

**AGENDA**  
**Hightstown Borough Council**  
**July 5, 2023 | 6:30 p.m.**  
**Hightstown Engine Company No. 1**  
**140 North Main Street, Hightstown**

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

**Meeting called to order by Mayor Susan Bluth**

**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 advertised in the Trenton Times and Windsor-Hights Herald as required by law and is posted on the Hightstown Borough website.

**Roll Call**

**Flag Salute**

**Approval of Agenda**

**Approval of Minutes**

April 3, 2023 – Public Session  
April 3, 2023 – Executive Session  
April 17, 2023 – Public Session

**Third Round Housing  
Element & Fair Share Plan**

Brian Slaugh, Borough Planner

**Resolution 2023-137** Resolution Endorsing the Borough of Hightstown's Third Round Housing Plan Element and Fair Share Plan, Adopting the Borough of Hightstown's Affordable Housing Trust Fund Spending Plan and Adopting an Affirmative Marketing Plan

**Resolution 2023-138** Amending Resolution 2023-15 Appointing and Authorizing an Agreement for Professional Services – Administrative Agent of Hightstown Borough's Affordable Housing Program

**Ordinance 2023-11 First Reading and Introduction** Ordinance Amending Chapter 28 – Zoning of the Code of the Borough of Hightstown, County of Mercer to Modify the R-MF District to Implement Inclusionary Affordable Housing Zoning

## **Area in Need of Redevelopment**

**Resolution 2023-139** Resolution of the Borough of Hightstown Mayor and Council Designating Certain Property Identified as Block 28, Lots 51-53 on the Official Tax Map of the Borough as a Non-Condemnation Area in Need of Redevelopment Pursuant to N.J.S.A. 40A:12A-1 et seq.

## **Budget 2023**

### **Public Hearing for the 2023 Budget**

*The Public Hearing for the 2023 Budget will be rescheduled. The new date is to be determined.*

**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**

**Ordinance 2023-12 First Reading and Introduction** – Bond Ordinance Providing for Various Capital Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$428,000 therefor and Authorizing the Issuance of \$407,600 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

**Ordinance 2023-13 First Reading and Introduction** – Bond Ordinance Providing for Various Water-Sewer Utility Improvements in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$130,000 therefor and Authorizing the Issuance of \$123,800 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

## **Resolutions**

**2023-140** Authorizing Payment of Bills

## **Consent Agenda**

**2023-141** A Resolution Confirming Insurance Coverage for Representatives of the Borough's Planning Board While Engaged in Activities Offsite in Furtherance of the Master Plan Reexamination Process

**2023-142** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Improvements to Summit Street

**2023-143** Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Improvements to Dutch Neck Road

**2023-144** Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2023 Budget

## **Discussion**

## **Subcommittee Reports**

## **Mayor/Council/Administrative Updates**

**Executive Session      Resolution 2023-145** Authorizing a Meeting that Excludes the Public  
Attorney Client Privilege

## **Adjournment**

**Meeting Minutes  
Hightstown Borough Council  
April 3, 2023  
6:30 p.m.**

The meeting was called to order by Mayor Bluth at 6:31 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.”

The flag salute followed Roll Call.

	<b>PRESENT</b>	<b>ABSENT</b>
<i>Councilmember Joseph Cicalese</i>	✓	
<i>Councilmember Cristina Fowler</i>	✓	
<i>Councilmember Todd Frantz</i>	✓	
<i>Councilmember Jeet Gulati</i>	Arrived late	
<i>Councilmember Joshua Jackson</i>	✓	
<i>Councilmember Frederick Montferrat</i>		✓
<i>Mayor Susan Bluth</i>	✓	

Also in attendance: Margaret (Peggy) Riggio, Borough Clerk; Dimitri Musing, Borough Administrator; Fred Raffetto, Borough Attorney and George Lang, CFO.

The Flag Salute followed roll call.

**APPROVAL OF AGENDA**

Moved by Councilmember Frantz; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, and Jackson voted yes.

Agenda approved 4-0.

Councilmember Gulati arrived at this time.

**Honoring Volunteers of Hightstown Borough**

**Resolution 2023-79 Proclaiming Hightstown Volunteer Appreciation Week and Recognizing, Honoring and Thanking Hightstown’s Volunteers**

Moved by Councilmember Jackson; Seconded by Councilmember Fowler.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Resolution adopted 5-0.

Mayor Bluth recognized all individuals serving on all Hightstown Borough Boards, Commissions and Committees, Hightstown Engine company No. 1, Ladies Auxiliary and Hightstown First Aid and presented individual certificates of appreciation.

### **PUBLIC COMMENT**

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

**Nikhil Bhalla, 7 Eli Court** – Stated that he demands a reversal of the traffic pattern on North Main Street and Wycoff Mills Road. This is a major inconvenience for many residents of Enchantment and Wycoff Mills. He also believes that this creates a danger on William Street. He would like to see this ordinance reversed.

**Raakesh Kaul, 5 Ely Court** – He stated that he is a happy and satisfied resident of Hightstown. He is unhappy with discomfort, inconvenience and agony since adoption of ordinance 2022-06. Please change no trucks allowed. Trucks are now going down William Street which is much more narrow than Wyckoff mills road. He is very hopeful that council will give this consideration.

**Brian Thompson, 130 William Street** – Spoke against the do not enter on Wycoff Mills Road. All traffic is now coming down William Street and it is making it very dangerous.

**Eugene Sarafin, 628 South Main Street** – Stated that he feels Council is doing a wonderful job. Spoke against County, State and Federal government. He believes our country is allowing, homelessness and poverty

**Peter Klapsogearge, 418 North Main Street** – Stated that he believes the Do Not Enter at Wycoff Mills Road is a brilliant idea. Thanked Council for making this change.

**Gary Grubb, 302 Morrison Avenue** – Stated that volunteering is a wonderful way to give back to your community. It is nice to see the younger people here tonight. We have a good going here in Hightstown.

There being further comments, Mayor Bluth closed the public comment period.

### **ORDINANCES**

**Ordinance 2023-05 Final Reading and Public Hearing Bond Ordinance Providing for Improvements to the Sludge Tank and Drywell for the Water-Sewer Utility in and by the Brough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$1,640,000 therefor and Authorizing the Issuance of \$1,640,000 Bonds or Notes of the Borough to Finance the Cost Thereof**

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

**Eugene Sarafin, 628 South Main Street** – Supports this ordinance.

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

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

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Ordinance adopted 5-0.

Ordinance 2023-05

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

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE  
SLUDGE TANK AND DRYWELL FOR THE WATER-SEWER UTILITY  
IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF  
MERCER, NEW JERSEY, APPROPRIATING \$1,640,000 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$1,640,000 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 \$1,640,000. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is expected to be funded through the New Jersey Infrastructure Bank.

. 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 \$1,640,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements and replacement of various parts for the existing sludge tank and drywell 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 general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

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

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,640,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$265,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

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

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

**Ordinance 2023-06 Final Reading and Public Hearing Bond Ordinance Providing for the Replacement of Water-Sewer Lines for the Water and Sewer Utility in and by the Borough**



**of Hightstown, in the County of Mercer, New Jersey, Appropriating \$105,000 therefor and Authorizing the Issuance of \$100,000 Bonds or Notes of the Borough to Finance the Cost Thereof**

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

**Eugene Sarafin, 628 South Main Street** – Supports this ordinance.

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

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

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Ordinance adopted 5-0.

Ordinance 2023-06

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

**BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF WATER-SEWER LINES FOR THE WATER AND SEWER UTILITY IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 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") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$105,000, including the sum of \$5,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$100,000 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 the replacement of water-sewer lines, 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 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 \$100,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

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

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

**Ordinance 2023-07 Final Reading and Public Hearing Bond Ordinance Providing for Engineer Costs for Lead Line Water Service Replacement for the Water-Sewer Utility in and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$100,000 therefor and Authorizing the Issuance of \$100,000 Bonds or Notes of the Borough to Finance the Cost Thereof**

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

**Eugene Sarafin, 628 South Main Street** – Supports this ordinance.

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

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

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Ordinance adopted 5-0.

Ordinance 2023-07

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

**BOND ORDINANCE PROVIDING FOR ENGINEER COSTS FOR LEAD LINE WATER SERVICE REPLACEMENT FOR THE WATER-SEWER UTILITY IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 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 \$100,000. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is expected to be funded through the New Jersey Infrastructure Bank.

. 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 \$100,000 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 engineer costs for lead line water service replacement for the water-sewer utility, including all related costs and expenditures 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 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 15 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 Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$100,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

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

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

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

## **RESOLUTIONS**

### **Resolution 2023-80 Authorizing Payment of Bills**

Moved by Councilmember Frantz; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Resolution adopted 5-0.

Resolution 2023-80

*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 \$159,789.11 from the following accounts:

Current		\$53,917.10
W/S Operating		68,324.51
General Capital		28,050.00
Water/Sewer Capital		9,425.50
Grant		0.00
Trust		0.00
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Housing Trust		0.00
Escrow		<u>72.00</u>
Total		<u>\$159,789.11</u>

**Resolution 2023-81 Resolution Authorizing the Award of a Non-Fair and Open Contract for an OBIC Liner System for the Sludge Tank at the AWWTP**

Moved by Councilmember Cicalese; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Resolution adopted 5-0.

Resolution 2023-81

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

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR AN OBIC LINER SYSTEM FOR THE SLUDGE TANK  
AT THE AWWTP**



**WHEREAS**, the Borough of Hightstown has determined that there is a need for the replacement of an OBIC Liner System for the Sludge Tank at the AWWTP through a non-fair and open purchase pursuant to the provisions of N.J.S.A 19:44A-20.5; and

**WHEREAS**, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, Advanced Rehabilitation Technology of Bryan, Ohio, has submitted a proposal dated February 8, 2023, indicating they will provide the OBIC Liner System for \$34,874.00; and

**WHEREAS**, the Chief Finance Officer has certified that funds are available for this purchase as follows: Water-Sewer Bond Ordinances: \$6,140.70 Ord 2008-15; \$9,878.00 Ord 2011-3; \$18,855.30 Ord 2014-12.

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

1. The Borough Council for the aforementioned reasons, hereby declares that Advanced Rehabilitation Technology, 525 Winzeler Drive, Unit 1, Bryan Ohio 43506, submitted a quote and hereby approves purchase to said entity for the aforesaid goods and services in the amount of \$ \$34,874.00.
2. Advanced Rehabilitation Technology has completed and submitted a Business Entity Disclosure Certification which certifies that Advanced Rehabilitation Technology, has not made any reportable contributions to a political or candidate committee in the Borough of Hightstown in the previous one year, and that Advanced Rehabilitation Technology, will refrain from making any reportable contributions through length of the project.
3. The Borough Council hereby authorizes the Borough Clerk/Purchasing Agent to execute the quote and proceed with the issuance of a purchase order to begin the work detailed herein.
4. That the Business Disclosure Entity Certification the Determination of Value be placed on file with this resolution.

**Resolution 2023-82 A Resolution of Hightstown Borough Authorizing the Purchase of Electricity Supply Services for Public Use on an Online Auction Website**

Moved by Councilmember Fowler; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Resolution adopted 5-0.

Resolution 2023-82

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

**A RESOLUTION OF HIGHTSTOWN BOROUGH  
AUTHORIZING THE PURCHASE OF ELECTRICITY  
SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE  
AUCTION WEBSITE**

**WHEREAS**, Hightstown Borough (the “Borough”) has determined to move forward with an EMEX Reverse Auction in order to procure electricity for the Borough; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

**WHEREAS**, EMEX, LLC is compensated for all services rendered through the participating supplier to whom a contract is awarded; and

**WHEREAS**, the auction will be conducted pursuant to the Acts referenced above; and

**WHEREAS**, if the main load electricity supply auction achieves a price of \$0.095 kWh or less for any term, then the Borough may award a contract to the winning supplier for the selected term.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor of the Borough is hereby authorized to execute on behalf of Hightstown Borough, and the Borough Clerk to attest, any main load electricity supply contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.095 kWh or less for any term. In such case, Hightstown Borough may award a contract to the winning supplier for the selected term.

