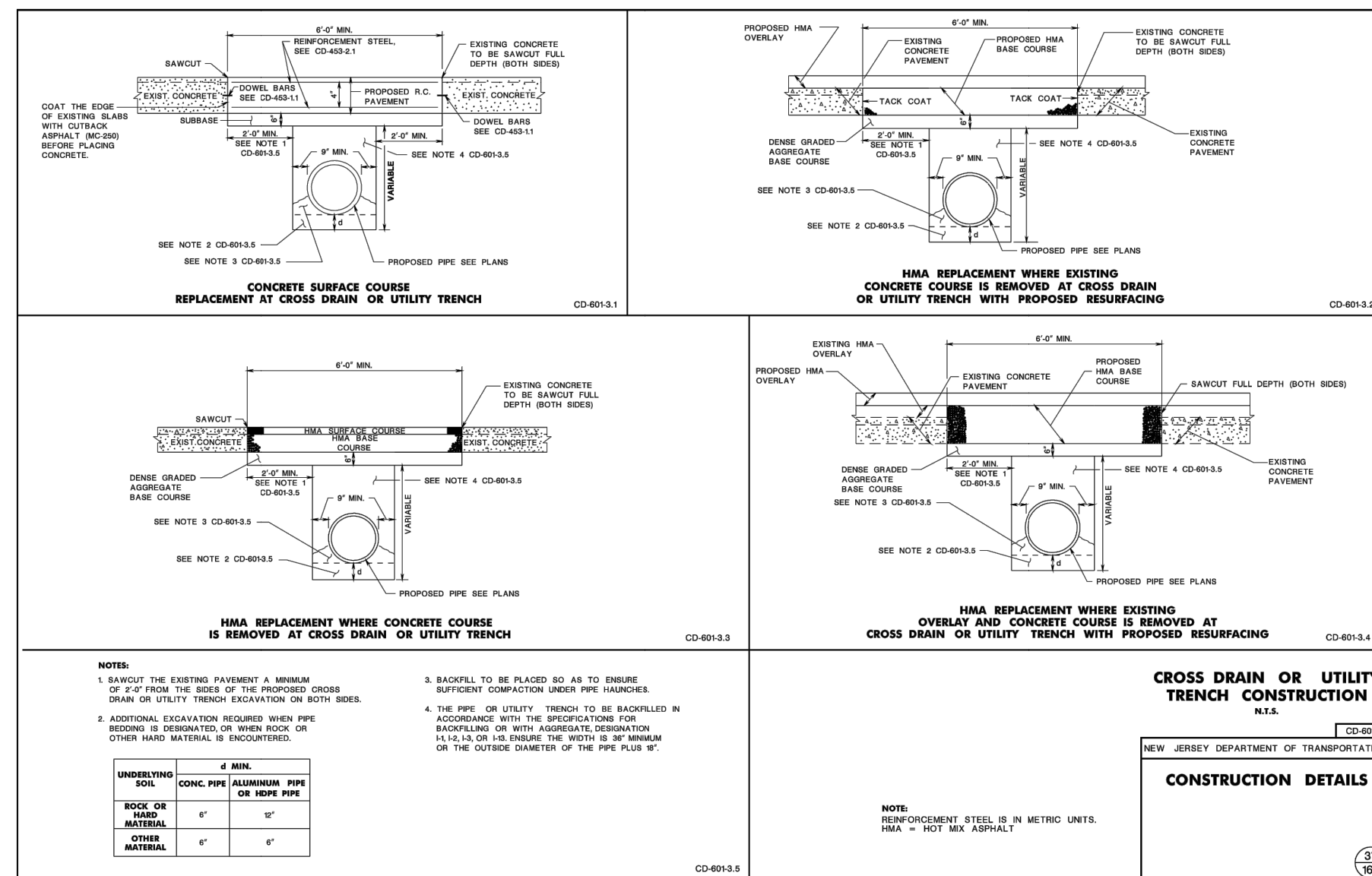
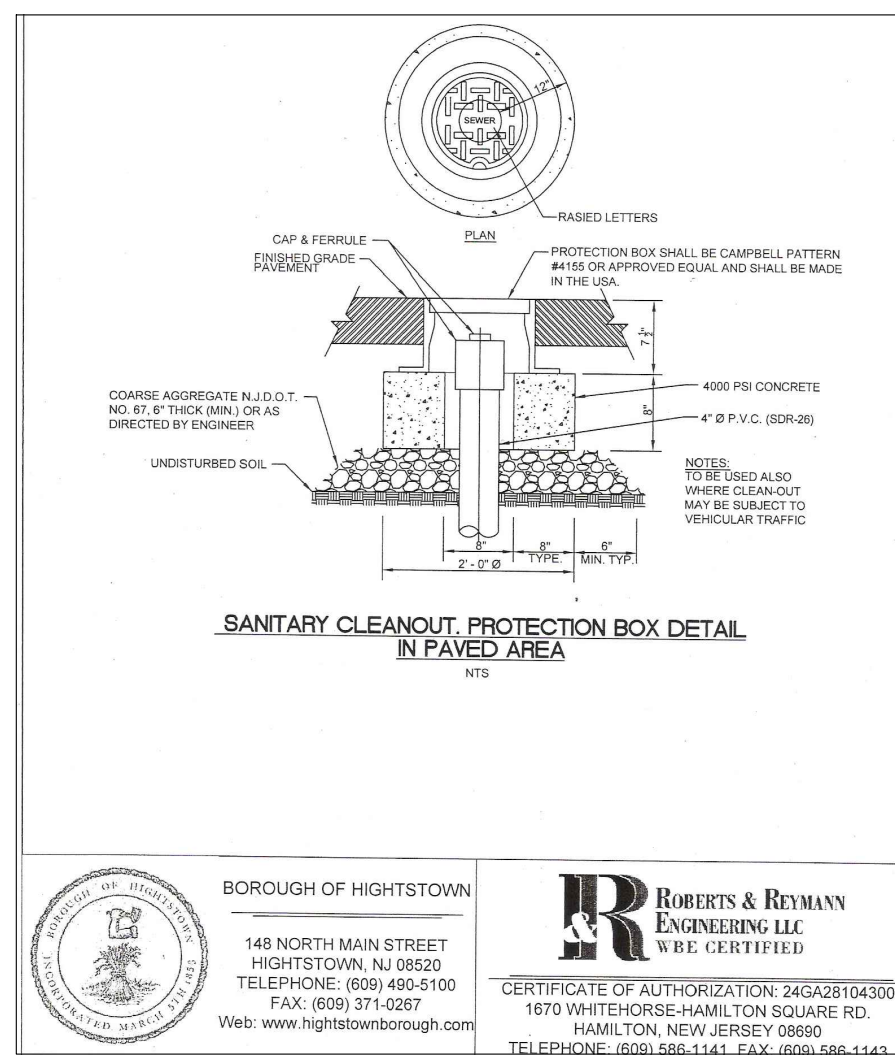
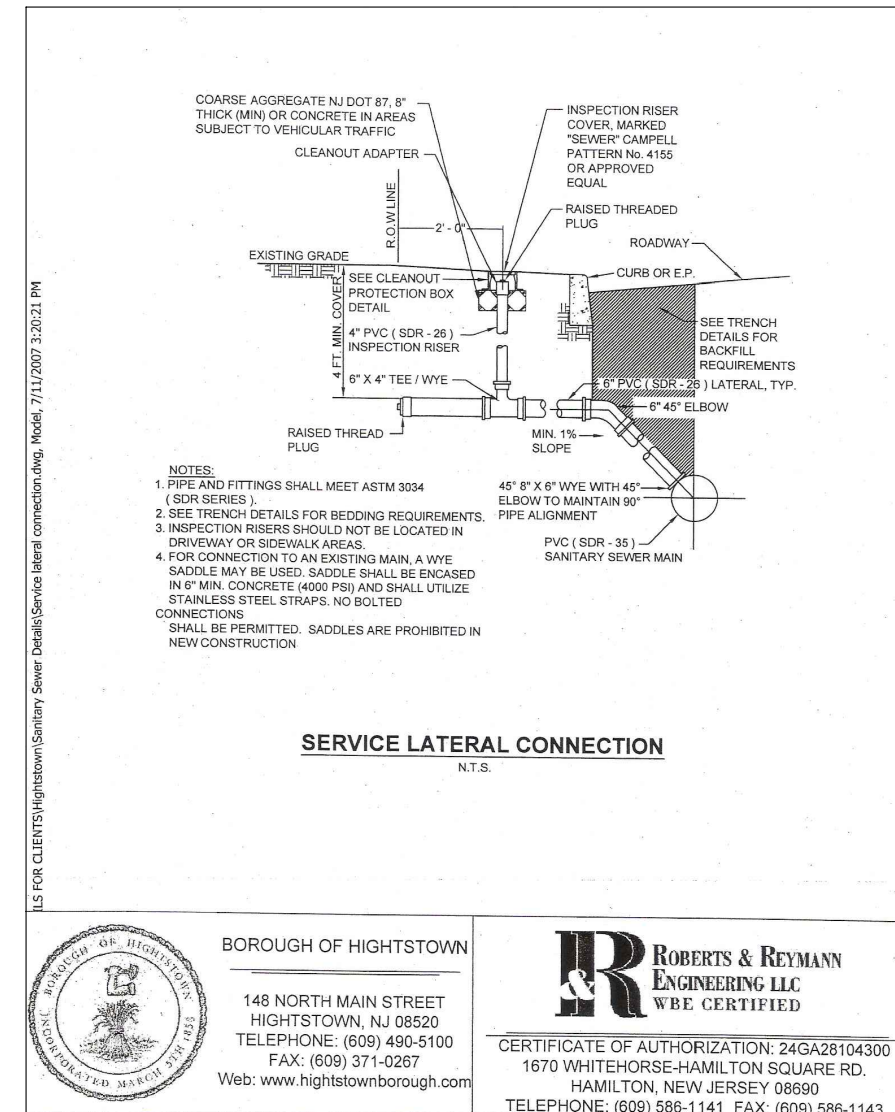
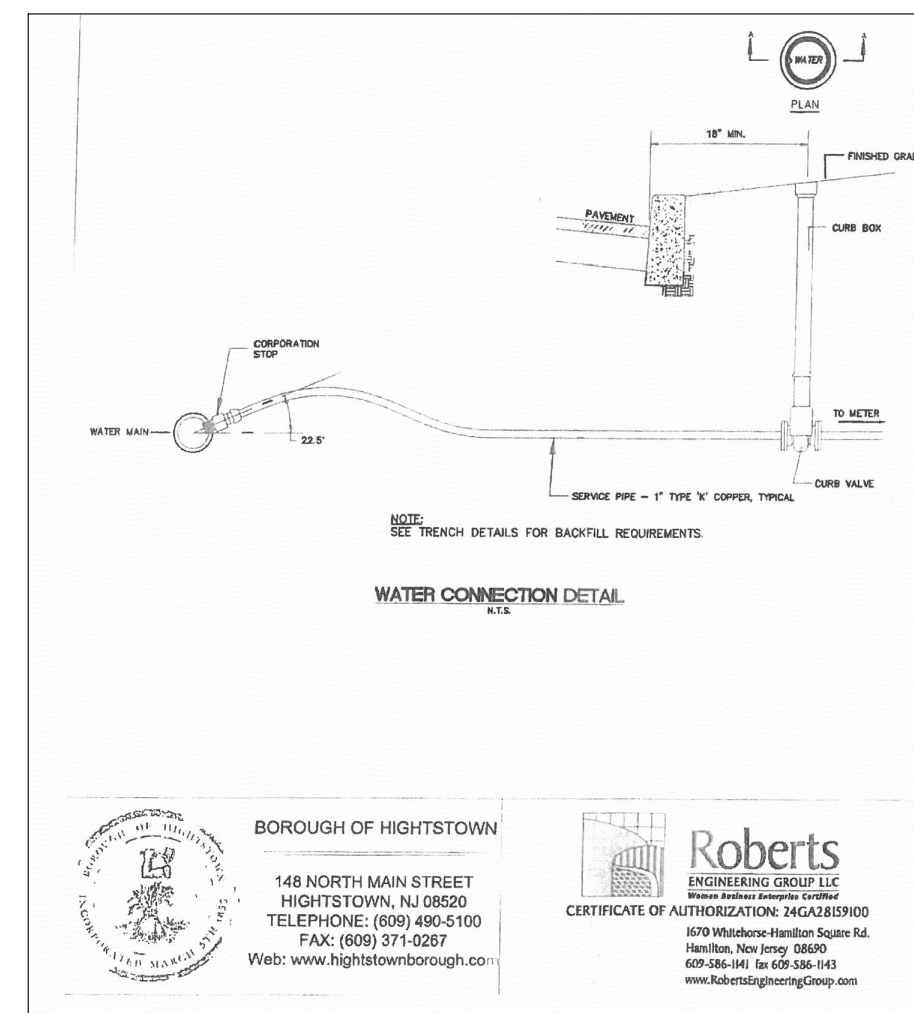
Enclosures

CC: Windsor Property Associates, LLC – Geeta Madadi, Managing Member via email
Loralie E. Totten, P.E. – Crest Engineering Associates, Inc. via email
Carmela Roberts, P.E. – Borough Planning Board Engineer via email
Sandy Belan - Borough of Hightstown Planning Board Secretary via email
Frederick Raffetto, Esq. - Hightstown Borough Attorney via email



TRANSIT PIPE SPECIFICATIONS

1. THE CONTRACTOR IS WARNED THAT ASBESTOS IS A KNOWN HUMAN CARCINOGEN WHEN INHALED AND POSES SERIOUS HEALTH RISKS. ASBESTOS FIBERS ARE EASILY INHALED AND CAN RESULT IN CHRONIC RESPIRATORY ILLNESS, CANCER AND OTHER SEVERE HEALTH EFFECTS.
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$$\begin{aligned} 1'' &= 2' \text{ H} \\ 1'' &= 20' \text{ V} \end{aligned}$$

NOTES:

1. EXISTING WATER AND SANITARY LATERALS WERE UNABLE TO BE LOCATED UPON THE TIME OF THE SURVEY. HISTORIC RECORDS WITH HIGHTSTOWN WATER AND SEWER DEPARTMENT INDICATE EXISTING SERVICES HAS BEEN ESTABLISHED.
2. EXISTING WATER AND SANITARY LATERALS FOUND UPON TIME OF CONSTRUCTION SHALL BE REMOVED IN ACCORDANCE WITH HIGHTSTOWN WATER AND SEWER REGULATIONS.
3. ALL WATER UTILITY PRODUCTS ARE TO BE MANUFACTURED BY MUELLER COMPANY AND BE CONSISTENT WITH THE BOROUGH OF HIGHTSTOWN REQUIREMENTS.
4. EXCAVATION FOR THE WATER SERVICE LATERAL IS TO BE COMPLETED BY THE CONTRACTOR BUT THE TAP CONNECTION TO THE EXISTING WATER MAIN IS TO BE COMPLETED BY THE BOROUGH OF HIGHTSTOWN.
5. THE EXISTING WATER SERVICE MUST BE PROPERLY CUT AND DISCONNECTED AT THE MAIN.

EXISTING FEATURES		LEGEND		PROPOSED FEATURES	
EXIST. TREE LINE		PROP. TREE LINE		PROP. SURFACE FLOW DIRECTION	
EXIST. SANITARY MANHOLE		PROP. LIMIT OF DISTURBANCE		PROP. INLET W/ SEDIMENT BARRIER	
EXIST. INLET		PROP. SALT FENCE		PROP. SLOPE ELEVATION	
EXIST. UTILITY POLE		PROP. TOP CURB/GUTTER GRADE		PROP. CONTOUR	
EXIST. FIRE HYDRANT		PROP. SANITARY SEWER MANHOLE		PROP. SANITARY SEWER	
EXIST. SLOPE ELEVATION		PROP. INLET		PROP. STORM SEWER	
EXIST. WATER LINE		PROP. CONTOUR		PROP. UTILITY POLE	
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EXIST. STORM SEWER					
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EX. TOP CURB/GUTTER GRADE					

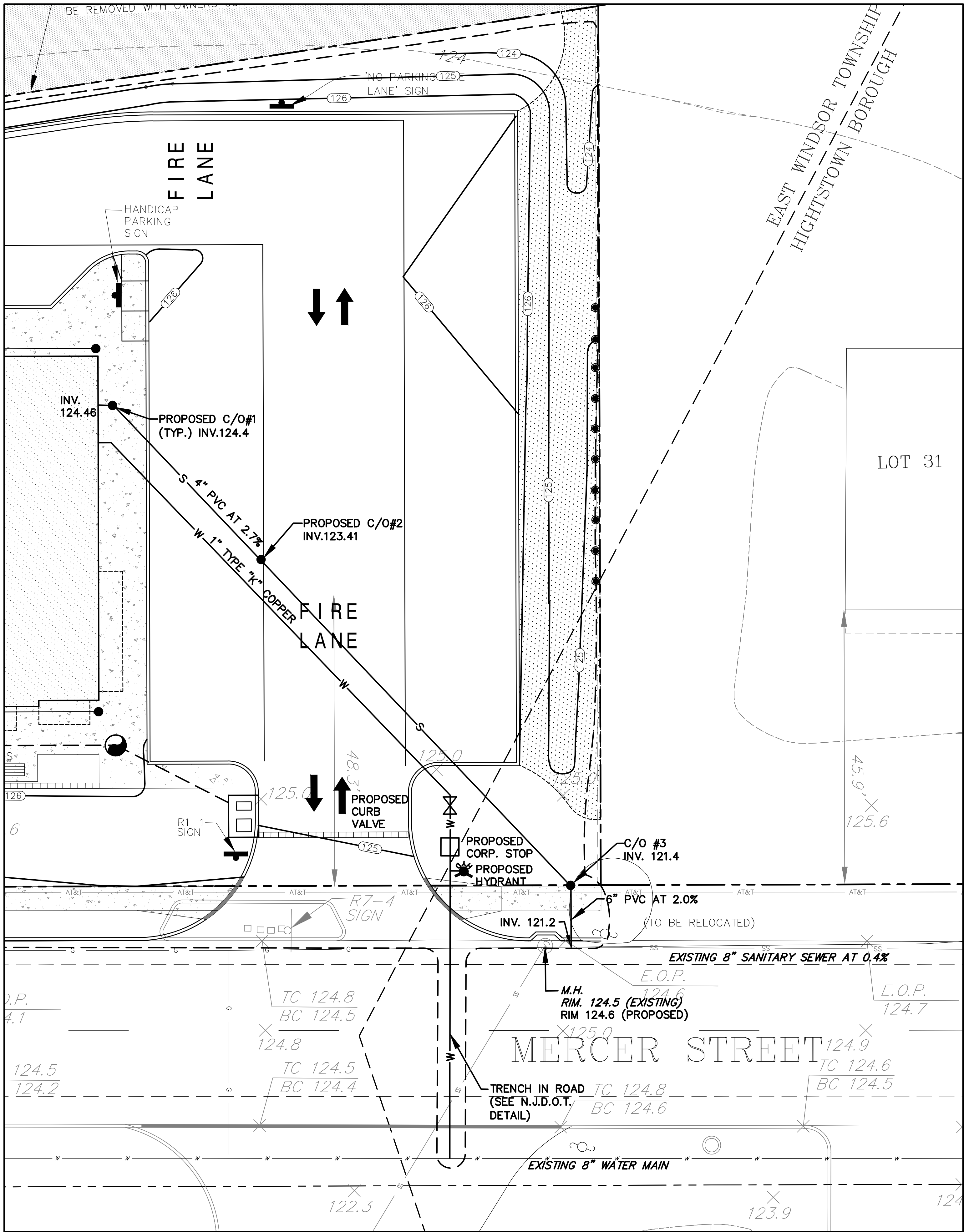
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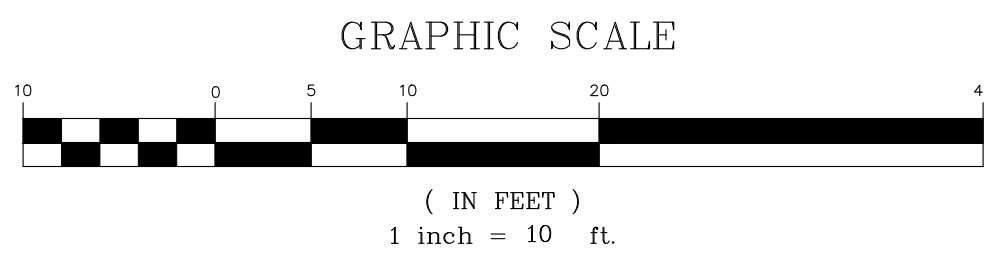
PRELIMINARY & FINAL SITE PLAN
LOTS 99, 100,
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 (TAX MAP SHEET No. 14)
EAST WINDSOR TOWNSHIP—MERCER COUNTY, N.J.
LOT 31 IN BLOCK 48
 (TAX MAP SHEET No. 5)
BOROUGH OF HIGHTSTOWN—MERCER COUNTY, N.J.

UTILITY CONNECTION PLAN

FILE N-5148



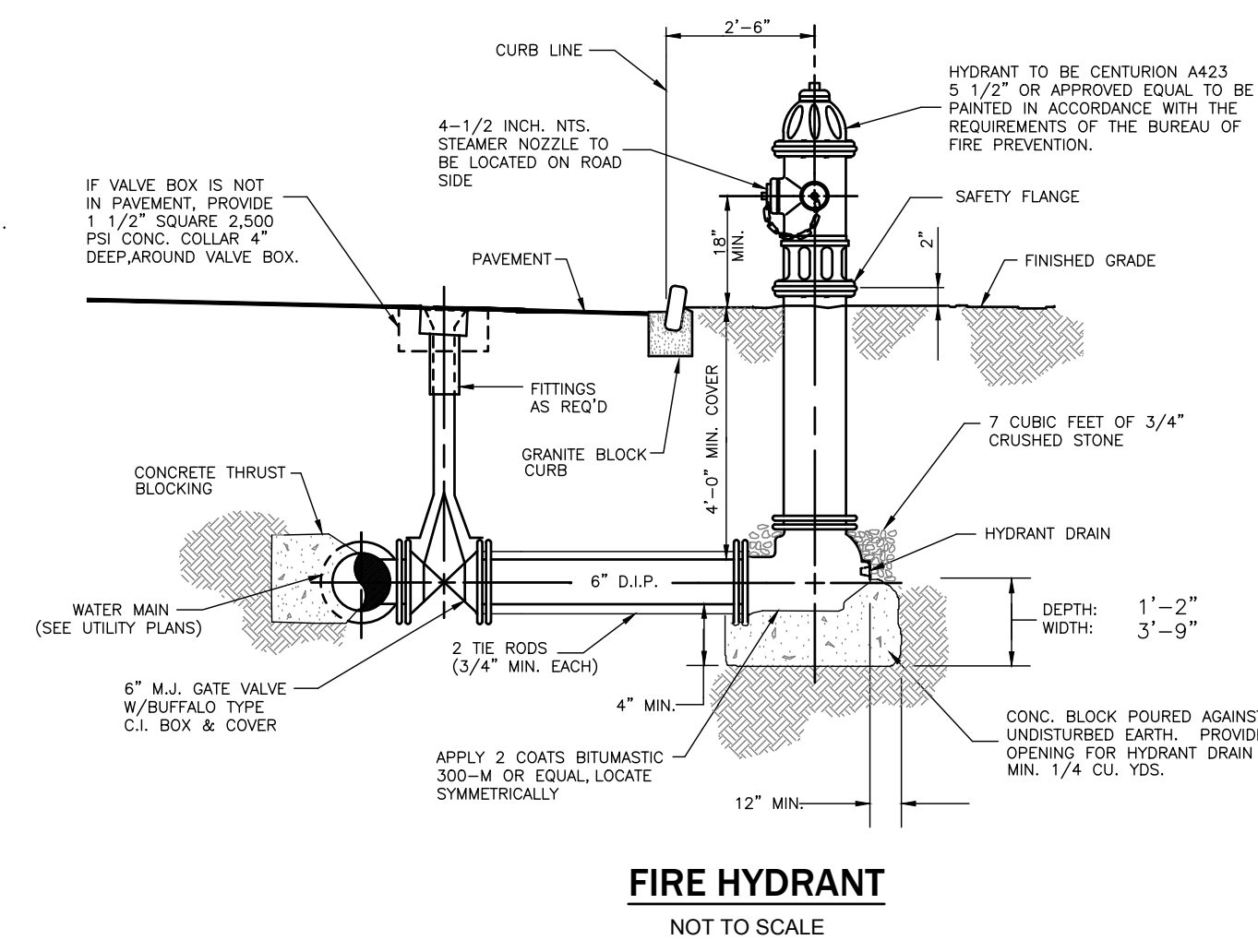
UTILITY CONNECTION PLAN



EXISTING FEATURES		LEGEND		PROPOSED FEATURES	
EXIST. TREE LINE		PROP. TREE LINE			
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EXIST. INLET		PROP. LIMIT OF DISTURBANCE		PROP. INLET W/ SEDIMENT BARRIER	
EXIST. UTILITY POLE		PROP. SILT FENCE		PROP. SPOT ELEVATION	
EXIST. FIRE HYDRANT		PROP. SPOT ELEVATION		PROP. TOP CURB/GUTTER GRADE	
EXIST. SPOT ELEVATION		PROP. TOP CURB/GUTTER GRADE		PROP. CONTOUR	
EXIST. WATER LINE		PROP. CONTOUR		PROP. SANITARY SEWER MANHOLE	
EXIST. SANITARY SEWER		PROP. SANITARY SEWER MANHOLE		PROP. SANITARY SEWER	
EXIST. STORM SEWER		PROP. SANITARY SEWER		PROP. STORM SEWER MANHOLE	
EXIST. FENCE		PROP. STORM SEWER MANHOLE		PROP. INLET	
EX. TOP CURB/GUTTER GRADE		PROP. INLET		PROP. STORM SEWER	
		PROP. STORM SEWER		PROP. PLANNED END SECTION	
		PROP. PLANNED END SECTION		PROP. WATER LINE	
		PROP. WATER LINE		PROP. WATER VALVE	
		PROP. WATER VALVE		PROP. HYDRANT	
		PROP. HYDRANT		PROP. UTILITY POLE	
		PROP. UTILITY POLE			