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

- a. Dimitri Musing, Borough Administrator;
- b. Margaret Riggio, Qualified Purchasing Agent/Borough Clerk;
- c. George Lang, Borough C.F.O.;
- d. Frederick C. Raffetto, Esq., Borough Attorney; and
- e. John A. Smith, Mantis Innovation/EMEX

410 Riverview Plaza  
Trenton, NJ 08611

**Resolution 2023-83 A Resolution Authorizing the Execution of a 1<sup>st</sup> Amendment to Temporary Use and License Agreement with East Windsor Regional School District**

Moved by Councilmember Jackson; Seconded by Councilmember Frantz.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Resolution adopted 5-0.

Resolution 2023-83

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

**A RESOLUTION AUTHORIZING THE EXECUTION OF A 1<sup>ST</sup> AMENDMENT  
TO TEMPORARY USE AND LICENSE AGREEMENT WITH  
EAST WINDSOR REGIONAL SCHOOL DISTRICT.**

**WHEREAS**, on December 5, 2022, the Borough of Hightstown (also referenced as the “Borough”) entered into a Temporary Use and License Agreement (the “Agreement”) with East Windsor Regional School District (also referenced as the “EWRSD”) to allow the EWRSD, through the use of a specific contractor (Allied Painting, Inc., of Cherry Hill, New Jersey), to paint a decorative logo on the exterior of the water tank located within the Leshin Lane R.O.W. within the Borough; and

**WHEREAS**, the Borough and EWRSD wish to extend the “Term” (as that provision is defined in Section 2 of the Agreement) of the License granted pursuant to the Agreement through May 31, 2023; and

**WHEREAS**, the Borough and EWRSD wish to memorialize this understanding in the attached proposed 1<sup>st</sup> Amendment to Temporary Use and License Agreement.

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

1. That the Borough Council hereby approves the attached 1<sup>st</sup> Amendment to Temporary Use and License Agreement, in accordance with the provisions set forth above.
2. That the Mayor is authorized to execute, and the Borough Clerk to attest, the attached 1<sup>st</sup> Amendment to Temporary Use and License Agreement.

3. That a certified copy of this Resolution (along with the attached 1<sup>st</sup> Amendment to Temporary Use and License Agreement) shall be provided to each of the following:
  - a. East Windsor Regional School District;
  - b. Dimitri Musing, Borough Administrator; and
  - c. Frederick C. Raffetto, Borough Attorney.

## **MAYOR/COUNCIL/ADMINISTRATIVE REPORTS**

### **Councilmember Fowler**

- Memorial Day Parade
  - May 29<sup>th</sup> 9:00 a.m.
  - Parade will follow the same route as in years past.
  - Committee is still looking for more participants. Have interested participants email Councilmember Fowler.
  - Applications are due by May 10<sup>th</sup>
- Harvest Fair
  - October 7<sup>th</sup>
  - Rain Location – Grace Rogers School
- Thanked Hightstowns volunteers. Stated this “it takes a village and she is happy to be in this one.”

### **Councilmember Gulati**

- Housing Authority – Next Meeting April 19<sup>th</sup>

### **Council President Jackson**

Thanked Hightstown Volunteers. Thanked Mayor Bluth for recognizing our residents for their hard work. People like to feel appreciated.

### **Borough Clerk, Peggy Riggio**

- Primary Election
  - June 6<sup>th</sup>
  - Petitions received last week.
  - Democrats 2 petitions for full term. 1 petition for unexpired term.
  - Republicans No petitions received for any office.
- Microphones – Working with fire department to add additional microphones
- Special events permit – First Draft has been forwarded to the Borough Administrator.
- Volunteers

- If anyone is interested in filling a seat on one of our Boards or Commissions, please complete a Citizen Leadership Form and return to the Clerk's Office.

**Borough Administrator, Dimitri Musing**

- Public Works is doing an amazing job with spring clean up around town.
- Borough offices reopened to the public.

**Mayor Bluth**

- Wycoff Mills Road traffic pattern was changed due to safety concerns from many residents. It was passed with blessing of the County. Hightstown Borough Council is very transparent. The ordinance was introduced in public and adopted in public. Agendas are on the website well in advance and minutes are posted promptly. Residents are well aware of what is going on in town. We apologize if this is an inconvenience to residents. Traffic should be turning down Monmouth Street, not William Street.
- There is currently a bill reforming NJ's Liquor License Laws. The new laws will make it easier for "mom & pop" businesses to operate and lift many restrictions on local breweries. Hightstown supports this bill.
- Public Works recently received a Safety Grant from Statewide Insurance. This will be used for general safety.
- Wished everyone a Happy Passover and Happy Easter.

**Adjourn to Executive Session 7:33 p.m.**

Moved by Councilmember Jackson; Seconded by Councilmember Fowler.

**EXECUTIVE SESSION**

**Resolution 2023-84 Authorizing a Meeting that Excludes the Public**

Moved by Councilmember Cicalese; Seconded by Councilmember Jackson.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati and Jackson voted yes.

Resolution adopted 5-0.

Resolution 2023-84

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

### **AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on April 3, 2023, at the Hightstown Fire House located at 140 North Main Street, Hightstown, that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

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

Attorney Client Privilege

Contract Negotiations – Water Plant Administration & Inspection Engineer

Contract Negotiation – Easement 133 Monmouth Street

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public July 3, 2023, or when the need for confidentiality no longer exists.

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

### **ADJOURNMENT**

Respectfully Submitted,

Margaret Riggio, RMC  
Borough Clerk

Approved by Hightstown Borough Council: \_\_\_\_\_

**Meeting Minutes  
Hightstown Borough Council  
April 17, 2023  
6:30 p.m.**

The meeting was called to order by Council President Jackson at 6:30 p.m. and he read the Open Public Meetings Act statement which stated, “Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the *Trenton Times* and the *Windsor-Hights Herald*, and is posted on the Borough website.”

The flag salute followed Roll Call.

	<b>PRESENT</b>	<b>ABSENT</b>
<i>Councilmember Joseph Cicalese</i>	✓	
<i>Councilmember Cristina Fowler</i>	✓	
<i>Councilmember Todd Frantz</i>	✓	
<i>Councilmember Jeet Gulati</i>	✓	
<i>Councilmember Joshua Jackson</i>	✓	
<i>Councilmember Frederick Montferrat</i>	✓	
<i>Mayor Susan Bluth</i>		✓

Also in attendance: Margaret (Peggy) Riggio, Borough Clerk; Dimitri Musing, Borough Administrator; Fred Raffetto, Borough Attorney

The Flag Salute followed roll call.

**APPROVAL OF AGENDA**

Moved by Councilmember Cicalese; Seconded by Councilmember Fowler.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati, Jackson and Montferrat voted yes.

Agenda approved 6-0.

**PUBLIC COMMENT**

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

**Eugene Sarafin, 628 South Main Street** – Stated that he misses having 2 public comment periods. He does not understand what is happening in our society. We are hung up on racism, religious persecution and war. We will destroy ourselves.

**Alex Constantino, 360 South Main Street** – Feels the truck traffic is getting worse and it is getting scary. Trucks are making illegal turns. They are too big to be making turns onto South Main Street. We need Council's support to collect data. Complete Streets has grant opportunities but needs Council support to apply and implement.

**Michele Epstein, 421 North Main Street** – Stated that she supports Mr. Constantino's statements. She has been trying to get trucks off our 25 mph streets. NJDOT prohibits Hightstown from banning trucks on State Roads. We need to find alternate routes for trucks to take. We need to move this process forward. We are in a crisis.

There being further comments, Mayor Bluth closed the public comment period.

## **RESOLUTIONS**

### **Resolution 2023-85 Authorizing Payment of Bills**

Moved by Councilmember Frantz; Seconded by Councilmember Gulati.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati, Jackson and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2023-85

*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 \$718,265.23 from the following accounts:



Current		\$623,999.36
W/S Operating		94,265.87
General Capital		0.00
Water/Sewer Capital		0.00
Grant		0.00
Trust		0.00
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Escrow		<u>0.00</u>
Total		<u>\$718,265.23</u>

**Resolution 2023-86 Authorizing Renewed Shared Services Agreement with East Windsor Township for Senior Services**

Moved by Councilmember Cicalese; Seconded by Councilmember Montferrat.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati, Jackson and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2023-86

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

**AUTHORIZING RENEWED SHARED SERVICES AGREEMENT  
WITH EAST WINDSOR TOWNSHIP FOR SENIOR SERVICES**

**WHEREAS**, with the adoption of Resolution 2022-166 on September 6, 2022, the Borough Council approved a Shared Services Agreement with the Township of East Windsor for the provision of Senior Services for the period March 1, 2021, through February 28, 2022, at a cost of thirty-nine thousand five hundred twenty-eight dollars and eighty cents (\$39,528.80) for the 12-month period; and

**WHEREAS**, the parties desire to enter into a successor agreement to continue the provision of Senior Services to the Borough by the Township of East Windsor through February 28, 2023; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq. authorizes the approval of Shared Services Agreements by Resolution; and

**WHEREAS**, the Mayor and Council have reviewed the proposed Shared Services Agreement for Senior Services for the period March 1, 2022 through February 28, 2023; and

**WHEREAS**, the Borough's net share of costs for these services, by the terms of this agreement, for the period March 1, 2022 through February 28, 2023 will forty thousand five hundred seventy-one dollars and thirty-six cents (\$40,571.36) for this 12-month period; and

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

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

1. The Shared Services Agreement with the Township of East Windsor for Senior Services for the period March 1, 2022 through February 22, 2023 is hereby approved, in accordance with the provisions of N.J.S.A. 40:65-1 et seq.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the agreement for same.

**Resolution 2023-87 A Resolution Confirming the Sale of Block 62, Lot 15 (105 Springcrest Drive), in the Borough of Hightstown, County of Mercer, State of New Jersey, Pursuant to N.J.S.A. 40A:12-1 et seq.**

Moved by Councilmember Cicalese; Seconded by Councilmember Fowler.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati, Jackson and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2023-87

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

**A RESOLUTION CONFIRMING THE SALE OF BLOCK 62, LOT 15  
(105 SPRINGCREST DRIVE), IN THE BOROUGH OF HIGHTSTOWN, COUNTY OF  
MERCER, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-1, et seq.**

**WHEREAS**, on March 6, 2023, the Borough Council of the Borough of Hightstown (also referenced as the "Borough") adopted Ordinance No. 2023-04 (the "Ordinance"), which declared certain real property owned by the Borough which is known and designated as Block 62, Lot 15 on the Official Tax Map of the Borough, and which property has a physical address of 105 Springcrest Drive (the "Property"), in the Borough of Hightstown, County of Mercer, State of New

Jersey, to be excess surplus lands given that the Property is no longer needed for any public purposes of the Borough; and

**WHEREAS**, the Borough Council therefore authorized a sale of the Property at a private sale to the highest bidder from among the contiguous property owners pursuant to N.J.S.A. 40A:12-13(b)(5), given that the Property is an undersized lot in the R-1 Zone and is without any capital improvements thereon; and

**WHEREAS**, the proposed sale of the Property is subject to a number of terms and conditions which are set forth in the Ordinance, including a minimum bid price and the retention by the Borough of a perpetual easement over, under and across the Property in order to allow the Borough and its agents to access and maintain the existing water and sewer pipe(s) that is/are located beneath the Property; and

**WHEREAS**, following the adoption of the Ordinance, the Borough Administrator sent letters via certified mail, return receipt requested, and regular mail to all contiguous land owners advising them of the potential sale of the Property and of their right to submit a sealed bid to purchase the Property, if they were interested; and

**WHEREAS**, the letters alerted the contiguous Property owners that any offers to purchase the Property must be submitted through a sealed bid process no later than 10 o'clock a.m. (EST) on Tuesday, April 4, 2023, in order for the bid to be considered; and

**WHEREAS**, following the adoption of the Ordinance, a notice regarding the proposed sale, including the minimum bid price and all other terms and conditions, was posted on the bulletin board at both the Borough Hall (156 Bank Street) and at the firehouse property given that the Borough conducts its regular meetings within the firehouse; and

**WHEREAS**, advertisement of the proposed sale of the Property was also made in a newspaper circulated within the municipality within five (5) days following the adoption of the Ordinance; and

**WHEREAS**, following the adoption of the Ordinance and the provision of the notices referenced above, the Borough received one (1) sealed bid from a contiguous property owner(s) who is/are interested in purchasing the Property, which bid was timely submitted; and

**WHEREAS**, the bid was submitted by Matt and Pam Gorajek, whose address is: 8 Spruce Court, Hightstown, New Jersey 08520 (Block 62, Lot 31); and

**WHEREAS**, the bid submitted by Matt and Pam Gorajek was in the amount of Four Thousand Two Hundred and 00/100 Dollars (\$4,200.00), which sum exceeds the minimum bid price for the Property as set forth in the Ordinance; and

**WHEREAS**, the bid submitted by Matt and Pam Gorajek contained the ten percent (10%) deposit as required by the Ordinance, and complies in all other respects with the requirements set forth in the Ordinance; and

**WHEREAS**, the Borough did not receive any other bids from any of the other contiguous Property owners; and

**WHEREAS**, the Borough has previously determined that a sale of the Property will be beneficial to the Borough since it will return the Property to the tax rolls and create revenues for the Borough; and

**WHEREAS**, a sale of the Property will also relieve the Borough of any future maintenance responsibilities relating to the Property; and

**WHEREAS**, given the above, the Borough Council now wishes to confirm the sale of the Property to Matt and Pam Gorajek on their bid of Four Thousand Two Hundred and 00/100 Dollars (\$4,200.00), subject to all of the terms and conditions set forth in the Ordinance.