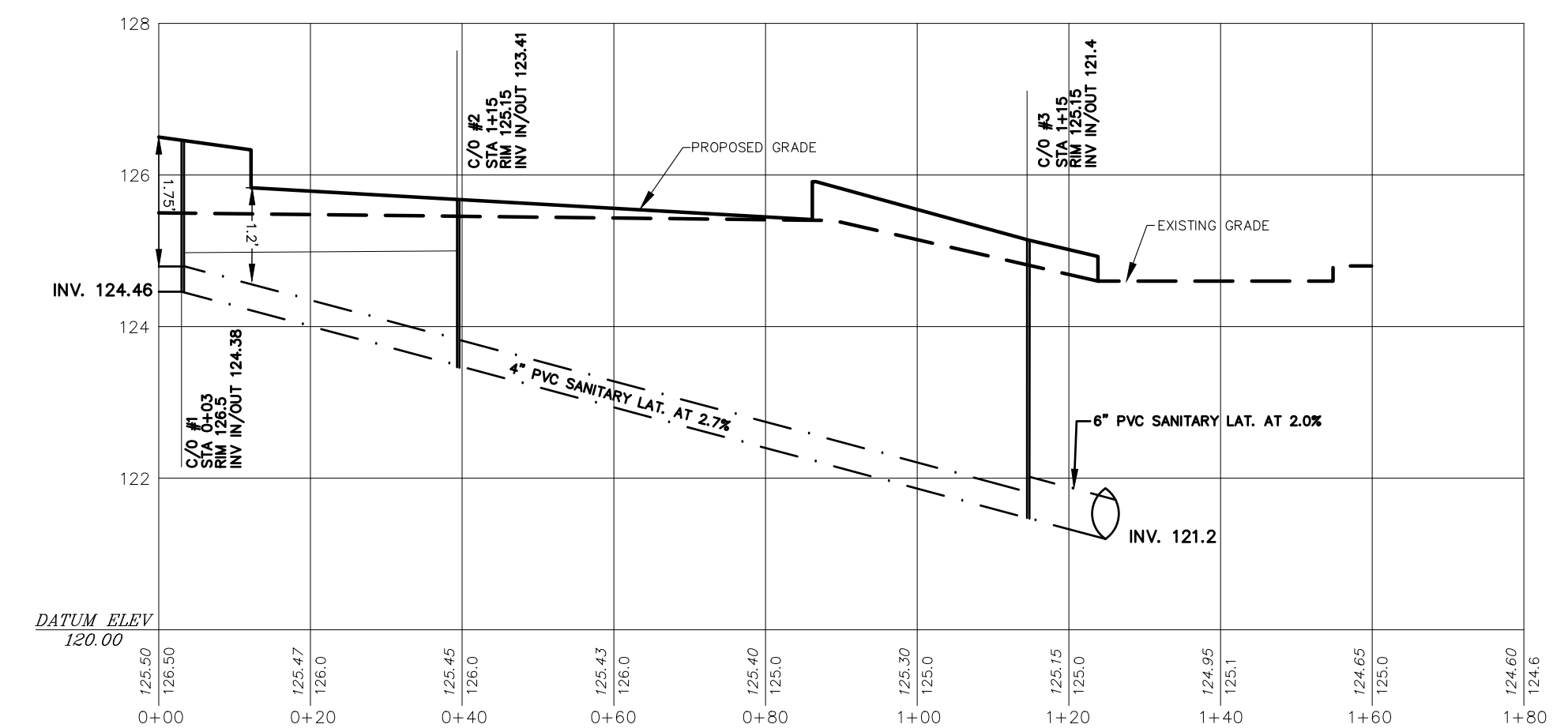
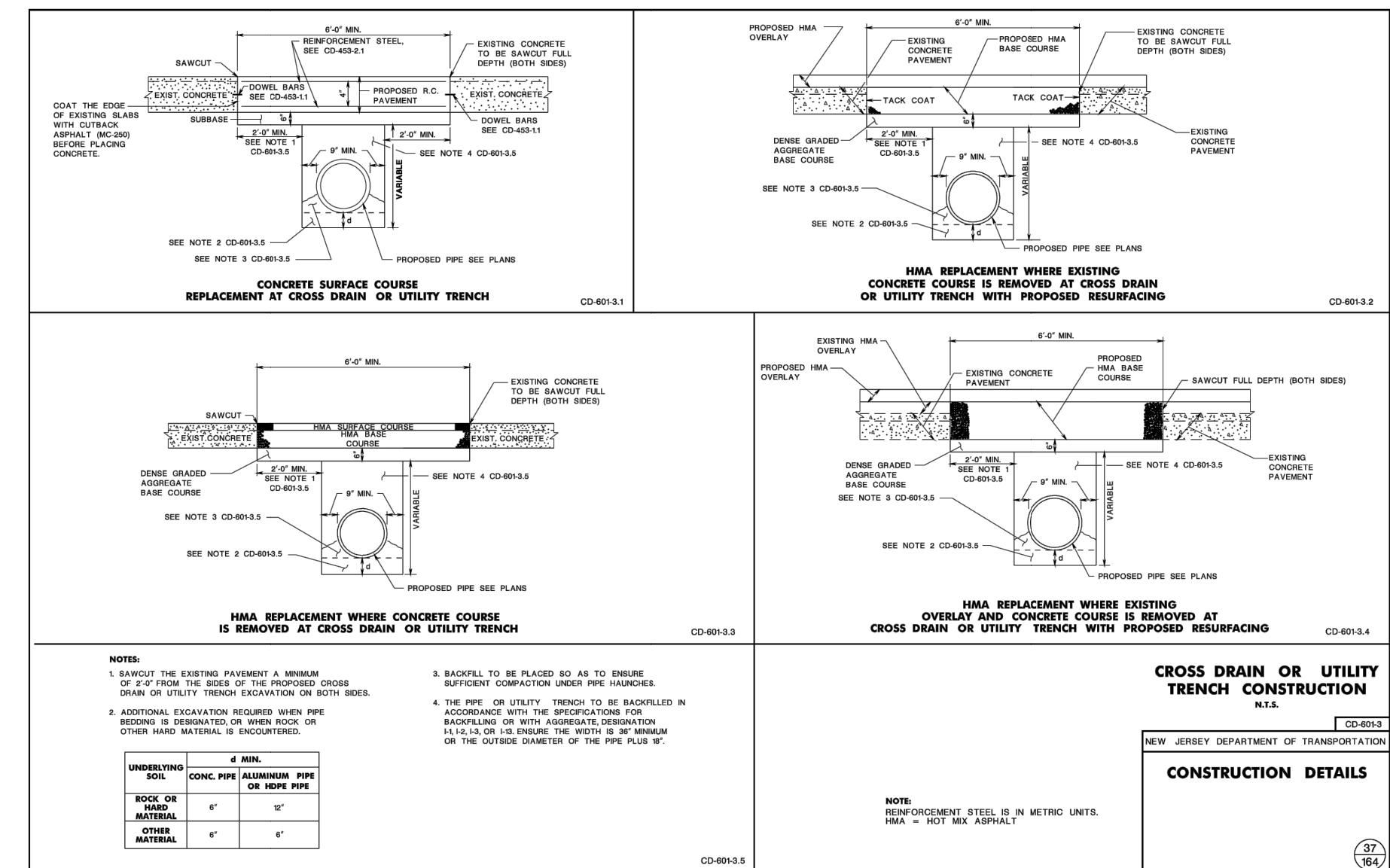
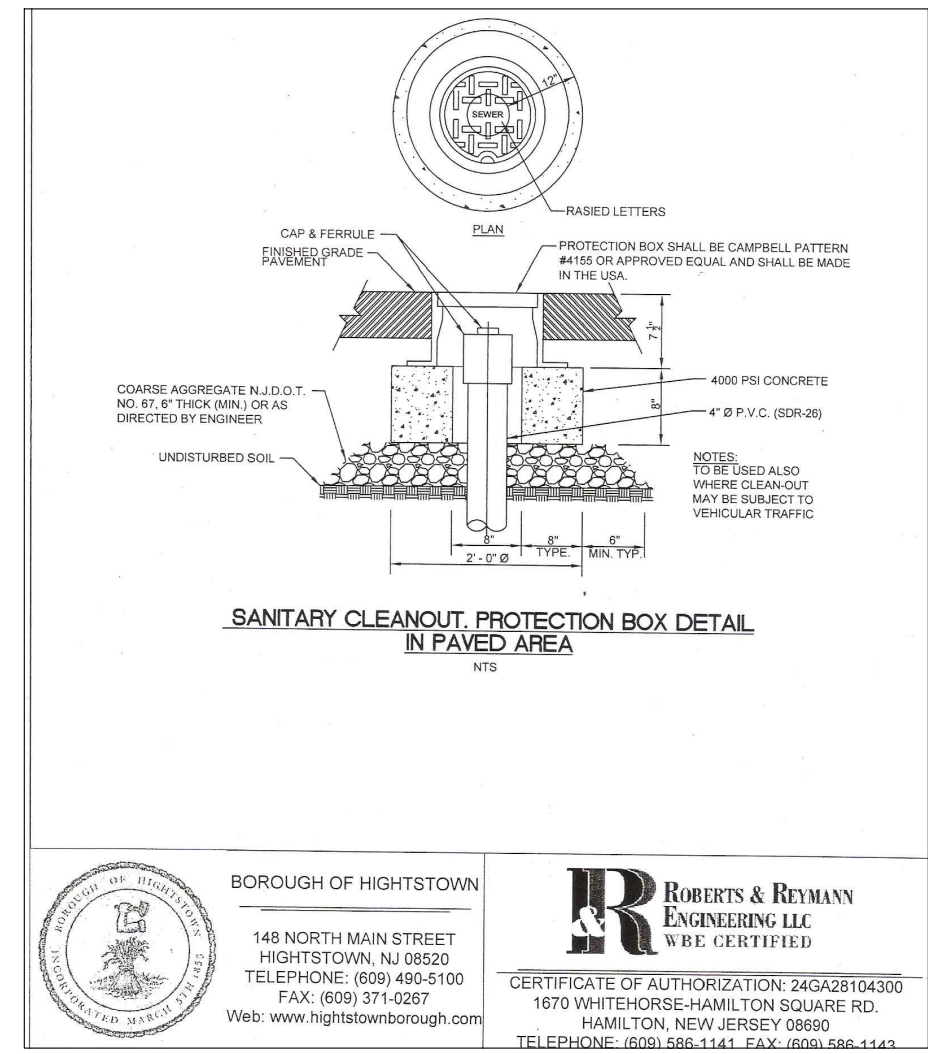
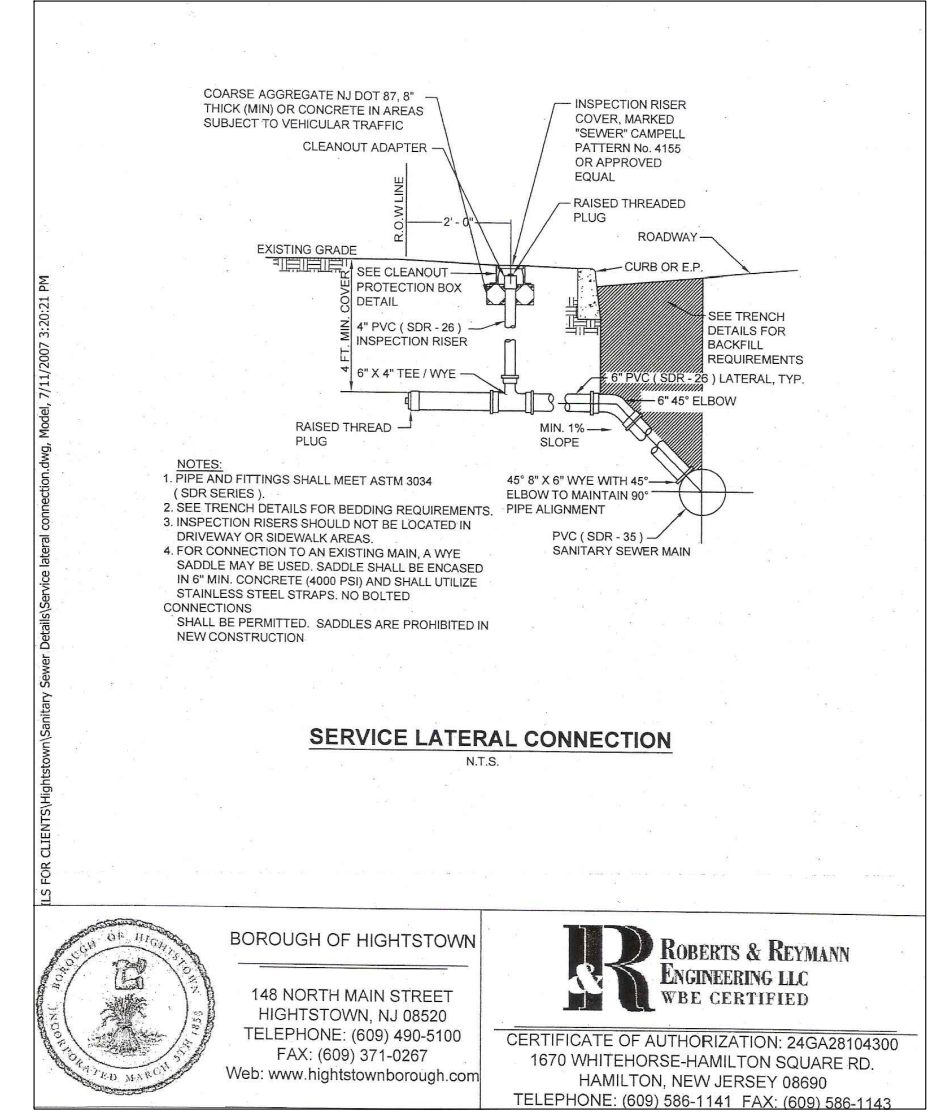
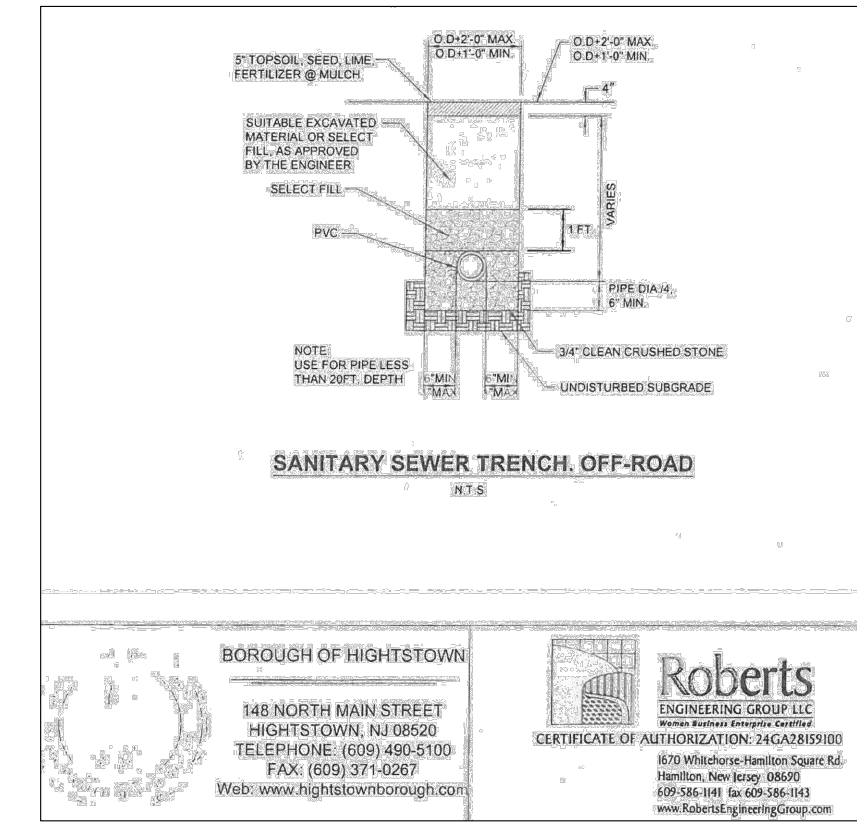
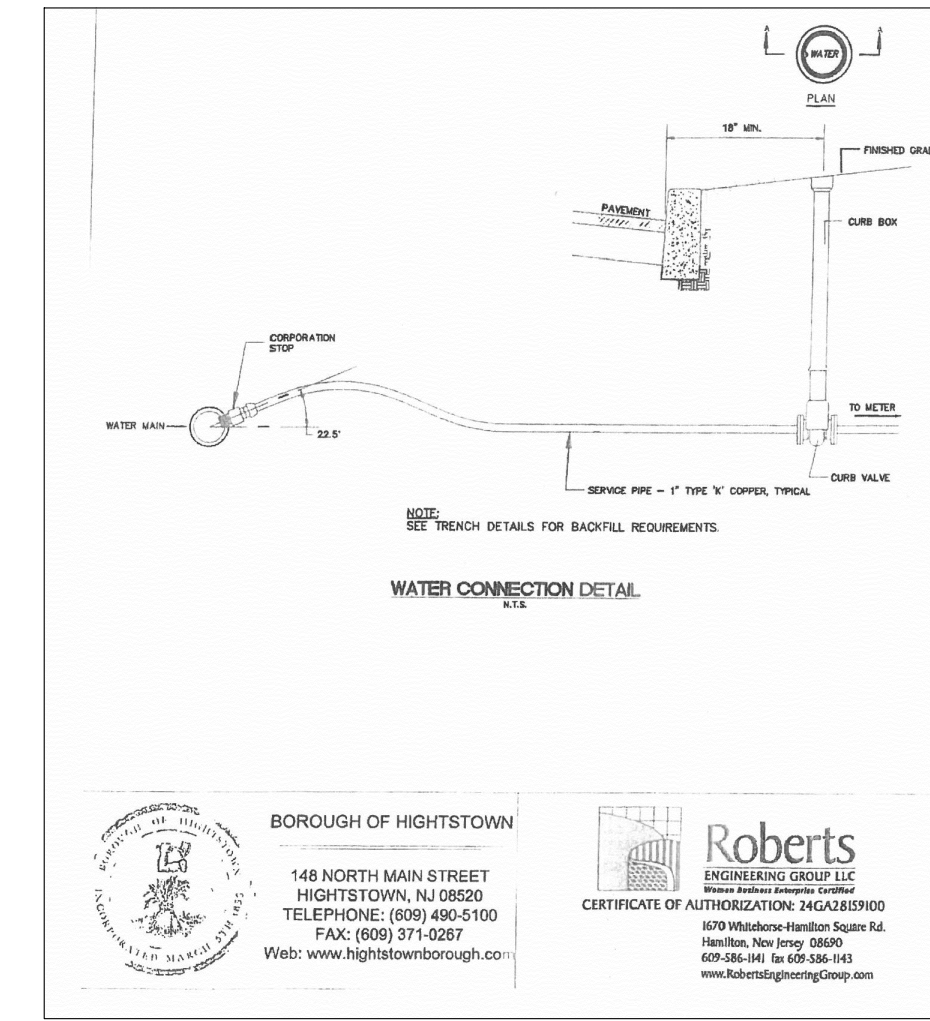
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1" = 2' H
1" = 20' V

SANITARY LATERAL

REV.	DESCRIPTION	DATE
1	REV. PER ROBERTS ENGINEERING GROUP LLC, LETTER DATED 1/11/21	1/26/21

CREST
Engineering Associates Inc.
Civil & Environmental Engineers
Professional Planners • Surveyors • Landscape Architects
• CERTIFICATE OF AUTHORIZATION NO. 246A27989300 •
100 RIVE DRIVE, AT WATER STREET
MILLSTONE, NEW JERSEY 08535
PH: 609/448-5550 PH: 732/244-0888

LORALI E. TOTTEN
PROFESSIONAL ENGINEER N.J. LIC. NO. 28662

DATE	12/21/20
SCALE	1"=10'
DRAWN	M.F.
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SHEET	1 OF 1
POCKET	

PRELIMINARY & FINAL SITE PLAN
LOTS 99, 100,
101, 102 & 103 IN BLOCK 53.03
(TAX MAP SHEET No. 14)
EAST WINDSOR TOWNSHIP-MERCER COUNTY, N.J.
LOT 31 IN BLOCK 48
(TAX MAP SHEET No. 5)
BOROUGH OF HIGHTSTOWN-MERCER COUNTY, N.J.

UTILITY CONNECTION PLAN

FILE: N-5148
DATE: 12/21/20
DRAWN: M.F.
CHECKED:
SHEET: 1 OF 1
POCKET:
C:\Users\matt\OneDrive\Documents\Utility Connection\Utility Connection.dwg

Ordinance 2021-02

*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 \$1,630,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$600,368
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 \$1,630,000, including grants in the aggregate amount of \$1,029,632 expected to be received from the State of New Jersey Department of Transportation, \$500,000 of which is for the improvements to Hauser Avenue, Bennett Place and Prospect Drive, as more specially described in Section 3(a) and \$529,632 of which is for the improvements to Railroad Avenue and Dey Street, as more specially described in Section 3(a) (together, the "State Grants"). 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 Grants.

Section 2. In order to finance the cost of the improvement not covered by the State Grants, negotiable bonds are hereby authorized to be issued in the principal amount of \$600,368 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 Hauser Avenue, Bennett Place, Prospect Drive, Railroad Avenue and Dey Street, 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 \$600,368, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$235,000 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 if other than as referred to in Section 1 hereof, 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 "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.

Introduced:

Adopted:

ATTEST:

Debra L. Sopronyi
Borough Clerk

Lawrence D. Quattrone
Mayor

Ordinance 2021-03

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

**BOND ORDINANCE PROVIDING FOR WATER AND SEWER
IMPROVEMENTS TO VARIOUS ROADS FOR THE WATER-SEWER
UTILITY IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE
COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$710,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$710,000 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$710,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$710,000 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 water and sewer improvements to Railroad Avenue, Dey Street,

Hauser Avenue, Bennett Place and Prospect Drive for the water-sewer utility, 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 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 self-liquidating purpose of a municipal public utility. 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 \$710,000, but that the net debt of the Borough determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$60,000 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.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Borough pursuant to N.J.S.A. 40A:2-44(c).

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 "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.

Introduced:

Adopted:

ATTEST:

Debra L. Sopronyi
Borough Clerk

Lawrence D. Quattrone
Mayor

Resolution 2021-045

*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 \$1,807,390.51 from the following accounts:

Current		\$1,633,092.44
W/S Operating		74,837.45
General Capital		90,733.71
Water/Sewer Capital		4,000.00
Grant		0.00
Trust		621.91
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		1,000.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Escrow		<u>3,105.00</u>
Total		<u><u>\$1,807,390.51</u></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 March 1, 2021.

Margaret Riggio
Deputy Borough Clerk

Date: March 1, 2021

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 3/1/2021

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
BANK OF AMERICA	2/12/2021	21-00094	32171	\$ 1,289.35
STATE OF NJ - DEPT OF TREASURY	2/12/2021	21-00151	1495	\$ 41,487.21
EAST WINDSOR REGIONAL SCHOOL	2/12/2021	21-00152	1496	\$ 736,651.00
COUNTY OF MERCER COUNTY TAX	2/12/2021	21-00153	1497	\$ 5,909.45
COUNTY OF MERCER COUNTY TAX	2/12/2021	21-00154	1498	\$ 765,993.97
ADVANCE AUTO PARTS/CAPITAL ONE	2/17/2021	20-01724	32256	\$ 149.99
TOTAL				<u><u>\$1,551,480.97</u></u>
 <u>WATER AND SEWER OPERATING</u>				
STATE OF NJ - DEPT OF TREASURY	2/12/2021	21-00151	1353	\$ 23,968.10
TOTAL				<u><u>\$ 23,968.10</u></u>
 <u>ESCROW</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>GRANT</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>TRUST- OTHER</u>				
BANK OF AMERICA	2/12/2021	21-00094	32171	\$ 521.91
KRYSTEN SCHMELZER - REISSUE	2/25/2021	20-01058	32257	\$ 100.00
TOTAL				<u><u>\$ 621.91</u></u>
 <u>ANIMAL CONTROL TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>LAW ENFORCEMENT TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>UNEMPLOYMENT TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>PUBLIC DEFENDER TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>TAX LIENTRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>GENERAL CAPITAL</u>				
S&G PAVING CONSTRUCTION INC	2/17/2021	21-00121	6422	\$ 76,164.43
TOTAL				<u><u>\$ 76,164.43</u></u>
 <u>WATER AND SEWER CAPITAL</u>				
TREASURER, STATE OF NEW JERSEY	2/25/2021	21-00186	32258	\$ 4,000.00
TOTAL				<u><u>\$ 4,000.00</u></u>
 MANUAL TOTAL				<u><u>\$1,656,235.41</u></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		First	Rcvd	Chk/Void	1099
Item Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice
A0107 ANSELL GRIMM & AARON, PC									
21-00187 02/25/21 JANUARY 2021 INVOICES									
1 GENERAL FILE INV 464239	540.00	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464239	N
2 ORDINANCES INV 464240	850.50	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464240	N
3 RESOLUTIONS INV 464241	67.50	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464241	N
4 ENGINEERING MATTERS INV 464242	1,363.50	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464242	N
5 MEETINGS INV 464243	378.00	1-01-20-155-001-029	B	Attendance at Council Meetings	R	02/25/21	02/25/21	464243	N
6 AFFORDABLE HOUSING MATTERS	256.50	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464245	N
7 HOUSING AUTHORITY HHA	229.50	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464246	N
8 HIGHTS REALTY, LLC TEMPORARY	67.50	1-01-20-155-001-027	B	General Matters	R	02/25/21	02/25/21	464247	N
	3,753.00								
Vendor Total:		3,753.00							
A1014 APPROVED FIRE PROTECTION, INC.									
21-00112 02/08/21 CALIBRATE EXPLOSION GAS METER									
1 CALIBRATE EXPLOSION GAS METER	126.00	1-09-55-501-002-518	B	Service Contracts - AWWTP	R	02/08/21	02/24/21	IN00053005	N
Vendor Total:		126.00							
AUTOC010 AUTO CONCEPTION LLC									
20-01679 12/31/20 2001 FORD EXPEDITION REPAIRS									
1 2001 FORD EXPEDITION PARTS	838.14	0-01-25-252-002-121	B	Preventive Maintenance	R	12/31/20	02/24/21	3	N
2 2001 FORD EXPEDITION LABOR	1,128.60	0-01-25-252-002-121	B	Preventive Maintenance	R	12/31/20	02/24/21	3	N
	1,966.74								
Vendor Total:		1,966.74							
BELLE005 BELLE MEAD GARAGE									
21-00173 02/19/21 TIRE CHAINS/SHEAR BOLTS									
1 INV. 01-37297	264.15	1-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R	02/19/21	02/24/21	01-37297	N
Vendor Total:		264.15							