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

1. That the Borough hereby confirms the sale of the Property to Matt and Pam Gorajek, who reside at 8 Spruce Court in Hightstown, New Jersey, based upon their bid of Four Thousand Two Hundred and 00/100 Dollars (\$4,200.00).
2. That the sale of the Property shall be subject to all of the terms and conditions set forth in the Ordinance, including but not limited to the retention of a utility easement in favor of the Borough in perpetuity over, under and across the Property in order to allow the Borough and its agents to access and maintain the existing water and sewer pipe(s) that is/are located beneath the Property.
3. That, pursuant to the Ordinance, Matt and Pam Gorajek shall be required to pay any and all expenses incurred by the Borough in connection with the sale and transfer of title to the Property (up to a maximum amount of \$1,500.00), including but not limited to the payment by Matt and Pam Gorajek of the Borough's legal, survey, title and environmental fees, if any, recording fees, advertisement costs, realty transfer fees and all other reasonable fees and costs incurred as part of the consideration. Said costs shall be itemized as part of the Settlement Statement to be prepared in anticipation of the closing and shall be paid to the Borough on the date of closing, along with the balance of the purchase price.
4. That all of the remaining terms and conditions associated with the sale, as set forth in Ordinance 2023-04, are hereby confirmed in the within Resolution, and shall be required as part of the closing of title to the Property.
5. That the Borough Attorney is hereby authorized and directed to move forward to prepare all necessary documents and to take all necessary actions in furtherance of the closing of title to the Property, in furtherance of the intentions of Ordinance 2023-04.

6. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, a Deed and all other necessary documents as prepared by the Borough's Attorney's office, in order to transfer title to the Property to Matt and Pam Gorajek, and to retain the perpetual utility easement referenced above.
7. That all other Borough officials, employees and/or professionals are hereby authorized and directed to undertake all necessary actions that are required in order to effectuate the intentions of the within Resolution and Ordinance 2023-04.
8. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Matt and Pam Gorajek;
  - b. Dimitri Musing, Borough Administrator; and
  - c. George Lang, Chief Financial Officer;
  - d. Margaret Riggio, Borough Clerk/Qualified Purchasing Agent;
  - e. Ken Pacera, CTA, Tax Assessor;
  - f. Pamela Lewis, CTC, Tax Collector; and
  - g. Frederick C. Raffetto, Borough Attorney.

**Resolution 2023-88 Amending the Personnel Policy Manual of the Borough of Hightstown**

Moved by Councilmember Fowler; Seconded by Councilmember Cicalese.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati, Jackson and Montferrat voted yes.

Resolution adopted 6-0.

Resolution 2023-88

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

**AMENDING THE PERSONNEL POLICY MANUAL  
OF THE BOROUGH OF HIGHTSTOWN**

**WHEREAS**, The Borough Administrator has recommended that the Borough amend the Personnel Policy Manual to reflect updated policy changes for Borough Employees; and

**WHEREAS**, the Borough Council has determined that the Borough should amend the Personnel Policy Manual.

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the following sections of the *Personnel Policy Manual of the Borough of Hightstown* are hereby amended as follows (additions underlined, deletions in ~~strikeout text~~):

## **SECTION 11**

### **Borough Policy for a Drug-Free Workplace**

#### **11-1. Purpose.**

- A. The Borough of Hightstown is committed to maintaining the safety and health of its employees and will not tolerate any drug uses which may endanger the health and well-being of its employees or threaten its programs. To this end, this Section is enacted to provide information to Borough employees concerning the Borough's policy on a drug-free workplace, the danger of abusing drugs, how to obtain drug counseling, and the actions that the Borough will take when employees violate the policy.
- B. Employees who abuse controlled substances, which are defined as substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. § 801.812, on or off the job, threaten the Borough's ability to operate in the best interests of the public, since such employees become less reliable, less productive, more accident-prone, and less likely to report to work in an acceptable mental and physical condition. This results in increased costs to the Borough and jeopardizes the image and reputation of the Borough and the well-being of its employees.
- C. Employees have the right to work in an environment which is free of substance abuse. In the interest of maintaining a safe and healthy drug-free workplace, the Borough of Hightstown is committed to strictly enforcing this policy and to complying with the spirit of Drug-Free Workplace Act of 1988, and with the requirements of various State grants, of which the Borough may be a recipient.
- D. References in this section to drugs and drug abuses shall also be deemed to include alcohol and the abuse of alcohol.

#### **11-2. Drug-free workplace policy.**

- A. Borough employees are required to report to work in appropriate mental and physical condition. Reporting to work, or working, under the influence of a controlled substance (without a physician's prescription) is prohibited. In some instances, reporting to work under the influence of a physician's prescription may also be inappropriate and prohibited.
- B. The Borough maintains a drug free workplace consistent with the requirements of N.J.S.A. 24:6I-52, *et. seq.* Therefore, the manufacturing, distribution, dispensation, possession, and use of cannabis products, alcohol, or any illegal intoxicating substances on the premises of the Borough of Hightstown or during work hours is strictly prohibited. Premises of the Borough of Hightstown is defined as any place an employee works on Borough-funded activities.

- C. Borough employees are required to report any drug-related criminal conviction in accordance with the law. A written report of conviction must be made to the Borough Administrator within five (5) days of the conviction.
- D. Borough employee must inform the Business Administrator if they are prescribed a controlled substance.
- E. All Borough employees are subject to a conditional offer, reasonable suspicion and post accident drug testing.

### **11-3 Drug Testing for Non-CDL Employees**

- A. An employee may be required to submit to drug testing upon reasonable suspicion of an employee's use of a cannabis item, alcohol or an illegal controlled substance while engaged in the performance of the employee's work responsibilities, or upon finding any observable signs of intoxication related to usage of a cannabis item, alcohol, or other intoxicating substance, or following a work-related accident subject to investigation by the Borough.
- B. Examples of the foregoing may include, but are not limited to:
  - 1. When a Supervisor or Department Head observes that the conduct, reactions, job performance, work habits, physical symptoms, or appearance of the employee are indicative of the use or being under the influence of cannabis, alcohol, or other intoxicating substance while on the premises and/or during working hours.
  - 2. When a Supervisor or Department Head receives information from a source deemed credible that an employee used or is under the influence of cannabis, alcohol, or other controlled substance while on the premises or during working hours or immediately before reporting to work.
  - 3. When an employee is involved in an accident or incident during working hours which caused or contributed to substantial injury to person or property (or had the potential for doing so), or where there is evidence that the accident may have resulted, in whole or part, from the use of cannabis alcohol or other intoxicating substance.
- C. A scientifically reliable objective testing method that indicates the presence of cannabinoid metabolites in the employee's bodily fluid alone is insufficient to support an adverse employment action. However, such a test combined with evidence-based documentation of physical signs or other evidence of impairment or use during an employee's prescribed work hours may be sufficient to support adverse action.

Thus, and until such time as the New Jersey Cannabis Regulatory Commission (NJCRC) establishes standards governing Workplace Impairment Recognition Experts (WIRE), who will assist in documenting, detecting and identifying an employee's usage of or impairment from a cannabis item or other intoxicating substance, Department Heads, Supervisors and/or other designated personnel shall document evidence of workplace use and/or physical signs and



evidence that support a determination that the employee is reasonably suspected of being under the influence of cannabis, alcohol or an intoxicating substance during the employee's prescribed work hours. Supervisors, Department Heads and/or other designated personnel shall document their findings in a Reasonable Suspicion Observed Behavior Report.

- D. Reasonable suspicion of impairment may exist when the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Specific articulable symptoms of impairment that decrease or lessen the employee's performance of duties or tasks of the employee's job position, include but are not limited to:

- speech,
- physical dexterity,
- agility,
- coordination,
- demeanor,
- irrational or unusual behavior,
- negligence or carelessness in operating equipment or machinery,
- disregard for the safety of the employee or others, or
- involvement in an accident or other carelessness that results in an injury to the employee or others;
- significant deterioration in work performance, absenteeism, or
- an individual's appearance indicating substance abuse.

- E. Supervisors, Department Heads and/or designated personnel that observe and document behavior constituting reasonable suspicion are required to initiate testing procedures as set forth above and do not have the option of sending the employee home as an alternative. Refusal to submit to testing when requested may result in immediate disciplinary action, up to and including termination.
- F. The Borough may use the results of the drug test when determining the appropriate employment action concerning the employee, including, but not limited to dismissal, suspension, demotion, or other disciplinary action.
- G. A drug test may also be conducted randomly by the Borough, or as part of a pre-employment screening, or regular screening of current employees to determine use during an employee's prescribed work hours.

***Borough personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.***



#### **11-4. Disciplinary action.**

- A. Borough employees who violate this Section will be subject to disciplinary action pursuant to Section 6.
- B. The manufacture or distribution of controlled substances on any Borough work site shall subject the offending employee to immediate dismissal.
- C. The use of a controlled substance on any Borough work site (or while conducting any Borough business) may result in suspension or dismissal.
- D. The failure of an employee to report that he has been convicted of a drug-related crime will subject the employee to immediate dismissal.

#### **11-5 Employee Assistance**

The Borough will offer a program of drug and alcohol counseling and treatment to its employee through its Employee Assistance Program

### **SECTION 12**

#### **CDL Drug and Alcohol Testing Policy and Procedures**

##### **12-1. Purpose.**

This policy implements a program of drug and alcohol testing for any Borough employee who must hold a Commercial Driver's License ("CDL"). The purpose of this policy is to provide a drug and alcohol-free work environment and to protect the safety of coworkers and the public.

##### **12-2 Alcohol and/or Drug Possession and Use.**

- A. Any CDL Holder required to perform a safety-sensitive function shall not report for or remain on duty while having an alcohol concentration of 0.02 or greater or while being under the influence of a controlled substance. Any supervisor having actual knowledge that a CDL Holder has an alcohol concentration of 0.02 or greater or is under the influence of a controlled substance shall not permit same to perform or continue to perform safety-sensitive functions.
- B. Any CDL Holder shall not use alcohol within the four (4) hours preceding the performance of safety-sensitive functions and shall not report for work under the influence of a controlled substance. Any supervisor having actual knowledge that a CDL Holder has used alcohol within four (4) hours, or is under the influence of a controlled substance, shall not permit a CDL Holder to perform or continue to perform safety-sensitive functions.
- C. Any CDL Holder who shall be required to take a post-accident test shall not use alcohol for eight (8) hours following the accident or until they undergo the post-accident test, whichever occurs first.

### **12-3 Pre-employment /Pre-Duty.**

Upon making an offer of employment to an applicant who shall be required by law to maintain a CDL, the Borough will inform said potential CDL Holder that the offer is contingent upon successful completion of a test for alcohol and controlled substances use.