[illegible]

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First	Rcvd	Chk/Void	1099	
		Item		Description	Amount	Charge Account		Enc Date	Date	Date	Exc	
CONCE005 CONCENTRA MEDICAL CENTERS												
21-00114	02/08/21	INV	513180568	N MITCHELL	1/27							
1	INV	513180568	N MITCHELL	1/27	87.50	1-01-26-290-001-093	B Employee Physicals/Drug Tests	R	02/08/21	02/25/21	513180568	
Vendor Total:					87.50							
C0087 CUSTOM BANDAG, INC												
21-00181	02/19/21	HPD	ELECTRICITY	12/2/20-1/30/21								
1	HPD	ELECTRICITY	12/2/20-1/30/21		1,297.59	1-01-31-430-001-071	B Electric-Borough Hall	R	02/19/21	02/25/21	DEC2020/JAN2021	
Vendor Total:					1,297.59							
E0576 EAST WINDSOR REGIONAL SCHOOL												
21-00142	02/11/21	JAN	2021	FUEL USE								
1	JAN	2021	FUEL USE - FIRE		281.02	1-01-31-460-001-166	B Motor Fuel - Fire Dept.	R	02/11/21	02/24/21	20669	
2	JAN	2021	FUEL USE - POLICE		1,063.34	1-01-31-460-001-145	B Motor Fuel - Police	R	02/11/21	02/24/21	20669	
3	JAN	2021	FUEL USE - 1ST AID		201.00	1-01-31-460-001-148	B Motor Fuel - Emergency Medical	R	02/11/21	02/24/21	20669	
4	JAN	2021	FUEL USE - GARBAGE		919.12	1-01-31-460-001-147	B Motor Fuel - Public Works	R	02/11/21	02/24/21	20669	
5	JAN	2021	FUEL USE - STREETS		960.89	1-01-31-460-001-147	B Motor Fuel - Public Works	R	02/11/21	02/24/21	20669	
6	JAN	2021	FUEL USE - PARKS		60.50	1-01-31-460-001-147	B Motor Fuel - Public Works	R	02/11/21	02/24/21	20669	
7	JAN	2021	FUEL USE - WATER		54.37	1-09-55-501-001-512	B Motor Fuel	R	02/11/21	02/24/21	21079	
8	JAN	2021	FUEL USE - SEWER		66.24	1-09-55-501-002-512	B Motor Fuel	R	02/11/21	02/24/21	21079	
9	JAN	2021	FUEL USE - CONSTRUCTI		21.94	1-01-31-460-001-151	B MOTOR FUEL-CONSTRUCTION DEPARTMENT	R	02/11/21	02/24/21	21079	
10	JAN	2021	FUEL FACILITY FEE		120.00	1-01-31-460-001-144	B Upgrades to Fueling Facility	R	02/11/21	02/24/21	21079	
					3,748.42							
Vendor Total:					3,748.42							
E0054 ERIC M. BERNSTEIN & ASSOC.,LLC												
21-00130	02/10/21	LABOR	GENERAL INV	68240	1/9/21							
1	LABOR	GENERAL	INV	68240	1/9/21	189.00	1-01-20-155-001-031	B Labor,Personnel & Union Council	R	02/10/21	02/24/21	68240
Vendor Total:					189.00							

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	Invoice	Exc
Q0176	EUROFINS QC, LLC											
21-00133	02/11/21	WATER ANALYSIS										
1	INV 6300009155	-WATER ANALYSIS	272.00	1-09-55-501-001-532	B	Outside Testing/Labs	R	02/11/21	02/24/21		6300009155	N
Vendor Total:		272.00										
E1004	EXCELSIOR BLOWER SYSTEMS, INC.											
21-00054	01/29/21	BLOWER HOSE FOR PEARTH COMPRES										
1	BLOWER HOSE FOR PEARTH	67.20	1-09-55-501-002-503	B	Sewer Plant Maintenance	R	01/29/21	02/24/21			0905826-IN	N
2	FREIGHT	9.87	1-09-55-501-002-503	B	Sewer Plant Maintenance	R	02/17/21	02/24/21			0905826-IN	N
		77.07										
Vendor Total:		77.07										
G1077	GEORGE S. COYNE CO., INC.											
20-00113	02/04/20	HYDROFLUOSILICIC ACID FLUORIDE		B								
13	INV 349902	12/11/2020	947.76	0-09-55-501-001-528	B	Fluorosilic Acid-	R	11/23/20	02/24/21		349902	N
21-00067	02/02/21	LIME HI-CALC HYDRATED WTP		B								
3	INV 352857	DATED 2/5/21	1,691.25	1-09-55-501-001-527	B	Calcium Hydroxide - Lime	R	02/02/21	02/24/21		352857	N
21-00147	02/11/21	LIQUID CHLORINE RES 2020-231		B								
2	INV 352859	DATED 2/5/21	822.30	1-09-55-501-001-526	B	Chlorine	R	02/11/21	02/24/21		352859	N
21-00148	02/11/21	FLUOROSILICIC ACID (FLUORIDE)		B								
2	INV 352858	DATED 2/5/2021	526.40	1-09-55-501-001-528	B	Fluorosilic Acid-	R	02/11/21	02/24/21		352858	N
3	INV 352858	DATED 2/5/2021	424.52	1-09-55-501-001-528	B	Fluorosilic Acid-	R	02/11/21	02/24/21		352858	N
		950.92										
Vendor Total:		4,412.23										
G0038	GOLD TYPE BUSINESS MACHINE											
21-00038	01/29/21	ET STAR BUNDLE - HPD CAR 2										
1	ET STAR BUNDLE - HPD CAR 2	1,000.00	T-14-56-286-000-827	B	RESERVE-LAW ENFORCEMENT TRUST	R	01/29/21	02/25/21			0000030129	N
Vendor Total:		1,000.00										

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge	PO Type Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
G0050 GROVE SUPPLY INC														
21-00175	02/19/21	REPLACEMENT WATER HEATER												
1	REPLACEMENT WATER HEATER	450.00	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/19/21	02/24/21			S5348375.001	N			
2	ADAPTER	7.66	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/19/21	02/24/21			S5348375.001	N			
		457.66												
Vendor Total:		457.66												
H0095 HERR'S PLUMBING														
21-00135	02/11/21	REPAIR LEAK IN CLORATION LINE												
1	REPAIR LEAK IN CLORATION LINE	524.77	1-09-55-501-001-503	B Water Plant Maintenance	R	02/11/21	02/24/21			63123	N			
Vendor Total:		524.77												
H1100 HOME DEPOT CREDIT SERVICES														
21-00081	02/03/21	JANUARY 2021 INVOICES												
1	INV. 3614591 - BOILER DRAIN/	28.48	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/21	02/24/21			3614591	N			
2	INV. 4020007 - DECK SCRUB/	72.82	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/21	02/24/21			4020007	N			
3	INV. 7025875 - 5/16" BIT	9.98	1-01-26-310-001-024	B Building Maintenance	R	02/03/21	02/24/21			7025875	N			
		111.28												
Vendor Total:		111.28												
J0378 J.W. KENNEDY & SON INC WELDING														
21-00105	02/08/21	JAN 2021 CYLINDER RENTAL												
1	INV. R7909	12.40	1-01-26-290-001-050	B DPW Work Equipment	R	02/08/21	02/24/21			R7909	N			
Vendor Total:		12.40												
J0069 JERSEY ELEVATOR LLC														
21-00134	02/11/21	FEB 2021 ELEVATOR SERVICE												
1	FEB 2021 ELEVATOR SERVICE	184.33	1-01-26-310-001-029	B Maintenance Contracts	R	02/11/21	02/24/21			247933	N			
Vendor Total:		184.33												
MAGNU005 MAGNUM ELECTRONICS, INC														
20-01349	10/22/20	LAPEL MIC QUICK RELEASE ADAPT												
1	LAPEL MIC QUICK RELEASE ADAPT	293.61	0-01-25-240-001-043	B Uniform Allowance/Leather Gds.	R	10/22/20	02/25/21			INV/2020/9447	N			

[illegible]

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	Excl
M0536 MGL PRINTING SOLUTIONS												
21-00163	02/18/21 DEP SLIP - ANIMAL CONTROL											
1	DEP SLIP - ANIMAL CONTROL	52.00		1-01-20-125-001-036	B	Office Supplies	R	02/18/21	02/25/21		178694	N
2	SHIPPING	13.00		1-01-20-125-001-036	B	Office Supplies	R	02/18/21	02/25/21		178694	N
		65.00										
	Vendor Total:	65.00										
M1000 MITCHELL HUMPHREY												
21-00131	02/10/21 ANNUAL MAINT CONSTMGR SOFTWARE											
1	ANNUAL MAINT CONSTMGR SOFTWARE	2,415.00		1-01-33-195-001-097	B	Mitchell Humphrey	R	02/10/21	02/24/21		19860000000018	N
	Vendor Total:	2,415.00										
M0127 MONMOUTH COUNTY												
21-00140	02/11/21 JAN 2021 ROOSEVELT TIPPING											
1	JAN 2021 ROOSEVELT TIPPING	2,130.58		1-01-43-513-001-171	B	Borough of Roosevelt-Tipping Fees	R	02/11/21	02/24/21		JAN 2021	N
	Vendor Total:	2,130.58										
00050 ONE CALL CONCEPT INC												
21-00083	02/03/21 JAN 2021 MARK OUT REQUESTS											
1	JAN 2021 MARK OUT REQUESTS	24.31		1-09-55-501-001-535	B	Hydrants and Line Repair	R	02/03/21	02/24/21		1015085	N
	Vendor Total:	24.31										
P1155 PRIOR NAMI BUSINESS SYSTEMS												
21-00100	02/08/21 MAINTENANCE CONTRACT BIZHUB											
1	MAINTENANCE AGREEMENT	2,300.00		1-01-20-140-001-061	B	Maint. Agreemt-Copier Equipmt	R	02/08/21	02/24/21		0000699804	N
	Vendor Total:	2,300.00										
REDAR005 RED ARROW TECHNOLOGIES, LLC												
21-00099	02/08/21 MONTHLY TECH SUPPORT JAN&FEB											
1	TECH SUPPORT JANUARY 2021	1,749.63		1-01-20-140-001-094	B	Computer Service & Support	R	02/08/21	02/24/21		6353	N
2	INTERNET & WEB JANUARY 2021	996.57		1-01-20-140-001-060	B	Internet Services and Web Services	R	02/08/21	02/24/21		6353	N
3	TECH SUPPORT/INTERNET/WEB-JAN	629.89		1-09-55-501-002-530	B	Computer Software/Maint/Equip	R	02/08/21	02/24/21		6353	N
4	TECH SUPPORT/INTERNET/WEB-JAN	283.94		1-09-55-501-001-530	B	Computer Software/Maint/Equip	R	02/08/21	02/24/21		6353	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		
REDAR005 RED ARROW TECHNOLOGIES, LLC Continued												
21-00099	02/08/21	MONTHLY TECH SUPPORT JAN&FEB	Continued									
5 TECH SUPPORT FEBRUARY 2021	1,749.63	1-01-20-140-001-094		B Computer Service & Support	R	02/08/21	02/24/21		6541		N	
6 INTERNET & WEB FEBRUARY 2021	996.57	1-01-20-140-001-060		B Internet Services and Web Services	R	02/08/21	02/24/21		6541		N	
7 TECH SUPPORT/INTERNET/WEB-FEB	629.89	1-01-20-140-001-060		B Internet Services and Web Services	R	02/08/21	02/24/21		6541		N	
8 TECH SUPPORT/INTERNET/WEB-FEB	283.94	1-01-20-140-001-060		B Internet Services and Web Services	R	02/08/21	02/24/21		6541		N	
	7,320.06											
Vendor Total:		7,320.06										
R0114 RUTGERS, THE STATE UNIVERSITY												
21-00123	02/09/21	K Bell CPWM Classes										
1 Registration for Kory Bell	944.00	1-01-26-310-001-042		B Education & Training	R	02/09/21	02/24/21		PW1302		N	
2 Registration for Kory Bell	760.00	1-01-26-310-001-042		B Education & Training	R	02/09/21	02/24/21		PW1302		N	
	1,704.00											
Vendor Total:		1,704.00										
S0061 SEA BOX												
21-00141	02/11/21	CONTAINER RENTAL - FEB 2021										
1 CONTAINER RENTAL - FEB 2021	75.00	1-01-26-310-001-025		B Building Rental	R	02/11/21	02/24/21		SI117882		N	
Vendor Total:		75.00										
W0156 SEARING, WILLIAM												
21-00177	02/19/21	ANNUAL SCADA LOG ME IN REIMBUR										
1 REIMBURSEMENT FOR SCADA LOG ME	349.99	1-09-55-501-002-550		B Scada Fees	R	02/19/21	02/25/21				N	
Vendor Total:		349.99										
SHERW010 SHERWIN WILLIAMS PAINT												
21-00109	02/08/21	PRIMER & ENAMEL										
1 5 GALLON OF LOXON CONCRETE	130.00	1-09-55-501-002-535		B Chemicals Miscellaneous	R	02/08/21	02/24/21		8021-9		N	
2 GALLON INDUSTRIAL ENAMEL BEIGE	116.28	1-09-55-501-002-535		B Chemicals Miscellaneous	R	02/08/21	02/24/21		8021-9		N	
3 GALLON INUSTRIAL ENAMEL RED	58.98	1-09-55-501-002-535		B Chemicals Miscellaneous	R	02/08/21	02/24/21		8021-9		N	
4 GALLON INDUSTRIAL ENAMEL	58.14	1-09-55-501-002-535		B Chemicals Miscellaneous	R	02/08/21	02/24/21		8021-9		N	
5 6"x1/2" WOVEN ROLLER COVERS	29.18	1-09-55-501-002-535		B Chemicals Miscellaneous	R	02/08/21	02/24/21		8021-9		N	
6 GALLON KEM BOND PRIMER	43.40	1-09-55-501-002-535		B Chemicals Miscellaneous	R	02/08/21	02/24/21		8021-9		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		
SHERW010 SHERWIN WILLIAMS PAINT Continued												
21-00109	02/08/21	PRIMER & ENAMEL	Continued									
7 6"X1/2" WOVEN ROLLER COVERS		8.75	1-09-55-501-002-535	B Chemicals Miscellaneous	R	02/16/21	02/24/21		8021-9	N		
		427.23										
Vendor Total:		427.23										
S1096 STAPLES BUSINESS ADVANTAGE												
21-00037	01/29/21	ELECTROSTATIC HANDHELD SPRAYER										
1 ELECTROSTATIC HANDHELD SPRAYER		699.99	1-01-25-260-001-080	B Medical Equipment	R	01/29/21	02/24/21		3468880749	N		
Vendor Total:		699.99										
STATE005 STATEWIDE INSURANCE FUND												
21-00160	02/16/21	INSTALLMENT 1/4 WORKERS COMP										
1 CURRENT FUND GENERAL LIABILITY		11,021.00	1-01-23-210-003-112	B General Liability-JIF	R	02/16/21	02/24/21		20201A33	N		
2 CURRENT FUND WORKERS COMP		21,200.00	1-01-23-210-003-113	B Workers Compensation (JIF)	R	02/16/21	02/24/21		20201A33	N		
3 JIF WATER		7,236.25	1-09-55-501-001-515	B County Insurance - JIF	R	02/16/21	02/24/21		20201A33	N		
4 JIF SEWER		28,944.50	1-09-55-501-002-515	B County Insurance - JIF	R	02/16/21	02/24/21		20201A33	N		
		68,401.75										
Vendor Total:		68,401.75										
R0537 STITCHES N INK												
20-01493	11/20/20	LOAD CAPACITY SIGN FOR FH										
1 INV 13080 - JAN 2020		35.00	0-01-26-310-001-024	B Building Maintenance	R	11/20/20	02/24/21		13080	N		
Vendor Total:		35.00										
T0022 TAYLOR FENCE COMPANY												
21-00033	01/29/21	FENCE REPAIR DAWES PARK										
1 INV 21-000856		117.90	1-01-28-369-001-141	B Parks & Playgrd Maintenance	R	01/29/21	02/24/21		21-000856	N		
Vendor Total:		117.90										
U0144 UPS												
21-00164	02/18/21	INV 0000161Y33061 2/6/21										
1 MCMANIMON 1/22/21 DS		5.68	1-01-30-421-001-022	B Postage & Express Charges	R	02/18/21	02/25/21		0000161Y33061	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		Exc		
U0144	UPS	Continued												
21-00164	02/18/21	INV 0000161Y33061 2/6/21	Continued											
2	IIMC 2/3/21	DS	12.14	1-01-30-421-001-022	B Postage & Express Charges	R	02/18/21	02/25/21		0000161Y33061		N		
4	IIMC 2/3/21	ADJUSTMENT DS	3.95	1-01-30-421-001-022	B Postage & Express Charges	R	02/18/21	02/25/21		0000161Y33061		N		
			21.77											
	Vendor Total:		21.77											
U0013	USA BLUE BOOK													
21-00087	02/03/21	BLEED VALVE-ODOR CONTROL PUMP												
1	BLEED VALVE		67.00	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/21	02/24/21		493885		N		
2	K6VTC3 KOP KIT		154.00	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/03/21	02/24/21		493885		N		
3	SHIPPING		8.58	1-09-55-501-002-503	B Sewer Plant Maintenance	R	02/09/21	02/24/21		493885		N		
			229.58											
	Vendor Total:		229.58											
V0007	VALLEY PHYSICIAN SERVICES, PC													
20-01786	12/31/20	4TH QUARTER CDL DOT TESTING												
1	4TH QTR 2020	CDL DOT TESTING	102.00	0-01-26-290-001-093	B Employee Physicals/Drug Tests	R	12/31/20	02/24/21		505158c5622		N		
	Vendor Total:		102.00											
VENTU005	VENTURA, MIESOWITZ, KEOUGH &													
21-00161	02/17/21	#23699, 11/6/2020-Final Resol.												
1	#23699, 11/6/2020-Final Resol.		630.00	2019-02	P SITE PLAN	R	02/17/21	02/25/21		#23699		N		
	Vendor Total:		630.00											
VERIZ015	VERIZON FIOS													
21-00167	02/18/21	155-504-140-0001-53 2/9/21												
1	155-504-140-0001-53 2/9/21		159.99	1-01-25-240-001-060	B INTERNET AND WEB SERVICES	R	02/18/21	02/25/21		155504140000153		N		
	Vendor Total:		159.99											
V0012	VERMEER NORTH ATLANTIC													
20-01784	12/31/20	PRESSURE WASHER HOSE/TIP												
1	INV 10350068		89.46	0-01-26-305-001-038	B General Hardware Tools & Parts	R	12/31/20	02/24/21		10350068		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	
V0012	VERMEER NORTH ATLANTIC	Continued										
21-00137	02/11/21 CHIPPER PARTS											
1 INV.	10350900 - IDLER ASSEMBLY	614.60	1-01-26-311-001-034		B Equipment Parts & Accessories	R	02/11/21	02/24/21		10350900		N
2 INV.	10350967 - V BAND BELT	230.32	1-01-26-311-001-034		B Equipment Parts & Accessories	R	02/11/21	02/24/21		10350967		N
		844.92										
	Vendor Total:	934.38										
V0290	VITAL COMMUNICATIONS INC.											
20-01778	12/31/20 ASSESSMENT POSTCARDS											
1 ASSESSMENT POSTCARDS EST QTY		331.20	0-01-20-150-001-023		B Printing - Assessment Notices	R	12/31/20	02/25/21		v78952		N
2 NOTICE ASSESSMENT POST&HAND		0.35	0-01-20-150-001-024		B Postage & Express Charges	R	02/09/21	02/25/21		v78952		N
		331.55										
21-00059	01/29/21 MOD IV UPDATE REQUIRED FOR TAX											
1 MOD IV UPDATE REQUIRED FOR TAX		100.00	1-01-20-145-001-023		B Tax Bill/Notice Printing	R	01/29/21	02/25/21		v79015		N
21-00091	02/08/21 MONTHLY CHARGE INV V78848											
1 MONTHLY CHARGE INV V78848		210.00	1-01-20-150-001-029		B Maintenance Contracts	R	02/08/21	02/25/21		v78848		N
	Vendor Total:	641.55										
W0002	W.B. MASON CO., INC.											
21-00156	02/16/21 OFFICE SUPPLIES FEB 2021											
1 CENTRAL OFFICE SUPPLIES		367.44	1-01-20-125-001-036		B Office Supplies	R	02/16/21	02/25/21		217877021		N
	Vendor Total:	367.44										
W0071	WASTE MGMT OF NEW JERSEY, INC.											
21-00168	02/18/21 GRIT & SCREENING RES 2020-230			B								
2 INV	2975208-0502-1 REVISED JAN	1,413.98	1-09-55-501-002-540		B Grit/Screening Disposal-Waste Mgmt	R	02/18/21	02/25/21		2975208-0502-1		N
21-00169	02/18/21 SLUDGE REMOVAL RES 2020-229			B								
2 INV	2975263-0502-6 REVISED JAN	4,982.17	1-09-55-501-002-538		B Sludge Removal/Disposal-Waste Management R	R	02/18/21	02/25/21		2975263-0502-6		N
	Vendor Total:	6,396.15										

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
Total Purchase Orders:		57	Total P.O. Line Items:		113	Total List Amount:		151,155.10	Total Void Amount:		0.00

Totals by Year-Fund								
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total
CURRENT FUND	0-01	3,246.08	0.00	3,246.08	0.00	0.00	0.00	3,246.08
	0-09	947.76	0.00	947.76	0.00	0.00	0.00	947.76
Year Total:		4,193.84	0.00	4,193.84	0.00	0.00	0.00	4,193.84
CURRENT FUND	1-01	78,365.39	0.00	78,365.39	0.00	0.00	0.00	78,365.39
	1-09	49,921.59	0.00	49,921.59	0.00	0.00	0.00	49,921.59
	1-21	0.00	0.00	0.00	0.00	0.00	3,105.00	3,105.00
Year Total:		128,286.98	0.00	128,286.98	0.00	0.00	3,105.00	131,391.98
GENERAL CAPITAL	C-04	14,569.28	0.00	14,569.28	0.00	0.00	0.00	14,569.28
LAW ENFORCEMENT TRUST FUND-#14	T-14	1,000.00	0.00	1,000.00	0.00	0.00	0.00	1,000.00
Total Of All Funds:		148,050.10	0.00	148,050.10	0.00	0.00	3,105.00	151,155.10

Project Description	Project No.	Rcvd Total	Held Total	Project Total
SITE PLAN	2019-02	630.00	0.00	630.00
Site Plan Application #2020-01	3PRCLLC	2,475.00	0.00	2,475.00
Total of All Projects:		<u>3,105.00</u>	<u>0.00</u>	<u>3,105.00</u>

Resolution 2021-046

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

AUTHORIZING PAYMENT NO. 4 ASSUNCAO BROTHERS, INC. (CONSTRUCTION OF PEDDIE LAKE DAM WALKING BRIDGE REPLACEMENT)

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

WHEREAS, the contractor has submitted a request payment in the amount of \$20,448.08 for partial work performed from December 1, 2019 – March 31, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown a payment in the amount of \$20,448.08 to Assuncao Brothers, Inc. of Edison, New Jersey is hereby approved as detailed herein.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on March 1, 2021.

Margaret Riggio
Deputy Borough Clerk

February 18, 2021

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

Re: **Payment Certification #4** (12/01/19 to 03/31/20)
Peddie Lake Dam Walking Bridge Replacement
Borough of Hightstown, Mercer County
Federal Highway Administration No. TAP-C00S(917)
NJDOT Job Code No. 6504305
RVE File No. 1104T001

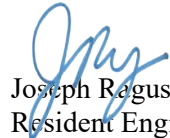
Dear Ms. Sopronyi:

Attached, please find the following information in regards to the above-mentioned project:

- Original copy of **Payment Certificate No. 4**
- **Certified Payrolls (CR-347)**
 - o December 2019, January 2020, February 2020, March 2020
- **DC-127** Monthly Summary of Contractor's Payroll Reports for **Payment #4**
- **DC-128** Quarterly Summary of Contractor's Payroll Reports for **Payment #4**
 - o **2019 Q4**
 - o **2020 Q1**
- **Supplement to CC-257**
 - o Assuncao Brothers Inc. (December 2019, January 2020, February 2020, March 2020)
- **CR-267** Monthly Report of Utility of DBE
 - o Assuncao Brothers Inc. (December 2019, January 2020, February 2020, March 2020)
- **Monthly Employment Utility Report (AA-202)**
 - o Assuncao Brothers Inc. (December 2019, January 2020, February 2020, March 2020)
- **Evidence of Contractors EEO Compliance**
- **DC-29 Inspection Reports (RVE)**
- **DC-70a Item Summaries**

Sincerely,

REMINGTON & VERNICK ENGINEERS, INC.