### **12-4 Post-Accident Controlled Substance and Alcohol Testing.**

- A. Employees shall be required to undergo an alcohol test and test for controlled substances when involved in an accident, which results in the following:
- human death;
  - bodily injury to a person who immediately receives medical treatment away from the accident;
  - one or more vehicles are disabled and must be towed from the scene;
  - the employee performing the safety-sensitive function is issued a traffic summons for a moving violation as a result of said accident; or
  - when deemed appropriate by Law Enforcement.
- B. In the event of an accident occurring as described above, the CDL Holder shall be required to follow reporting requirements, including remain at the scene, and be readily available to undergo alcohol and controlled substance testing. The employee shall be escorted to the testing site by a supervisor, or their designee, and/or any law enforcement official.
- C. Any CDL Holder subject to post-accident testing as required by this section, who leaves the scene of an accident before an alcohol/controlled substance test is administered or who fails to remain readily available for testing shall be deemed to have refused to submit to required testing.
- D. All alcohol testing required by this Section shall be performed by the Borough or its authorized agent not more than two (2) hours after the time of the accident. A report stating the reasons why the test was not administered shall be filed by a supervisor, or their designee, if the alcohol test is not done within two (2) hours. If an alcohol test cannot be done within eight (8) hours of the accident, then testing must be abandoned. The time of the accident shall be determined by the hour utilized on the New Jersey Police Accident Report.
- E. Law Enforcement Agencies with the authority to do so may perform the alcohol and/or controlled substances testing required by this Section provided it is performed in compliance with US DOT requirements.

#### **12-5 Random Controlled Substance/Alcohol Testing.**

- A. At least 50 percent of CDL holders shall be drug tested each year. At least 25 percent of all CDL holders shall be alcohol tested each year. Employees shall be selected for random testing using a scientifically valid method in accordance with federal guidelines. Future percentages shall depend on US DOT regulations.
- B. Random testing shall be unannounced, and the dates shall be spread reasonably throughout the year.
- C. All testing shall be done during normal duty hours. Employees may be escorted to the testing site by a supervisor. The employees, after learning of their selection for testing, may be required to remain in a specified area under the supervisor's observation at all times until being escorted to the testing site.
- D. The selection of CDL Holders shall be made by a scientifically valid lottery-type system. Under this selection process, each CDL Holder shall have an equal chance of being tested each time the selections are made. Therefore, a CDL Holder may not be selected at all during the course of the year, or they may be selected multiple times.
- E. Upon notification of selection for testing, the selected CDL Holder(s), accompanied by a supervisor, shall report directly to the testing site.
- F. In the event that a CDL Holder is off from work, their name shall be skipped and the next person's name on the list shall be selected and tested. The skipped CDL Holder's name shall be returned to the system for the next round of testing.

#### **12-6 Reasonable Suspicion Testing.**

The Borough shall require a CDL Holder to submit to an alcohol/controlled substance test when there is reasonable suspicion that the CDL Holder is under the influence of alcohol or controlled substance. The supervisor's determination that reasonable suspicion exists to require the CDL Holder to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the CDL Holder.

#### **12-7 Return to Duty Testing.**

Prior to returning to a safety-sensitive function, any CDL Holder who was determined to have engaged in alcohol/controlled substance related conduct prohibited by this Policy and the US DOT Mandate shall undergo a return to duty test. The CDL Holder shall be allowed to return

to duty only with a result indicating a blood alcohol concentration of less than 0.02 and a negative test result for controlled substances.

#### **12-8 Follow-Up Alcohol Testing and Controlled Substance.**

Any CDL Holder who has referred for evaluation and/or treatment for alcohol use or controlled substance use, shall be subject to unannounced follow-up testing upon clearance for their return to work.

#### **12-9 Controlled Substance Testing Procedure.**

- A. All testing shall be done by urine sample by a certified laboratory with the results being reviewed by a Medical Review Officer (MRO).
- B. Testing shall be done for the following controlled substances, as well as any other substances for which testing is required by state or federal law or regulation for CDL holders:
  - Marijuana (THC Metabolite)
  - Cocaine
  - Amphetamines
  - Opiates (including Heroin)
  - Phencyclidine (PCP)

#### **12-10 Quality Assurance of Drug Testing**

Drug and alcohol testing shall be administered by a third-party testing service designated by the Borough. The testing service shall comply with all applicable DOT guidelines and regulations regarding test administration, methods, protocols, communications, notices, and confidentiality.

#### **12-11 Records Retention**

The Borough shall retain for a period of not less than five (5) years the following records relating to this Policy:

1. Records of CDL Holder's Alcohol Tests in which said results indicate an alcohol concentration of 0.02 or greater.
1. Records of CDL Holder's verified positive Controlled Substances Tests.

2. Documentation of refusals to submit to required Alcohol and/or Controlled Substances Tests.
4. Breath Testing Equipment calibration documentation.
5. CDL Holder's evaluations and referrals.
6. A copy of each calendar year summary required by the US Department of Transportation and Federal Highway Administration.

**12-12 Referral to a Substance Abuse Professional (SAP).**

- A. An employee who has engaged in alcohol use and/or controlled substances use prohibited by this Policy may be advised by the Borough of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and/or the use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs. Said employee may be evaluated by a SAP who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and/or controlled substances use.
- B. The Borough shall designate a SAP for the purpose of rendering services in connection with the anti-drug/alcohol program set forth in this Policy.
  - 1) The designated SAP shall determine whether an employee who has refused to submit to controlled substances test, has a verified positive controlled substances test result or engages in alcohol use prohibited by this Policy is in need of assistance in resolving problems associated with prohibited drug and/or alcohol use. The SAP shall then recommend a course of action to the employee.
  - 2) The SAP shall determine whether an employee who has refused to submit to a controlled substances test, has a verified positive controlled substances test result or engages in alcohol use prohibited by this Policy has properly followed the SAP's recommendations and/or any rehabilitation program prescribed by the SAP. The SAP shall notify The Borough as to whether the employee has so complied.
- C. Upon referral to a SAP, the employee shall be required to abide by their recommendations for return to duty.
- D. The employee shall pay for the cost of utilizing the SAP through their own health insurance. The Borough shall not be required to pay for the use of an SAP either directly or indirectly.

The requirements of this Section with respect to referral, evaluation and rehabilitation do not apply to applicants who refuse to submit to a preemployment controlled substances test

or who has a pre-employment positive drug test.

**12-13. Disciplinary action.**

- A. Borough employees who violate this Section will be subject to disciplinary action pursuant to Section 6.
- B. The manufacture or distribution of controlled substances on any Borough work site shall subject the offending employee to immediate dismissal.
- C. The use of a controlled substance on any Borough work site (or while conducting any Borough business) may result in suspension or dismissal.
- D. The failure of an employee to report that he has been convicted of a drug-related crime will subject the employee to immediate dismissal.

**CONSENT AGENDA**

Councilmember Frantz moved Resolutions 2023-89; 2023-90 and 2023-91 as a Consent Agenda; Councilmember Cicalese seconded.

Roll Call Vote: Councilmembers Cicalese, Fowler, Frantz, Gulati, Jackson and Montferrat voted yes.

Resolutions adopted 6-0.

Resolution 2023-89

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

**AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS  
PRIOR TO ADOPTION OF THE 2023 BUDGET**

**WHEREAS**, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2023 temporary budget; and

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

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

**WHEREAS**, the total emergency temporary appropriations in resolutions adopted in the year 2023 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<b><i>THIS RESOLUTION</i></b>	<b><i>PREVIOUS TOTAL</i></b>	<b><i>CUMULATIVE TOTAL</i></b>
Current	1,066,378.00	382,000.00	<b>1,448,378.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service - Current	0.00	0.00	<b>0.00</b>
Water/Sewer	199,500.00	205,000.00	<b>404,500.00</b>
Capital Outlay – W/S	0.00	0.00	<b>0.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>1,265,878.00</b>	<b>587,000.00</b>	<b>1,852,878.00</b>

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2023 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

Borough of Hightstown  
Emergency Temporary No.3  
4/17/2023

### **SCHEDULE "A"**

#### **Current Fund**

Administrative and Executive	Salaries and Wages	10,000.00
Mayor and Council	Salaries and Wages	5,000.00
Municipal Clerk	Salaries and Wages	15,000.00
Tax Collector	Other Expenses	500.00
Tax Assessor	Salaries and Wages	2,500.00
Engineer	Other Expenses	10,000.00
Planning Board	Salaries and Wages	5,000.00
Planning Board	Other Expenses	5,000.00
Police	Salaries and Wages	100,000.00
Police	Other Expenses	15,000.00
Emergency Management	Salaries and Wages	500.00
Group Insurance	Other Expenses	110,000.00
Buildings and Grounds	Salaries and Wages	10,000.00
Recycling	Other Expenses	5,000.00

Board of Health	Salaries and Wages	10,000.00
Parks and Recreation	Salaries and Wages	6,000.00
Telephone	Other Expenses	5,000.00
Postage	Other Expenses	2,000.00
Construction Code	Salaries and Wages	10,000.00
Police and Firemens' Retirement System	Other Expenses	498,810.00
Public Employees Retirement System	Other Expenses	<u>241,068.00</u>
Total Current Fund		<u>1,066,378.00</u>
<b>Water-Sewer Operating Fund</b>		
Salaries and Wages		40,000.00
Other Expenses		75,000.00
Public Employees Retirement System		79,500.00
Social Security		<u>5,000.00</u>
Total Water Sewer Operating		<u>199,500.00</u>
Total		<u><u>1,265,878.00</u></u>

Resolution 2023-90

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

**A RESOLUTION SUPPORTING PAINT & SIP NIGHT 2023  
SPONSORED BY HIGHTSTOWN BOROUGH CULTURAL  
ARTS COMMISSION**

**WHEREAS**, the Cultural Arts Commission is a recognized commission of Hightstown Borough pursuant to Article 2-48 entitled "Cultural Arts" of "The Revised General Ordinances of the Borough of Hightstown"; and

**WHEREAS**, one of the obligations of the Cultural Arts Commission as set forth in the in Article 2-48 is to sponsor artistic activities for the benefit of the Hightstown Community; and

**WHEREAS**, one such activity planned and sponsored by the Cultural Arts Commission is entitled "Paint & Sip Night" in which individuals are guided by a local artist to recreate a colorful work of art; and

**WHEREAS**, this year's Paint & Sip Night is scheduled to take place on April 27, 2023, at Tavern on the Lake 101 North Main Street, Hightstown.



**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Hightstown support Paint & Sip Night 2023 and look forward to another successful community event sponsored by the Cultural Arts Commission and the Borough of Hightstown.

Resolution 2023-91

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

**A RESOLUTION SUPPORTING THE ANNUAL STREAM  
CLEAN UP AND ARBOR DAY EVENTS SPONSORED BY  
HIGHTSTOWN BOROUGH ENVIRONMENTAL  
COMMISSION**

**WHEREAS**, the Environmental Commission is a recognized commission of Hightstown Borough pursuant to Article 2-32 entitled “Environmental Commission” of “The Revised General Ordinances of the Borough of Hightstown”; and

**WHEREAS**, as set forth in Article 2-32, the commission is established for the protection, development or use of natural resources, including water resources, located within the territorial limits of the Borough of Hightstown; and

**WHEREAS**, annually, the Environmental Commission sponsors a Stream Clean Up, Shredding Event and the planting of a tree in a Borough Park in honor of Arbor Day; and

**WHEREAS**, this year, Hightstown Borough has proclaimed Saturday, April 22, 2023, Arbor Day.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Hightstown support the Annual Stream Cleanup, Shredding Event and Tree Planting and look forward to another successful Arbor Day Celebration sponsored by the Environmental Commission and the Borough of Hightstown.

**MAYOR/COUNCIL/ADMINISTRATIVE REPORTS**

**Councilmember Montferrat**

- Planning Board
  - Adopted the 3<sup>rd</sup> Round Housing Element Plan. This will come to Council for endorsement at a future meeting.
  - Working on the redevelopment of Main Street.
  - Working on Master Plan.
  - Chair, Beverly Asselstine is working with the county regarding truck traffic.

### **Councilmember Frantz**

- Environmental Commission
  - Stream Cleanup will take place Saturday at 9:00 am. We will be meeting in Memorial Park.
  - The shredding event will take place from 9:00 a.m. Noon in Memorial Parking Lot.
  - Tree Planting to celebrate Arbor Day will take place at Dawes Park at Noon.
  - Youth Leadership Presentation will take place May 9<sup>th</sup> or May 16<sup>th</sup>. The public is invited to attend. Details to follow.

### **Councilmember Cicalese**

- Commented that it has been great walking around town the last few weeks.
- Council is aware of the concern about truck traffic. We are all working to keep our residents safe.
- Thanked Council President Jackson for running the meeting this evening.

### **Councilmember Fowler**

- Downtown Hightstown
  - Flower Baskets – Enough money has been raised to purchase the baskets. The baskets will arrive and be in place by the end of May, in time for the Parade.
  - Downtown Walking Tour – Will be taking place in June. She will confirm the date.
  - Memorial Day Parade – May 29<sup>th</sup>, 9:00 a.m.
  - Harvest Fair – the committee is working on keeping unique vendors. We continue to receive applications for vendors and crafters. This year, there will be a rain location – Grace Rogers School.

### **Councilmember Gulati**

- Housing Authority – The volunteer certificates presented by Mayor Bluth were very well received. The public recognition goes a long way with our volunteers. Housing authority meeting this week. Certificates of appreciation were very well received. It went a long way with our volunteers.

### **Council President Jackson**

- HPC will be meeting this week. Zoom information is on the Borough website.
- Thanked everyone for their patience tonight while he led his first Council meeting.

### **ADJOURNMENT 6:57 p.m.**

Moved by Councilmember Cicalese; Seconded by Councilmember Fowler. All ayes.

Respectfully Submitted,

Margaret Riggio, RMC  
Borough Clerk

Approved by Hightstown Borough Council: \_\_\_\_\_

# **Third Round Housing Element and Fair Share Plan**

## **Borough of Hightstown Mercer County, New Jersey**

**Adopted April 10, 2023**

**Full Report Can be found by clicking here: [2023 Third Round Housing  
Element & Fair Share Plan](#)**

# Resolution 2023-137

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

**RESOLUTION ENDORSING THE BOROUGH OF HIGHTSTOWN'S  
THIRD ROUND HOUSING PLAN ELEMENT AND FAIR SHARE PLAN,  
ADOPTING THE BOROUGH OF HIGHTSTOWN'S AFFORDABLE  
HOUSING TRUST FUND SPENDING PLAN AND ADOPTING AN  
AFFIRMATIVE MARKETING PLAN**

**WHEREAS**, the New Jersey Supreme Court has determined that all municipalities in New Jersey have a constitutional obligation to provide their fair share of required affordable housing in the State; and

**WHEREAS**, On March 10, 2015, the Supreme Court transferred responsibility for affordable housing plans from the Council on Affordable Housing (COAH) to designated Mount Laurel judges within the Superior Court; and

**WHEREAS**, on March 8, 2018, Mercer County Superior Court Assignment Judge Mary C. Jacobson issued a decision that included a methodology by which Mercer County municipalities were to calculate the number of affordable housing units they were obligated to provide; and

**WHEREAS**, the Borough of Hightstown finds it is in the best interest of the Borough to adopt a plan for provision of its fair share of needed affordable housing in the region; and

**WHEREAS**, Borough Planner Brian Slaugh, PP, AICP, of Clarke Caton Hintz, PC, has prepared a Third Round Housing Element and Fair Share Plan that stipulates to the numbers assigned to the Borough present in the Jacobson Methodology; and

**WHEREAS**, on April 10, 2023, the Hightstown Borough Planning Board adopted the Third Round Housing Plan Element and Fair Share Plan as being consistent with the goals and objectives of the Borough of Hightstown Master Plan, as guiding the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, particularly -28.b(3), and as achieving access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310; and

**WHEREAS**, regulations previously adopted by the NJ Council on Affordable Housing (hereafter "COAH") and continued by the Superior Court have required a Spending Plan to include the following components:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;

2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;

3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

4. A description of the anticipated use of all affordable housing trust funds;

5. A schedule for the expenditure of all affordable housing trust funds;

6. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public-sector or nonprofit construction of housing;

7. A plan to spend the trust fund balance in accordance with the implementation schedule within the Spending Plan and approved by a settlement agreement;

8. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan; and

9. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

**WHEREAS**, the Borough of Hightstown has prepared a Spending Plan consistent with these requirements and has included such document in the Fair Share Plan; and

**WHEREAS**, COAH's Prior Round rules at N.J.A.C. 5:93-11 require that the Borough include as part of its Housing Element and Fair Share Plan an Affirmative Marketing Plan designed to attract buyers and/or renters of all majority and minority groups to housing units being marketed by a developer or sponsor of affordable housing; and

**WHEREAS**, the Borough's duly appointed Administrative Agent, Community Grants Planning & Housing, has prepared an Affirmative Marketing Plan that meets the requirements of N.J.A.C. 5:93-11 and all applicable law; and

**WHEREAS**, on April 10, 2023, the Borough Planning Board adopted the Affirmative Marketing Plan as part of the Fair Share Plan; and

**WHEREAS**, COAH's Prior Round rules at N.J.A.C. 5:91-2.2(a), require that the Borough Council endorse the amended Third Round Housing Element and Fair Share Plan adopted by the Planning Board; and;

**WHEREAS**, The Borough Council has reviewed the Third Round Housing Element and Fair Share Plan and agrees with the conclusions of the Hightstown Borough Planning Board's finding that it is consistent with the goals and objectives of the Borough of Hightstown Master Plan, as guiding the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, particularly - 28.b(3), and as achieving access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310; and

**WHEREAS**, the Borough Council has reviewed the Spending Plan and finds it to be acceptable and in accordance with statutory requirements; and

**WHEREAS**, the Borough Council has reviewed the Affirmative Marketing Plan and finds it to be acceptable and in accordance with statutory requirements.

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, hereby endorses the Third Round Housing Element and Fair Share Plan as adopted by the Planning Board on April 10, 2023; and

**BE IT FURTHER RESOLVED** that the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, hereby adopts and endorses the Spending Plan, which is part of the Third Round Housing Element and Fair Share Plan adopted April 10, 2023; and

**BE IT FURTHER RESOLVED** that the Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, hereby adopts and endorses the Affirmative Marketing Plan, which is part of the Third Round Housing Element and Fair Share Plan adopted April 10, 2023; and

**BE IT FURTHER RESOLVED** that the Borough Council authorizes and directs the Mayor, Borough Clerk, and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.

#### **CERTIFICATION**

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 5, 2023.

---

Margaret Riggio  
Borough Clerk



## Borough of Hightstown

156 Bank Street, Hightstown, NJ 08520

(609) 490-5100 Ext 617

Website: [www.hightstownborough.com](http://www.hightstownborough.com)

Email: [Planning@HightstownBorough.com](mailto:Planning@HightstownBorough.com)

**TO:** Peggy Riggio, Borough Clerk  
**FROM:** Jane Davis, Planning Board Secretary  
**SUBJECT:** Third Round Housing Element & Fair Share Plan  
**DATE:** June 19, 2023

---

Please note that the Planning Board affirmatively voted on the proposed Third Round Housing Element & Fair Share Plan at the April 10<sup>th</sup> meeting to be referred to Council as amended with a Zoning Overlay option. Attached is Planning Board Resolution 2023-08 approved on the June 12<sup>th</sup>, the adopted plan and Ordinance draft in advance of the July 5<sup>th</sup> Council meeting. Please reach out with any questions.



**HIGHTSTOWN BOROUGH PLANNING BOARD**

**RESOLUTION NO.: 2023-08**

**RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, APPROVING AND ADOPTING A HOUSING ELEMENT AND FAIR SHARE PLAN TO SATISFY THE BOROUGH'S THIRD ROUND AFFORDABLE HOUSING OBLIGATION**

**WHEREAS**, the New Jersey courts have held that every municipality in this State has an obligation to provide their fair share of low and moderate income housing; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-28, the Hightstown Borough Planning Board is charged with preparation and public hearings on the Master Plan, Master Plan Amendments and Re-Examination Reports; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-13, the Planning Board is required to undertake a public hearing on any element of the Master Plan; and

**WHEREAS**, a Housing Element and Fair Share Plan aimed at addressing this municipality's third round affordable housing obligation was prepared by the Borough's Planning Board Planner, Brian M. Slaugh, PP, AICP and Elaine R. Clisham, PP, AICP, of Clarke Caton Hintz, PC, 100 Barrack Street, Trenton, New Jersey 08608; and

**WHEREAS**, upon notice in accordance with the Municipal Land Use Law, the Planning Board held a public hearing on April 10, 2023 on the adoption of same as required by the Municipal Land Use Law. Said hearing was attended by Brian M. Slaugh, PP, AICP, who was duly sworn, and provided testimony regarding the Housing Element and Fair Share Plan. The hearing was also attended by Michael Herbert, Esquire of Parker McCay, PA, 3840 Quakerbridge Road, Suite 200, Hamilton, New Jersey, the Planning Board's Attorney; and

**WHEREAS**, the hearing was opened to the public, and whereas three members of the public spoke at the hearing regarding information about the plan, with the Planning Board thereafter closing the public comment; and

**WHEREAS**, the Planning Board finds as facts that the Housing Element and Fair Share Plan are consistent with the Planning Plan Element of the Master Plan and that the adoption and implementation of same are in the public interest and promote the general welfare.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Hightstown that the document entitled "Housing Element and Fair Share Plan" dated March 30, 2023 and prepared by Brian M. Slauch, PP, AICP and Elaine R. Clisham, PP, AICP, of Clarke Caton Hintz, PC, is hereby ADOPTED *in toto*.

**BE IT FURTHER RESOLVED** the Hightstown Borough Planning Board adopts this Resolution to memorialize the action taken by the Board following the close of the public hearing on April 10, 2023.

**BE IT FURTHER RESOLVED** that the Secretary is hereby authorized and directed to transmit a copy of the adopted Housing Element and Fair Share Plan and a certified copy of this Resolution to the governing body together with this Board's request that the governing body endorse the adopted Housing Element and Fair Share Plan.

\*\*\*\*\*

**ROLL CALL ON THE APPROVAL**, (April 10, 2023):

Member	Yes	No	Abstain	Absent
Mayor Susan Bluth	X			
Chairwoman Beverly Asselstine	X			
Nate Gainey				X
John Laudenberg				X
Councilman Fred Montferrat	X			
Matt Morgan	X			
Dimitri Musing	X			
Beth Watkins				X
Chris Yandoli	X			
Joe Balcewicz	X			
Ray Cabot	X			

**ROLL CALL MEMORIALIZATION**, (June 12, 2023):

Member	Yes	No	Abstain	Absent
Mayor Susan Bluth				X
Chairwoman Beverly Asselstine	X			
Nate Gainey				X
John Laudenberg				X
Councilman Fred Montferrat				X
Matt Morgan	X			
Dimitri Musing				X
Beth Watkins	X			
Chris Yandoli	X			
Joe Balcewicz				X
Ray Cabot	X			

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough of Hightstown Planning Board on 12<sup>th</sup> day of June, 2023.

  
Jane Davis  
Planning Board Secretary

# Resolution 2023-138

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

## **AMENDING RESOLUTION 2023-15 - APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES – ADMINISTRATIVE AGENT OF HIGHTSTOWN BOROUGH AFFORDABLE HOUSING PROGRAM**

**WHEREAS**, Resolution 2023-15 was adopted by Borough Council on January 3, 2023, appointing Randall Gottesman of CGP&H as Administrative Agent for Affordable Housing for 2023; and

**WHEREAS**, with the approval and endorsement of Hightstown Borough's Third Round Housing Plan Element and Fair Share Plan, Borough Council finds it necessary to amend the current contract with Randall Gottesman of CGP&H; and

**WHEREAS**, the amendment to the current contract includes the establishment and administration a Municipal Affordability Assistance Program; the establishment and administration of a Municipal Housing Rehabilitation Program and additional services when needed, as detailed in Amendment No. 1 attached hereto; and

**WHEREAS**, expenditures for the establishment and administration of the aforementioned programs are required uses of Hightstown Borough's Affordable Housing Trust Funds.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Hightstown that The Mayor is authorized to execute and the Borough Clerk to attest Amendment No. 1 to the contract between the Borough of Hightstown and CGP&H, 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 July 5, 2023.