Joseph Regusa, P.E.
Resident Engineer

JR:ph

Enclosure(s)

cc: William Bisirri, P.E., Remington & Vernick Engineers
Greg Marchese, Remington & Vernick Engineers
James J. Boegly Jr., EIT, Remington & Vernick Engineers

PAYMENT CERTIFICATION #4

INVOICE – PARTIAL PAYMENT #4

**(WORK PERFORMED
12/01/19 THROUGH 03/31/20)**

R
V **REMINGTON & VERNICK ENGINEERS**
CERTIFICATE #4

Assuncao Brothers, Inc.
 29 Wood Avenue
 Edison, NJ 08820
 (732) 549-8585

PROJECT NAME:

Peddie Lake Dam Walking Bridge Replacement

PROJECT NUMBER:

1104T001

Federal Project No. TAP-C00S(917); NJDOT No. 6504305

CLIENT:

Borough of Hightstown (Mercer County)

CERTIFICATE #4

DATE: January 20, 2021

X *Melanie Puka*
 Contractor

2/19/21
 DATE

#	DESCRIPTION	QUANTITY & UNITS		UNITS PRICE	CONTRACT AMOUNT	QTY. COMPL. CERT #4	AMOUNT THIS PERIOD	TOTAL QTY. COMPL.	TOTAL AMOUNT PAYABLE
1	MOBILIZATION	1	LS	\$17,836.52	\$17,836.52	0	\$0.00	1	\$17,836.52
2	SITE CLEARING & ROUGH GRADING	1	LS	\$5,750.01	\$5,750.01	0	\$0.00	1	\$5,750.01
3	TRAFFIC DIRECTOR/FLAGGER	80	HR	\$0.01	\$0.80	0	\$0.00	0	\$0.00
4	SILT FENCE	300	LF	\$6.46	\$1,938.00	0	\$0.00	250	\$1,615.00
5	CONSTRUCTION DRIVEWAY	150	SY	\$33.54	\$5,031.00	0	\$0.00	65	\$2,180.10
6	TEMP. REGULATORY SIGN, R1-1 (30" X 30")	12.5	SF	\$92.00	\$1,150.00	0	\$0.00	0	\$0.00
7	REINFORCED CONCRETE BRIDGE ABUTMENT & FOOTING, 4' X 9.08' X 5'	2	UN	\$19,147.43	\$38,294.86	0	\$0.00	2	\$38,294.86
8	FLOWABLE CONCRETE FILL (CLSM INFILL FOR BRIDGE FOOTING & ABANDONED PIPE)	100	CY	\$242.17	\$24,217.00	0	\$0.00	62	\$15,014.54
9	FURNISH 6' WIDE PEDESTRIAN WALKING BRIDGE, COMPLETE	1	UN	\$106,399.26	\$106,399.26	0	\$0.00	1	\$106,399.26
10	INSTALL 6' WIDE PEDESTRIAN WALKING BRIDGE, COMPLETE	1	UN	\$10,874.84	\$10,874.84	0	\$0.00	1	\$10,874.84
11	MANHOLE FRAME & COVER	1	UN	\$862.50	\$862.50	0	\$0.00	1	\$862.50
12	LIGHT POLE RELOCATION, COMPLETE	2	UN	\$3,450.00	\$6,900.00	0	\$0.00	1	\$3,450.00
13	RAISE/RELOCATE EXISTING LAWN SPRINKLER HEADS	4	UN	\$487.53	\$1,950.12	0	\$0.00	1	\$487.53
14	FILL, COMPACTED/GRADING AT NEW SIDEWALK AREAS	100	CY	\$98.68	\$9,868.00	0	\$0.00	85	\$8,387.80
15	TREE REMOVAL, OVER 18" TO 24" DIA. (IF & WHERE DIRECTED)	2	UN	\$3,150.00	\$6,300.00	0	\$0.00	1	\$3,150.00
16	CONCRETE SIDEWALK, 4" THICK	281	SY	\$55.33	\$15,547.73	0	\$0.00	258.49	\$14,302.25
17	REINFORCED CONCRETE SIDEWALK, 6" THICK	48	SY	\$252.92	\$12,140.16	0	\$0.00	33.26	\$8,412.12

18	CONCRETE STEPS, REINFORCED, 5 STEPS	2	UN	\$7,081.71	\$14,163.42	0	\$0.00	2	\$14,163.42
19	CONCRETE STEPS, REINFORCED, 4 STEPS	2	UN	\$7,081.71	\$14,163.42	0	\$0.00	2	\$14,163.42
20	DECORATIVE WALL	56	LF	\$712.26	\$39,886.56	0	\$0.00	41.5	\$29,558.79
21	ALUMINUM RAILING, 2 RAIL	159	LF	\$115.50	\$18,364.50	149.53	\$17,270.72	149.53	\$17,270.72
22	ALUMINUM RAILING, 2 RAIL, DECORATIVE	30	LF	\$210.00	\$6,300.00	0	\$0.00	0	\$0.00
23	ALUMINUM ACCESS GATE, DECORATIVE	4	UN	\$1,575.00	\$6,300.00	0	\$0.00	0	\$0.00
24	CLEAN FILL	4	CY	\$196.95	\$787.80	0	\$0.00	0	\$0.00
25	TOPSOIL, 8" THICK	10	SY	\$12.08	\$120.80	0	\$0.00	0	\$0.00
26	BOLLARD	3	UN	\$3,136.19	\$9,408.57	0	\$0.00	3	\$9,408.57
27	CONCRETE VERTICAL CURB, 4000 PSI	70	LF	\$89.09	\$6,236.30	0	\$0.00	28	\$2,494.52
28	REMOVE & RESET BRICK PAVER SIDEWALK	165	SF	\$34.87	\$5,753.55	0	\$0.00	109.32	\$3,811.99
29	DETECTABLE WARNING SURFACE	1	SY	\$345.00	\$345.00	0	\$0.00	0.89	\$307.05
30	8" WIDE, WHITE THERMOPLASTIC STRIPING	30	SF	\$52.50	\$1,575.00	27.47	\$1,442.18	27.47	\$1,442.18
31	12" WIDE, WHITE THERMOPLASTIC STRIPING	40	SF	\$52.50	\$2,100.00	29	\$1,522.50	29	\$1,522.50
32	WHITE THERMOPLASTIC STRIPING SYMBOL	1	UN	\$630.00	\$630.00	1	\$630.00	1	\$630.00
33	REGULATORY SIGN, R7-8 (12" X 18")	1.5	SF	\$840.00	\$1,260.00	0	\$0.00	0	\$0.00
34	REGULATORY SIGN, R7-8P (18" X 9")	1.13	SF	\$840.00	\$949.20	0	\$0.00	0	\$0.00
35	FINAL CLEANUP & RESTORATION	1	LS	\$15,170.92	\$15,170.92	0	\$0.00	0	\$0.00
SA-1	ADDITIONAL WORK FOR ABUTMENT DUE TO LOCATION OF EXISTING WALL	0	UN	\$3,684.28	\$0.00	0	\$0.00	2	\$7,368.56
SA-2	ADDITIONAL WORK TO FILL CHAMBER/CULVERT/STRUCTU RE WITH CLSM	0	SF	\$213.54	\$0.00	0	\$0.00	100	\$21,354.00
SA-3	ADDED BACKWALL FOR ABUTMENT	0	UN	\$6,686.66	\$0.00	0	\$0.00	2	\$13,373.32
				Amount Completed this Period		\$20,865.39			

TOTAL AMOUNT COMPLETED TO DATE	\$373,886.36
LESS 2% RETAINAGE	\$7,477.73
SUBTOTAL	\$366,408.63
LESS AMOUNT PREVIOUSLY CERTIFIED	\$345,960.55
AMOUNT DUE THIS CERTIFICATE	\$20,448.08

SUMMARY**ORIGINAL CONTRACT AMOUNT****\$408,575.84****CHANGE ORDERS (ADJUSTED AMOUNTS)**

1	\$42,095.88
2	\$0.00
3	\$0.00
4	\$0.00
5	\$0.00

TOTAL CHANGE ORDERS**\$42,095.88****AMENDED CONTRACT AMOUNT****\$450,671.72****PAYMENTS CERTIFIED TO DATE (AMOUNT)**

1	\$9,497.90
2	\$255,261.71
3	\$81,200.94
4	\$0.00
5	\$0.00

TOTAL PAYMENTS CERTIFIED TO DATE (AMOUNT)**\$345,960.55****AMOUNT OF THIS CERTIFICATE****\$20,448.08****TOTAL AMOUNT OF WORK COMPLETED****\$373,886.36**


 Resident Engineer

2/18/2021

Date

Resolution 2021-047

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

**RESOLUTION AUTHORIZING A 4TH AMENDMENT TO THE LEASE AGREEMENT FOR THE
BOROUGH'S CONTINUED USE OF A PORTION OF THE PROPERTY
KNOWN AND DESIGNATED AS BLOCK 61.01, LOTS 43, 44 & 45,
COMMONLY KNOWN AS 415A MERCER STREET,
HIGHTSTOWN, NEW JERSEY.**

WHEREAS, the Hightstown Borough Governing Body previously adopted Ordinance No. 2014-02 which authorized the Borough of Hightstown (the "Borough") to enter into a Lease Agreement (the "Agreement") with Hights Realty, LLC, regarding the Borough's temporary use of a portion of the premises located at 415 Mercer Street in the Borough, commonly known and designated as Block 61.01, Lots 43, 44 and 45 on the Borough's Tax Map (hereinafter referenced as the "Property"), for the relocation of the Borough's Police Department and associated operations; and

WHEREAS, the Agreement was executed by the parties on February 1, 2014; and

WHEREAS, the parties previously executed a "1st Amendment to Lease Agreement and First Renewal Thereof" (the "1st Amendment"), which modified the renewal terms set forth in the initial Agreement; and

WHEREAS, the parties subsequently executed a "2nd Amendment to Lease Agreement (the "2nd Amendment"), which further modified the renewal terms set forth in the initial Agreement;

WHEREAS, said Lease was extended by way of a 3rd Amendment dated May 6, 2019; and

WHEREAS, the term of the 3rd Amendment has expired as of January 31, 2021;

WHEREAS, the parties wish to renew the said Agreement for a 4th renewal term, which constitutes a one (1) year period retroactive to February 1, 2021, which shall expire on January 31, 2022, including the option to renew for two (2) additional six (6) month terms; and

WHEREAS, the Parties have negotiated a 4th Amendment to Lease Agreement (the "4th Amendment"), which sets forth the renewal terms and conditions, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Mayor and Borough Council wish to authorize the Borough to enter into this 4th Amendment, or one which is substantially similar thereto and which meets with the approval of the Borough Attorney, and to authorize the Council President and Deputy Borough Clerk to execute the same on behalf of the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hightstown that the Council President is hereby authorized to execute and the Deputy Borough Clerk to attest the attached 4th Amendment, or one which is substantially similar thereto and which meets with the approval of the Borough Attorney, on behalf of the Borough.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

1. Hights Realty, LLC
2. Robert Brown, Esq.
2. Frederick C. Raffetto, Esq., Borough Attorney
3. Police Chief Frank Gendron.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on March 1, 2021.

Margaret Riggio
Deputy Borough Clerk

4th AMENDMENT TO LEASE AGREEMENT

THIS 4th AMENDMENT TO LEASE AGREEMENT by and between HIGHTS REALTY, LLC, a New Jersey limited liability company, having an office at 401 E. Linden Ave., Linden, NJ 07036, hereinafter called the “Landlord,” and THE BOROUGH OF HIGHTSTOWN, a municipal corporation of the state of New Jersey, having an office at 156 Bank St., Hightstown, NJ 08520, hereinafter called the “Tenant,” is made this 1st day of March, 2021, as follows:

W I T N E S S E T H:

WHEREAS, the Landlord and the Tenant originally entered into a Lease Agreement dated February 1, 2014 (the “Lease”), regarding the Tenant’s temporary use of a portion of the Landlord’s premises located at 415 Mercer Street in the Borough of Hightstown, commonly known and designated as Block 61.01, Lots 43, 44 and 45 on the Borough’s Tax Map, for the relocation of the Tenant’s Police Department and associated operations; and

WHEREAS, said Lease was extended by way of a 1st Amendment, dated February 1, 2015, 2nd Amendment, dated February 1, 2016 and further extended by way of a 3rd Amendment, dated May 6, 2019; and

WHEREAS, the parties now wish to further amend and extend the Lease pursuant to the within 4th Amendment to Lease Agreement, in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, the parties hereto covenant and agree as follows:

1. The Lease is hereby extended for an additional term of one (1) year, retroactive to February 1, 2021, which shall expire on January 31, 2022.
2. The monthly rent for the period from February 1, 2021 through January 31, 2022 shall be \$4,668.70, representing a five percent (5%) increase over the prior rental payment.
3. The Landlord agrees to provide the Tenant with two (2) options to renew the Lease for two (2) additional six (6) month terms, on the same terms and conditions as are contained herein, with the rent increased by five percent (5%) over the rent payable in Paragraph 2 above. This rent increase shall be a one-time collective increase that shall apply to both six (6) month terms, and shall not represent a new increase that is

applied separately to each such term. Tenant shall give written notice to Landlord of its election to exercise each of said options at least ninety (90) days prior to the expiration of the then current term.