---

Margaret Riggio  
Borough Clerk

**AMENDMENT #1 TO CONTRACT (Dated January 1st, 2023 through December 31st, 2023)**

**THIS AMENDMENT** forms a part of the Contract Documents and modifies the original Contract Documents described, and is made between the Borough of Hightstown (hereinafter referred to as "Borough"), a Municipal Corporation of the State of New Jersey and CGP&H LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512 (hereinafter referred to as "CGP&H"); and

**WHEREAS**, both the Borough and CGP&H wish to amend certain terms of the Contract.

**WHEREAS**, the Borough Council hereby desires to approve of this Amendment that was presented for the provision of said services.

**WITNESSETH**, that the parties hereto, for and in consideration of the mutual agreements herein contained, promise and agree as follows:

1. CGP&H shall furnish all equipment and materials and shall perform the services set forth in Schedule A, Scope of Services and Compensation. Compensation will be provided as in this Amendment and as awarded in accordance with Compensation Schedule in strict accordance with the contract as the word "contract" is hereinafter defined and in accordance with all other terms and provisions.
2. CGP&H hereby represents to the Borough that CGP&H is qualified to fulfill the position set forth herein with applicable requirements. CGP&H further represents that CGP&H is familiar with all applicable statutes, laws, regulations, procedures and requirements in connection with this appointment.
3. CGP&H shall not assign this contract or any of its rights or monies due hereunder without the previous written consent of the Borough of Hightstown as evidenced by a duly adopted Resolution.
4. CGP&H represents that they currently have professional liability insurance in a minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate, and that they shall supply a certificate to the Borough showing said coverage. CGP&H further covenants and agrees to protect, keep and hold the Borough of Hightstown harmless against any and all actions, claims or demands for damages, which may be caused by the negligent error, act or omission of CGP&H or by the improper performance of the contract.
5. Payment to CGP&H shall be made in strict accordance with the terms of this Amendment. It is understood and agreed that in the event CGP&H is required to perform services that are not contemplated and are not within the subject matter of this contract and are

extraordinary and are of a kind which would not ordinarily be performed in the normal course of providing services, that CGP&H shall be paid additional sums of money based upon change orders duly approved by Resolution of the Borough of Hightstown Council.

6. All of the terms of the original contract shall remain in full force and effect including the term of the contract which shall run from January 1st, 2023 through December 31st, 2023.

**AND IT IS FURTHER UNDERSTOOD AND AGREED** that the covenants, conditions and agreements herein contained are binding of the parties hereto, their successors, assigns and legal representatives.

**IN WITNESS WHEREOF**, the parties hereto have caused their presents to be signed by the respective authorized officers and the proper corporate and/or municipal seals affixed hereto, the date and year first written above.

**WITNESS:**

**Borough of Hightstown**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

NAME: Margaret Riggio

NAME: Susan Bluth

TITLE: Borough Clerk

TITLE: Mayor

DATE: \_\_\_\_\_

**WITNESS:**

**CGP&H, LLC**

\_\_\_\_\_

\_\_\_\_\_

NAME: Mateusz Pitrus

NAME: Randall Gottesman, PP

TITLE: Business Operations Associate

TITLE: President

DATE: \_\_\_\_\_

## SCHEDULE A: SCOPE OF SERVICES AND COMPENSATION

For services rendered by the Consultant and/or subcontractors, under the terms of this document, the Consultant shall be compensated as follows:

AFFORDABILITY ASSISTANCE PROGRAM SERVICES	
1. <b>Affordability Assistance Program Services</b>	<p>One Month's Rent Program: CGP&amp;H will charge a flat fee of \$475 for each first month's rent program application. The current budget for this program is \$1,500 of assistance per unit or one month's rent (whichever is lower). The total budget for this program is \$29,649.</p> <p>Down Payment Assistance Program: CGP&amp;H will charge a flat fee of \$525 for each down payment assistance program application. The per unit cap is to be determined by the Borough. The total budget cap for this program is \$30,000.</p> <p>For all other services related to affordability assistance programs set up or implementation, CGP&amp;H will bill hourly at \$142 per hour for senior staff which includes planners and department supervisors, and \$100 per hour for all other staff.</p>

1. **Affordability Assistance Program Services:** This includes, but is not limited to, working with the Municipality's representatives to review and select affordability assistance programs and then prepare the Affordability Assistance manual which may include different affordability assistance programs. Once programs are selected and manuals written and approved, administration of these affordability assistance programs includes soliciting applications, distributing and processing applications, and income certifying applicants. CGP&H will review and approve applications and track the disbursement of funds for required reporting.

The following tables for the Housing Rehabilitation Program apply to both municipal homeowner occupied units and rental units. CGP&H will refer to the County first regarding these units and will utilize the Hightstown program for any units that the County may not have the capacity to serve.

<b>A. Housing Rehabilitation Program Administrative Services</b>	
<b>1. Initial Program Setup</b>	Billed hourly at blended rate of \$133 per hour. Not to exceed \$1,500 (initial contract year only).
<b>2. Ongoing Day-to-Day Program Administration</b>	Billed hourly at blended rate of \$133 per hour. Not to exceed \$7,000 per contract year.
<b>3. Shared Services</b>	\$1,320 per year billed monthly at \$110 per month.
<b>4. Direct Costs</b>	Reimbursement for expenses. Not to exceed \$300 per contract year.
<b>5. Additional services as requested</b>	Billed hourly at blended rate of \$133 per hour. Budget for these services will depend on scope of additional services requested by Hightstown. CGP&H will not bill any time towards this line item without written authorization from the Borough.

- A1. Initial Program Setup:** this includes, but is not limited to, creation of or revisions to Policies and Procedure Manual for administration of the Municipality's Housing Rehabilitation Program, creation of corresponding program forms, and program marketing materials.
- A2. Ongoing Day-to-Day Program Administration: Rental Units:** includes, but is not limited to maintaining a waiting list of interested residents; ongoing owner outreach efforts, reviewing homeowner pre-applications to determine initial eligibility, reporting, ongoing updates to program forms as needed and all other Housing Rehabilitation administrative tasks. This task also includes outreach to landlords for the rental rehab portion of this program.
- A3. Shared Services:** This includes contractor outreach, intake of new interested contractors' applications, qualifying new contractors, maintaining contractor database and individual records, updates to rehab work specifications templates and compliance research.
- A4. Direct Costs:** this includes, but is not limited to, reimbursement for direct costs for large scale printing jobs; postage; mailings; poster production; expedited mailings or messenger services, etc.



<b>B. Housing Rehabilitation Program Case Management</b>	
<b>1. Milestone 1: Eligibility Determination</b>	Flat fee of \$1,330 payable upon certification of applicant's eligibility.  Discounted flat fee of \$850 for each additional unit within a multi-family dwelling.
<b>2. Milestone 2: Loan Closing</b>	Flat fee of \$3,325 payable upon execution of construction documents.  Discounted flat fee of \$1,250 for each additional unit within a multi-family dwelling.
<b>3. Milestone 3: Final Inspection</b>	Flat fee of \$1,995 payable upon satisfactory final inspection.  Discounted flat fee of \$900 for each additional unit within a multi-family dwelling.
<b>4. Title Search Fee</b>	\$100 per property
<b>5. Subordination Requests</b>	\$175 flat fee to process refinancing requests. This fee is paid by the homeowner.
<b>Total Paid by Hightstown Borough</b>	<b>Not-to-exceed \$6,750 per single family unit completed case</b>

- B1. Milestone 1: Eligibility Determination:** this includes the introductory setup of a case through the processing of applications and determining the applicant's eligibility for the program.
- B2. Milestone 2: Loan Closing:** this includes comprehensive inspection of home to determine code violations, repair needs; developing a detailed cost estimate and work specifications for review and approval by homeowner; preparing bid documents for contractors to bid; review of bids received, preparing contractor contracts and homeowner agreements with the Municipality, and preconstruction meeting/contract signing/loan closing.
- B3. Milestone 3: Final Inspection:** this includes working with contractors and homeowners throughout construction to finalize the rehabilitation work, troubleshooting any difficulties that arise, progress inspections, and case closeout.
- B4. Title Search Fee:** Per property title search fee to confirm ownership and property liens.
- B5. Subordination Requests:** includes the cost of processing of subsequent Program Mortgage Subordination Requests during the affordability control period. The homeowner will be charged a flat fee per request.

<b>Lead Risk Assessment and Testing Services (if requested by Borough)</b>	
<b>1. Lead Risk Assessment and Report</b>	Flat fee of \$600 per unit (includes dust wipes and soil sample as needed)
<b>2. Lead Clearance Testing</b>	Flat fee of \$330 per unit.
<b>3. Direct Costs for Lead Clearance Lab Tests</b>	Flat fee of \$15 per dust wipe and soil sample

- 1. Lead Risk Assessment and Report:** Only applicable to houses built prior to 1978.
- 2. Lead Clearance Testing:** Only necessary if lead risk assessment findings have actionable lead level.
- 3. Direct Costs for Lead Clearance Lab Tests:** Per each dust wipe and soil sampling needed for an applicable property lead clearance. Typically, no more than 12 samples per lead clearance. This price includes shipping from the lab.

#### **Charges to be paid by the Housing Rehabilitation Contractor to CGP&H**

<b>Circumstance</b>	<b>Contractor Penalty</b>
<b>1. Failed Final Inspection</b>	\$375 per failed inspection paid by the contractor directly to CGP&H. \$250 plus additional dust wipes (\$15 each) for repeat lead clearance if needed.
<b>2. Unjustified Construction Delays</b>	\$50 per day paid by the contractor directly to CGP&H.

- 1. Failed Final Inspection:** If a contractor requests a final inspection, and fails to meet the specifications of the Work Write-Up, the contractor will be charged a flat fee to partially cover the cost of having to conduct a second inspection and preparing the accompanying inspection reports. Charges for each failed final inspection will be issued directly from the contractor to CGP&H, as specified in the construction agreement. CGP&H will notify the Municipality if this penalty is ever levied against a contractor.
- 2. Unjustified Construction Delays:** If the contractor delays construction without appropriate justification which requires CGP&H's additional follow-up with contractor, a daily penalty will be charged to the contractor during the delay period. This will be specified in the construction agreement as a daily penalty to the contractor paid directly to CGP&H if the penalty is imposed. CGP&H will notify the Municipality if this penalty is ever levied against a contractor.

**The following fees may apply to the Municipality only if the need arises:**

<b>Additional Housing Rehabilitation Services, as Needed</b>	<b>Fee</b>
Services related to any cases that are terminated due to circumstances outside the control of CGP&H, including determination of either participant or property ineligibility, voluntary withdrawal by the program participant, or a participant failure to follow other program rules, including violations of local ordinances, falsification of eligibility documents, etc.	Hourly per case up to milestone cap.
For services related to the program inspector's discovery during the initial property inspection of non-compliant occupancy or recently completed or ongoing home improvements without required municipal permits, the CGP&H will bill hourly for all work required to get the program participant to rectify the situation and become municipally compliant before the case can continue in the program with the standard case processing procedures.  *Municipality has the option to pass on this additional cost to the owner.	Hourly, up to 3 hours per case for compliance items*
If the program participant delays the preconstruction process for any reason, including rectifying non-compliance discovery (see above section), which then makes the state mandated certificate of eligibility period expire prior to the signing of the construction agreement, CGP&H will be required to re-verify household income. Re-verification of income will be billed hourly.  *Municipality has the option to pass on this additional cost to the owner.	\$750 per re-verification of income*
On occasion, there are secondary or supplemental funding sources available to assist a unit get fully up to code in cases where the program's funding limits and the program participant's ability to provide their own funding is insufficient. To avoid abandoning the case since it cannot be brought up to code with available funding, we can partner with other funding sources in some cases to make the project work. CGP&H will bill hourly up to the limit per case (see right) for initial research to determine if partnering source is an option for the particular case, and if so, then coordination of same with secondary funding source. If more time beyond the limit per case is needed to finalize the partnering of funds to bring the unit up to code to obtain State credit for that unit, CGP&H will not continue without additional direct written authorization from the Municipality.	Hourly, up to 3 hours per case for initial research and coordination of partnering funds
While extremely rare, if during or after the completion of a housing rehabilitation case there are contract disputes, warranty claims or other kinds of disputes causing the Municipality to request mediation or intervention by CGP&H, this work will only proceed upon written authorization from the municipality and will be conducted at our regular hourly rates. When a program participant or contractor contacts CGP&H directly, CGP&H can bill additional hours to attempt to resolve it expediently, prior to seeking written authorization from the municipality.	Hourly, up to 3 hours per case for warranty claims or up to 6 hours per case for contract disputes.
While rare, cases that require more than one bid opening (due to non-receipt of a qualified bid, contractor replacement or specialty contractor need on portion of rehab work) and/or more than one loan closing and related documents preparation; CGP&H will bill hourly per each re-bid process which includes re-sending updated bid notice and bid packages, additional bid opening, and review of bids received and/or each additional set of loan closing documents and/or additional loan closing	\$525 per case for re-bid process and \$525 per case for each additional needed loan closing and/or additional loan closing documents.

## **Exclusions:**

The following services are specifically excluded from the scope of services to be provided under this agreement:

1. All engineering and architectural services related to the rehabilitation of residential structures, and the coordination thereof. In the rare cases where such funding is needed, the homeowner is responsible for those costs.
2. All legal services as may be required to administer the program or resolve a dispute between a program participant and a contractor.
3. Direct costs such as advertising, reproduction, and expedited mail or messenger services more than amount identified above in this proposal.
4. Relocation assistance, in the extremely rare event that a household must be relocated during the construction phase.
5. CGP&H is not responsible for serving as the property manager of any rental units.
6. Lead based paint testing services.

# Ordinance 2023-11

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

**ORDINANCE AMENDING CHAPTER 28 – ZONING OF THE CODE OF THE  
BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER TO MODIFY THE R-  
MF DISTRICT TO IMPLEMENT INCLUSIONARY AFFORDABLE HOUSING  
ZONING**

**WHEREAS**, the Hightstown Borough Council desires to implement standards for the development of inclusionary affordable housing in the Zoning Ordinance in furtherance of the municipal obligation to provide the opportunity for affordable housing; and

**WHEREAS**, it has been determined by Hightstown Borough Council that the implementation of these modifications to the R-MF zoning district would effectuate the intent and purpose of the goals and objectives of the Housing Element and Fair Share Plan of the Master Plan of the Borough of Hightstown; and

**WHEREAS**, the Municipal Land Use Law requires that any amendments or revisions to Hightstown Borough's Zoning Ordinance shall be reviewed by the Planning Board to determine if said amendments or revisions thereto are substantially consistent with the Master Plan of the Borough of Hightstown; and

**WHEREAS**, the Planning Board of Hightstown adopted a Housing Element and Fair Share Plan, Element of the Master Plan on April 10, 2023, that addresses the municipality's affordable housing obligations in a manner which will promote the public health, safety, morals, and general welfare; and

**WHEREAS**, the Municipal Land Use Law at N.J.S.A. 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Land Use Plan Element; and

**WHEREAS**, the Hightstown Borough Council formally refers this Ordinance to the Planning Board for examination, discussion, and recommendations in accordance with N.J.S.A. 40:55D-26; and

**WHEREAS**, the adoption of this Ordinance was appropriately noticed pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-15 and in accordance with N.J.S.A. 40:55D-62.1.

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Hightstown that the Zoning Ordinance is hereby amended as follows:

**Section 1. §28-2-2, Definitions, shall be revised to remove the following definitions:**

APARTMENT HOUSE, GARDEN-TYPE shall mean a residential structure of not more than two and one-half (2 1/2) stories containing three (3) or more dwelling units. (See also "multiple dwelling.")

DWELLING, MULTIPLE shall mean one (1) of the following:

- a. APARTMENT HOUSE shall mean any building or portion thereof which is arranged or designed to be occupied by three (3) or more families or individuals living independently of each other and having separate kitchen and sanitation facilities. See definition of "apartment house, garden-type."
- b. LODGING HOUSE, ROOMING HOUSE OR BOARDINGHOUSE shall mean any house, building or portion thereof in which three (3) or more persons are furnished lodging or rooming accommodations for hire or otherwise.
- c. HOTEL shall mean a building having at least fifty (50) sleeping rooms, where separate cooking facilities are not provided and where rooms are rented primarily on a temporary or day-by-day basis.
- d. NURSING HOME shall mean a building having at least twenty (20) rooms for the accommodation of persons in need of constant medical care or supervision and providing common dining and recreational facilities.

**Section 2. §28-2-2, Definitions, shall be amended to add or revise the following definitions:**

BOARDING HOUSE shall mean the same as defined in N.J.S.A. 55:13B-3h, as it may be amended or superseded.

DWELLING, APARTMENT – See Multifamily dwelling.

DWELLING, MULTIFAMILY shall mean a building which contains more than two (2) dwellings, each of which is intended for occupancy by one (1) housekeeping unit.

DWELLING, TOWNHOUSE shall mean a dwelling a minimum of two stories in height that is designed and occupied exclusively as the residence of one housekeeping unit, with no other dwelling above or below it and attached by means of one or more common vertical fire walls to at least one other such dwelling all housed in the same structure.

FAMILY – See Housekeeping Unit.

HOTEL shall mean a building with a central lobby and internal access to sleeping rooms having at least fifty (50) such rooms, where separate cooking facilities are not provided and where rooms are rented primarily on a temporary or day-by-day basis.

HOUSEKEEPING UNIT shall mean one (1) or more persons living together in one (1) dwelling unit on a nonseasonal basis and sharing living, sleeping, cooking and sanitary facilities on a non-profit basis.

NURSING HOME shall mean the same as defined in N.J.S.A. 26:2H-29 and -32, as it may be amended or superseded.

ROOMING HOUSE shall mean the same as defined in N.J.S.A. 55:13B-3a, as it may be amended or superseded.

**Section 3. §28-3-9, R-MF, Multi-Family District**, shall be amended in its entirety as follows:

§ 28-3-9. R-MF Multifamily Residential District.

- A. Purpose and Intent. The purpose and intent of the R-MF Multi-Family Residential District is to provide market rate and subsidized affordable housing in the Borough of Hightstown to aid in meeting its constitutional obligation to provide for very low, low and moderate income housing in accordance with the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). The R-MF district is further divided into sub-districts that apply to specific sites with inclusionary affordable housing in accordance with the objectives of the Housing Plan Element of the Master Plan and implementing resolutions, ordinances, and agreements constituting the Fair Share Plan. The R-MF district provides a compensatory benefit over the preceding zoning district's use and/or intensity standards sufficient to address the affordable housing components of inclusionary development.
- B. Permitted Uses. In the R-MF Multifamily District, the following uses, and no others, shall be permitted:
  - (1) Principal Uses:
    - (a) Townhouse dwellings.
    - (b) Multifamily dwellings.
    - (c) Municipal purpose.
  - (2) Accessory Uses:
    - (a) Community center for the use of residents and their guests.
    - (b) Common recreational facilities for the use and enjoyment of residents and their guests.
    - (c) Maintenance building.
    - (d) Management office if located within a community center or building with multifamily dwellings.

- (e) Home occupation in accordance with the requirements of §28-10-6 and in addition to the prohibited uses listed in subparagraph -c therein, no funeral home, private school or professional office shall be permitted as a home occupation on the premises.
  - (f) Off-street surface parking; car sheds and detached garages for private residential use, only.
  - (g) Fences, walls and street furniture.
  - (h) Signs in accordance with §29.
  - (i) Large satellite dish antenna when approved as part of an application for development for providing common service to the residents of a development in accordance with the standards of §28-10-18.
  - (j) Small satellite dish antennae in accordance with the standards of §28-10-18.
  - (k) Accessory uses on the same lot and customarily incidental to the principal use.
- (3) Conditional Uses. The following uses shall be permitted when the criteria have been met for the site listed.
- (a) Multifamily use with a sub-district designation of 18 (R-MF18) shall be permitted when the following criteria have been met:
    - [1] New multifamily dwellings shall be added to the site by additions to the existing building or by the demolition and construction of new buildings in lieu of the construction of additions.
    - [2] The design of the additions shall have at a minimum a base made of comparable materials to the exterior of the existing buildings but may differ in the field materials above the base, and shall have a similar roof pitch, and roof design as the existing buildings. Fenestration shall mimic the spacing and opening size, to the degree permissible by the Uniform Construction Code, of the existing window and doors architecture.
    - [3] At least twenty percent (20%) of all housing units shall be affordable to low, including very low, and moderate income households as those terms are defined in the Borough's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). Such units may be established in existing multifamily units as such dwellings become vacant in a schedule as approved by the Borough's Administrative Agent for affordable housing.



- (b) Uses permitted in §28-3-15, the DTG Downtown Gateway district, listed as - A(1)(c), -A(1)d, -A(1)f, -A(1)g and -A(1)h meeting the following criteria:

- [1] Any such use shall front on State Highway Route 33.

- [2] Any such use shall be located on the first floor only of a building.

C. Bulk standards. The following area, yard, and coverage standards shall apply to uses within the R-MF district:

(1) Maximum gross density shall not exceed the following:

- (a) For R-MF zoning districts without any sub-district designation, the maximum gross density shall be twelve (12) dwelling units per acre.
- (b) For R-MF zoning districts with designated sub-district 14 (R-MF14), the maximum gross density shall not exceed fourteen (14) units per acre.
- (c) For R-MF zoning districts with designated sub-district 18 (R-MF18), the maximum gross density shall not exceed eighteen (18) units per acre.

(2) Maximum building coverage.

- (a) Multi-family use - Twenty-five percent (25%) of total tract area.
- (b) Townhouse use - Twenty-five percent (25%) of the total tract area and seventy percent (70%) of lot area for individual townhouse parcels.
- (c) Combined multi-family and townhouse uses: Twenty-five percent (25%) of the total tract area and seventy percent (70%) of lot area for individual townhouse parcels.

(3) Maximum impervious surface coverage - seventy percent (70%) of total tract area.

(4) Maximum building height.

- (a) Townhouse – Two and a half stories and thirty-five (35) feet.
- (b) Multifamily – Two stories and thirty-five feet within fifty of a tract perimeter; three stories and forty-five (45) feet otherwise.
- (c) Community building – One story and twenty-eight (28) feet.
- (d) Maintenance building and other accessory structures – Eighteen (18) feet.
- (e) Building limitations and separation requirements for townhouses and multi-family uses shall be as indicated in the following table:

Requirement	Standard
Maximum Dwellings per Building (Townhouses)	8 dwellings
Maximum Dwellings per Building (Multifamily)	24 dwellings
Minimum Distance from Building front to Building front	60 feet
Minimum Distance from Building front to Building side	35 feet
Minimum Distance from Building front to Building rear	60 feet
Minimum Distance from Building side to Building rear	35 feet
Minimum Distance from Building rear to Building rear	50 feet
Minimum Distance from Building side to Building side	20 feet

- (5) Fee simple townhouse and community building requirements, when placed on a fee simple lot, shall be as indicated in the following table:

Use	Townhouse	Community Building
Minimum lot size	1,800 sf.	4,000 sf.
Minimum lot frontage	18 feet; 22 feet if internal garage	40 ft.
Minimum lot depth	100 ft.	100 ft.
Maximum building coverage	70%	60%
Maximum lot coverage	80%	75%
Principal Building Minimum Yard Depths and Height Limitations		
Front yard	20 ft.	20 ft.
Side yard	0 ft. common wall; 8 ft. end unit	20 ft.
Rear yard	20 ft.	30 ft.
Accessory Building Minimum Yard Depths and Height Limitations		
Front Yard	N.P.	N.P.
Side yard	N.P.	10 ft.
Rear yard	5 ft.	10 ft.
Tool shed side and rear yard	5 ft.	5 ft.

N.P. = Not a permitted location

- (6) Building setbacks from streets and driveways. Minimum building setbacks shall be as in the following table:

Requirement	Standard
Where lot fronts on Rt. 33	As required in the DTG district
From major collector drive or street (public r.o.w. or private r.o.w. easement); no direct access to dwelling	20 feet <sup>(1)</sup>
Front façade from a residential access drive or street (public r.o.w. or private r.o.w. easement); direct access to dwelling	22 feet
Front façade from a residential access drive or street (public r.o.w. or private r.o.w. easement); no direct access to dwelling.	10 feet
Rear façade from a residential access drive or street (public r.o.w. or private r.o.w. easement)	20 feet
Side facades from a residential access drive or street (public r.o.w. or private r.o.w. easement)	8 feet

(1), or 22 feet from the edge of cartway, whichever is greater.