4. Landlord and Tenant shall each have the right to terminate the Lease, without cause or penalty, on ninety (90) days advance written notice. Any such notice of termination shall only be effective at the end of a calendar month.
5. Paragraph 3 from the aforementioned 3rd Amendment is hereby deleted in its entirety.
6. All other terms and conditions of the Lease shall remain in full force and effect, unimpaired and unmodified, for the extension period(s) referenced herein.
7. This Agreement shall be binding upon the parties hereto, their heirs, successors and assigns.

WITNESS/ATTEST:

HIGHTS REALTY LLC

Print Name:

By: _____
Print Name:

WITNESS/ATTEST:

BOROUGH OF HIGHTSTOWN

Margaret Riggio, Deputy Clerk

By: _____
Susan Bluth, Council President

Resolution 2021-048

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

AUTHORIZING DESIGN, INSPECTION AND ADMINISTRATION OF IMPROVEMENTS TO RAILROAD AVENUE AND DEY STREET

WHEREAS, the Borough of Hightstown has been awarded a grant in the amount of \$\$529,632.00 for improvements to Railroad Avenue and Dey Street; and

WHEREAS, the Borough Council wishes to authorize the Borough Engineer, Carmela Roberts of Roberts Engineering Group, for an amount not to exceed \$40,000.00, for the engineering survey, design, permitting and bidding of the project and;

WHEREAS, the Borough Council wishes to authorize the Borough Engineer, Carmela Roberts of Roberts Engineering Group, for an amount not to exceed \$46,000.00, for construction inspection and contract administration costs

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

NOW, THEREFORE BE IT RESOLVED, that the Borough Engineer is hereby authorized as the design engineer, construction inspection and contract administration engineer for the Improvements to Railroad Avenue and Dey Street at a cost not to exceed a total of \$86,000.00.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on March 1, 2021.

Margaret Riggio
Deputy Borough Clerk

Resolution 2021-049

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

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT
RELATING TO THE INSTALLATION OF AN ABOVE-GROUND SWIMMING POOL
WITHIN A BOROUGH-HELD SEWER LINE EASEMENT LOCATED ON AND ACROSS THE
PROPERTY LOCATED AT 201 GLEN BROOK PLACE (BLOCK 5, LOT 5).**

WHEREAS, the owners (Theo and Jennifer Caylo) of the property located at 201 Glen Brook Place in the Borough of Hightstown (the “property”), more commonly known and designated as Block 5, Lot 5 on the official Borough Tax Map, have requested the Borough’s permission to install an above-ground swimming pool (the “pool”) behind the existing garage located in the rear of the property, which pool would be situated within an existing sewer line easement that is held by the Borough but which will otherwise comply with all applicable Borough requirements concerning location; and

WHEREAS, the proposed pool is intended to measure 15’ x 30’; and

WHEREAS, the property owners have agreed to assume all responsibility and liability associated with the proposed pool, including but not limited to all costs, expenses and liability if the pool is ever required to be removed or dismantled by the Borough for any purpose (i.e., the excavation of the sewer line) and requires repair(s) or replacement, along with liability for any and all damages occasioned to any person or property associated whatsoever with the pool; and

WHEREAS, the property owners have agreed to remove the pool in connection with any sale of the property, unless the new purchaser(s) thereof agree to execute a similar agreement with the Borough; and

WHEREAS, the property owners have agreed to execute an Agreement with the Borough in order to memorialize the representations set forth above, along with any and all other terms and conditions deemed necessary by the Borough Attorney.

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

1. That the Borough hereby provides its consent to the property owners for the installation of an above-ground swimming pool (the “pool”) behind the existing garage located in the rear of the property, which pool would be situated within an existing sewer line easement that is held by the Borough but which will otherwise comply with all applicable Borough requirements concerning location, subject to the terms and conditions set forth above and also subject to any other terms and conditions that are deemed necessary by the Borough Attorney (which shall be included in an Agreement between the Borough and the property owners).
2. That the Mayor or Borough Administrator is hereby authorized to execute, and the Deputy Municipal Clerk to attest, an Agreement on behalf of the Borough, which Agreement shall be in a form satisfactory to the Borough Attorney, relating to the above issues. The execution of said Agreement shall be a prerequisite to the issuance of any permits associated with the installation of said pool.

3. That a certified copy of this Resolution shall be provided to each of the following:
 - a. Debra L. Sopronyi, Borough Administrator/Clerk; and
 - b. George Chin, Zoning Officer; 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 March 1, 2021.

Margaret Riggio
Deputy Borough Clerk



Borough of Hightstown

156 Bank Street, Hightstown, NJ 08520
(609) 490-5100 Fax: (609) 371-0267

Website: www.hightstownborough.com

March 1, 2021

New Jersey Safe Routes to School
New Jersey Department of Transportation
Trenton, New Jersey 08625

Dear New Jersey Safe Routes to School:

Hightstown Borough recognizes that there is a need to promote the health and safety of our children. Nearly one out of three children (31%) ages 10-17 are overweight or obese in New Jersey, and New Jersey has the second highest rate of obesity (17.9%) for low-income children ages 2-5. As a result, the lack of physical activity has had a significant impact on children's health and well-being, resulting in higher rates of obesity, diabetes, heart disease, and other related health concerns compared to 30 years ago. Driving children to school by private vehicle and idling in the school vicinity contributes to traffic congestion and air pollution near the school, and air pollution near schools can have adverse effects on student health as well as on the local environment.

Bicycling and walking to school can have a positive mental and physical impact on the health of children and youth and helps them arrive at school ready to learn. Providing safer routes to and from schools aims to decrease pedestrian and bicycling related injuries, not just for students but for the entire community. The New Jersey Safe Routes to School program uses education, encouragement, infrastructure and enforcement strategies to help make walking and bicycling to school safer and more attractive to children. A successful Safe Routes to School program involves schools, school boards, citizens and local government to collaborate to enable and encourage children, including those with disabilities, to walk and bicycle to school safely.

Therefore, Hightstown Borough supports the New Jersey Safe Routes to School program which enables and encourages students to walk and bicycle to school and the development and maintenance of safe ways to walk and bicycle to school.

Sincerely,

Susan Bluth
Council President



Borough of Hightstown Planning Board

156 Bank Street, Hightstown, New Jersey 08520

609-490-5100, extension 617

Website: www.hightstownborough.com

TO: Borough Council

FROM: Sandra Belan, Planning Board Secretary

SUBJECT: Planning Board Action – Zoning Map and Undersized Vacant Lot

DATE: November 13, 2019

At their meeting on November 12, 2019, the Planning Board referred the following matters to the Borough Council for their consideration.

- 1) Zoning Map – Consensus of the Planning Board that Ordinance 2019-15 and “Existing Zoning Map” dated September 2019, be revised to show the extended Zones for the DTC and DTG as noted in the 2014 Master Plan Re-Examination Report and remove the GR zone, which is no longer applicable.
- 2) Proposed Ordinance Change for Undersized Vacant Lot, Subsection 28-28-2 Continuation; Enlargement; Rebuilding; Change of Use – Planning Board proposes the following changes to the proposed ordinance:
 - a) k. Owners of existing undersized vacant lots, as of the date of the adoption of this ordinance, can avoid appearing before the Planning Board for a Bulk Variance to build a new house if they meet all of the following conditions...
 - b) #6. The proposed house and accessory structure will be reviewed is approved by the Planning Board Architectural Review Committee.
 - c) #7. The proposed house and accessory structure will be reviewed is approved by the Hightstown Historic Preservation Commission.

Subsection 28-28-2 Continuation; Enlargement; Rebuilding; Change of Use.

j. Additions to existing single-family dwellings and/or decks constructed on existing buildings which would extend into the required front, side or rear yards shall be permitted if the following conditions are met:

1. The existing and proposed residential use is permitted in the zone in which it is located.
2. The total lot coverage, off-street parking, garage and building height requirements of the applicable zone are met.
3. The existing residential structure does not reduce any required setback by more than fifty (50%) percent and the proposed setback of any addition does not increase any yard setback deficiency of the existing dwelling.
4. The length (front yard to rear yard) of the proposed violation of any side yard does not exceed thirty-five (35') feet.
5. All other applicable zone requirements affected by this proposed addition are met, except that existing lot area and lot width deficiencies shall not require variances, provided that all other requirements of this section are met. (1991 Code § 233-64; Ord. No. 1996-15 § 1; Ord. No. 2011-07)

k. Owners of undersized vacant lots can avoid appearing before the Planning Board for a Bulk Variance to build a new house if they meet all of the following conditions:

1. The proposed residential use is permitted in the zone in which it is located.
2. The proposed house does not encroach on any setback.
3. The proposed house and accessory structures does not exceed the percentage of lot coverage for all buildings.
4. The total lot coverage of all proposed structures and all other proposed lot improvements do not exceed the total allowed lot coverage.
5. The proposed house and accessory structure does not exceed the maximum height.
6. The proposed house and accessory structure is ~~approved~~ reviewed by the Planning Board Architectural Review Committee.
7. The proposed house and accessory structure is ~~approved~~ reviewed by the Hightstown Historic Preservation Commission.
8. All other applicable zone requirements affected by the proposed house and accessory structures are met, except that the existing lot area and lot width deficiencies shall not require variances, provided that all other requirements of this section are met as determined by the Zoning Official.







Borough of Hightstown Planning Board

156 Bank Street, Hightstown, New Jersey 08520
609-490-5100, extension 617
Website: www.hightstownborough.com

TO Borough Council

FROM: Sandy Belan, Planning Board Secretary

SUBJECT: Planning Board

DATE: February 8, 2021

At their meeting on February 8, 2021, the Planning Board determined that the proposed changes to Ordinance Subsection 28-10-19 Permanently Installed Standby Generators are not inconsistent with the Hightstown Borough's Master Plan.

However, the Planning Board did request that George Chin, Zoning Officer, do additional research on the following:

- 1) The screening/fencing suggested for the generator.
- 2) (b) “.....Routine testing is permitted for a thirty minute period once a month during weekdays between 9:00 a.m. and 4:00 p.m. subject to air quality restrictions.”

Research manufacturers recommendations regarding routine testing of generators, i.e. **weekly or monthly?**

Revised 1/29/21

Subsection 28-10-19 Permanently Installed Standby Generators.

- a. Standby generators shall be permitted as accessory uses ~~in the following Residential Districts: R-1, R-2, R-3, and R-4,~~ and shall be located in the rear yard **and side yard** only and not project beyond the ~~side~~ **front** building lines of the principal structure. All generators shall be installed on a concrete pad or other pre-formed pad designed to meet the generator's specifications. The generator shall be screened so it is not visible from adjacent properties or from any street or public way. ~~For corner lots, generators may be located in the side yard with approval from the Zoning Officer.~~ Screening shall consist either of plantings or an opaque fence of sufficient size and height to completely screen the generator from adjacent properties or from any street or public way. **Generators located in the side yard require six (6') foot solid fencing to completely enclose the generator. A solid gate shall be required.** Screening shall be maintained by the owner or occupant of the property. **All screening or fencing shall be placed in accordance with the generator manufacturer's installation instruction and clearance requirements. The location of the generator, the type of screening and the size of the screening shall be approved by the Zoning Officer.**
- b. Standby generators may only be used when electric power to the property has been interrupted for reasons beyond the control of the property owner or resident, or for routine testing. Routine testing is permitted for a thirty minute period once a month during weekdays between 9:00 a.m. and 4:00 p.m., subject to air quality restrictions. Routine testing shall not take place on days in which the air quality is classified as unhealthy for sensitive groups, unhealthy, very unhealthy, or hazardous in accordance with N.J.A.C. 7:27-19.2(d) as it may be amended from time to time.
- c. Notwithstanding anything to the contrary, generators shall not generate noise levels in excess of 68 dB at twenty-three feet when operating at one hundred percent. Generators shall be operated at all times with a muffler, and any factory-installed enclosure for the generator may not be removed for any reason except for maintenance or repair.
- d. Supplemental diesel and gasoline fuel storage tanks powering generators shall not be permitted in any residential zone. If the generator is powered by propane gas, the propane gas tank shall be completely screened so as not to be visible from adjacent properties or from any street or public way and shall obtain all applicable regulatory approvals.

(Ord. No. 2014-18)

Resolution 2021-050

*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 March 1, 2021, via www.zoom.com, 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 – Dispatch

Contract Negotiations – Police/Court Facilities

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 June 1, 2021, 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 March 1, 2021.

Margaret Riggio
Deputy Borough Clerk