- (7) Parking requirements. Residential uses shall comply with the parking requirements of the Residential Site Improvement Standards at N.J.A.C. 5:21-4.14. Non-residential uses shall comply with §28-10-11.J.

- (8) Minimum landscaped buffer adjacent to existing public streets and property lines - Ten (10) feet.

D. Required Affordable Housing. In any R-MF district, at least twenty percent (20%) of the total number of dwellings shall be affordable to very low, low and moderate income households for for-sale development and at least fifteen percent (15%) for rental development. Affordable units shall be restricted, regulated and administered consistent with the Borough's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), including the Fair Housing Act's definition of very low-income households and all other provisions of Article XII, the Affordable Housing of this ordinance.

E. Design Standards.

- 1. Multi-family buildings. The following standards shall be used in the design of multi-family buildings:
  - a. A minimum of one hundred twenty (120) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.
  - b. Access to dwellings shall be designed to provide a sense of safety and security for the residents, particularly in internal stairwells.
  - c. All stairs shall be enclosed in the building.

- d. The exterior of the building shall be designed to visually break up any facade in excess of one hundred (100) lineal feet through the use of, but not limited to, changes in materials, fenestration, porticos and porches.
  - e. The design should distinguish between the base, middle, and top of the building.
  - f. Where an outdoor living space is proposed, adequate visual screening from all other neighboring dwellings, outdoor living spaces, parking areas and roadways shall be provided. Screening may be accomplished with plant materials, masonry structures or wood fencing a minimum of five (5) feet in height. Architectural elements, such as masonry walls and fences, shall be similar in both style and materials with the dwelling.
  - g. All utility meters or boxes, air compressors, heat pumps, or other exterior equipment shall be located at the side or rear of buildings and shall be screened by architectural elements or landscape plantings.
2. Townhouses. The following standards shall be used in the design of townhouse and stacked townhouse buildings:
- a. A minimum of one hundred fifty (150) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.
  - b. The exterior of the building shall be designed to visually break up any facade in excess of one hundred (100) lineal feet through the use of, but not limited to, changes in materials, fenestration, porticos and porches.
  - c. Chimneys, skylights, dormers, and other roof structures are encouraged, but not required, to vary the elevation and provide additional light into the upper story or half story of dwellings.
  - d. Where an outdoor living space is included for a unit, it shall be provided with adequate visual screening from all other neighboring dwellings, outdoor living spaces, parking areas and roadways. Screening may be accomplished with plant materials, masonry structures or wood fencing a minimum of five (5) feet in height. Architectural elements, such as masonry walls and fences, shall be compatible in both style and materials with the dwelling unit.

**Section 4. §28-3-1, Districts Established, shall be revised to add under the R-MF Zoning District the R-MF14 and R-MF18 subdistricts.**

**Section 5. §28-3-1, Zoning Map,** shall be amended to rescind the existing zoning districts and applying the following zoning districts and subdistricts to the tax assessment blocks and lots, and associated half width of streets as appropriate, except for Block 11, Lots 17.01, 17.02 and 19.01; and, Block 61.01, Lot 25 and part of Lots 44 and 45, which shall be applied as an overlay to the underlying zoning districts:

R-MF                      Block 11; Lots 17.01, 17.02 and 19.01 (Broad and Monmouth)

Block 40, Lot 20 (216-222 Academy St.)  
Block 61.01; part Lots 44 and 45 (Rt. 33, as depicted on the Affordable Housing Sites Map)

R-MF14      Block 24, Lot 9 (278 Monmouth St.)  
Block 24, Lots 5, 6 and 24 (115 Manlove Ave., and 315 Franklin St.)  
Block 24, Lot 7 (265 Franklin St.)  
Block 24, Lot 15 (Franklin St.)  
Block 61.01, Lot 25 (319 Mercer St.)

R-MF18      Block 55, Lot 74 (25 Westerlea Ave.)

**Section 6. Continuation.** In all other respects, the Zoning Ordinance of the Borough of Hightstown shall remain unchanged.

**Section 7. Severability.** If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 8. Interpretation.** If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Borough of Hightstown, then the restriction which imposes the greater limitation shall be enforced.

**Section 9. Repealer.** All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 10. Enactment.** This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Borough Clerk of the Borough of Hightstown in the manner prescribed by law.

Introduction:

Adoption:

**ATTEST:**

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR

# Resolution 2023-139

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

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN MAYOR AND COUNCIL DESIGNATING CERTAIN PROPERTY IDENTIFIED AS BLOCK 28, LOTS 51-53 ON THE OFFICIAL TAX MAP OF THE BOROUGH AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Borough of Hightstown's (the "Borough") Mayor and Municipal Council (the "Mayor and Council"), by Resolution 2022-069, and subsequently amended by Resolution 2022-214, authorized and directed the Borough's Planning Board ("Planning Board") to conduct an investigation to determine whether the area consisting of Block 28, Lots 48 through 55 on the official tax maps of the Borough (hereinafter "Original Study Area") constitutes a non-condemnation area in need of redevelopment pursuant to the criteria set forth in *N.J.S.A. 40A:12A-5* of the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"); and

**WHEREAS**, the Planning Board conducted a public hearing on Monday, March 13, 2023 at 7:30 p.m., at which time all interested individuals and property owners were provided the opportunity to address the Planning Board with their questions, concerns, and comments; and

**WHEREAS**, after study and deliberation of the statements and testimony made during the public hearing and the expert testimony of Brian Slauch, PP, AICP (the "Borough Planner"), of Clarke Caton Hintz, P.C., the comprehensive preliminary investigation report dated March 13, 2023 prepared by the Borough Planner, the Planning Board, as well as all evidence presented during the course of the public hearing, the Planning Board recommended to the Mayor and Council that only that portion of the Original Study Area consisting of Block 28, Lots 51-53 (inclusive) on the official tax maps of the Borough (the "Study Area") be designated as a non-condemnation area in need of redevelopment as defined under the Redevelopment Law; and

**WHEREAS**, on April 10, 2023, the Planning Board adopted Resolution No. 2023-07 memorializing its recommendations to the Mayor and Council, which was subsequently transmitted to the Mayor and Council by the Borough Clerk; and

**WHEREAS**, the Mayor and Council agrees with the conclusion of the Planning Board that the Study Area satisfies the criteria for redevelopment area designation set forth in *N.J.S.A. 40A:12A-5b, -5d and -5h* and the Mayor and Council finds that such conclusion is supported by substantial evidence; and

**WHEREAS**, the Mayor and Council now desires to designate the Study Area as a non-condemnation area in need of redevelopment, pursuant to N.J.S.A. 40A:12A-6, and authorize and direct the Borough Planner to prepare a redevelopment plan for the Study Area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hightstown that the aforementioned recitals hereof are incorporated herein as though set forth at length herein.

**BE IT FURTHER RESOLVED**, that the Mayor and Council accepts the findings of fact and conclusions of law made by the Planning Board as memorialized in its Resolution No. 2023-07 as well as the comprehensive preliminary investigation report and testimony prepared by the Borough Planner.

**BE IT FURTHER RESOLVED**, that the Mayor and Council makes further findings of fact and resolves as follows:

1. The Borough has been designated by the State Planning Commission as a Smart Growth Area, which is part of Planning Area 2. Not only is redevelopment of the Study Area consistent with the State Plan, it would further smart growth principles by the adoption of a redevelopment plan that regulates urban design consistent with the concepts of the Borough's 2015 Vision Plan and Lakefront Improvements amendment to the Master Plan.
2. Based on the recommendation of the Planning Board, the Mayor and Council hereby determines that the properties identified as Block 28, Lots 51-53 (inclusive) on the official tax maps of the Borough satisfy the following criteria pursuant to *N.J.S.A. 40A:12A-5b, -5d and -5h* of the Redevelopment Law, to wit:
  - b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.
  - d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
  - h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

**BE IT FURTHER RESOLVED**, that the Mayor and Council accepts the recommendation of the Planning Board and hereby designates the properties identified as Block 28, Lots 51-53 on the official tax maps of the Borough (hereinafter, the “Redevelopment Area”) as a non-condemnation area in need of redevelopment in accordance with *N.J.S.A. 40A:12A-5*.

**BE IT FURTHER RESOLVED**, in connection with the redevelopment of the Redevelopment Area, the Borough shall be authorized to use all the powers provided under the Redevelopment Law for use in an area designated as an “area in need redevelopment” other than the use of eminent domain.

**BE IT FURTHER RESOLVED**, that the Borough Planner is hereby authorized and directed to create a redevelopment plan for the Redevelopment Area.

**BE IT FURTHER RESOLVED**, that the Borough Clerk, or her designee, is hereby directed to serve within ten (10) days a copy of this Resolution upon all record owners of property located within the Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person, if any, who filed a written objection to the Planning Board's recommendation or designation of the Redevelopment Area, and shall transmit a copy of this Resolution to the New Jersey Commissioner of the Department of Community Affairs for review, with service to be in a manner provided by *N.J.S.A. 40A:12A-6.b(5)*.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that this Resolution shall take effect in accordance with law.

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HON. SUSAN BLUTH, MAYOR

ATTEST:

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MARGARET RIGGIO, BOROUGH CLERK



**CERTIFICATION**

The foregoing Resolution was duly adopted at a Meeting of the Mayor and Borough Council of the Borough of Hightstown held on the 5<sup>th</sup> day of July, 2023 at the Hightstown Fire Department (second floor), located at 140 N. Main Street, Hightstown, New Jersey.

	1st	2nd	Yes	No	Abstain	Absent
Mr. Cicalese						
Ms. Fowler						
Mr. Frantz						
Mr. Gulati						
Mr. Jackson						
Mr. Montferrat						
Mayor Bluth						



## Borough of Hightstown

156 Bank Street, Hightstown, NJ 08520

(609) 490-5100 Ext 617

Website: [www.hightstownborough.com](http://www.hightstownborough.com)

Email: [Planning@HightstownBorough.com](mailto:Planning@HightstownBorough.com)

**TO:** Peggy Riggio, Borough Clerk  
**FROM:** Jane Davis, Planning Board Secretary  
**SUBJECT:** Resolution 2023-07 – Area in Need of Redevelopment recommendations  
**DATE:** April 26, 2023

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At the March 13, 2023, Planning Board meeting, the Board affirmatively voted on the proposed Area in Need of Redevelopment study and its subsequent findings. At the April 10, 2023, Planning Board meeting, the Board adopted the decision, via Resolution 2023-07, to recommend & authorize Mayor & Council to designate the Study Area as an area in need of redevelopment. Please see attached Resolution for your records and for Council's review. Please reach out should you have any questions.

**HIGHTSTOWN BOROUGH PLANNING BOARD**

**RESOLUTION NO.: 2023-07**

**RESOLUTION OF THE PLANNING BOARD OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, MAKING FINDINGS AND RECOMMENDATIONS CONCERNING WHETHER CERTAIN PROPERTIES CONSTITUTE AN AREA IN NEED OF REHABILITATION AND/OR AN AREA IN NEED OF REDEVELOPMENT UNDER THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40a:12A-1 et. seq.)**

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

**WHEREAS**, the Borough Council of Hightstown first directed the Planning Board on March 21, 2022, to conduct a study to determine whether the area known as Block 28, Lots 48-55 qualified as an *Area in Need of Condemnation Redevelopment*. This action was memorialized in Resolution 2022-69, adopted pursuant to criteria established at N.J.S.A. 40A:12:A-1 et seq., known as the “*Local Redevelopment and Housing Law*” (LRHL). However, at a later date, the Borough Council amended its directive to limit the study to only the status of non-condemnation in Resolution 2022-214, which was adopted on November 7, 2022. The two resolutions are found in Appendix A. This means that on further reflection, the Council as a whole, determined that condemnation was not necessary to achieve the objectives that might be gained from a redevelopment designation of these properties in the Study Area. Legally, the power of eminent domain cannot be used in any area proposed for redevelopment via the study, otherwise known as the *Preliminary Investigation*; and

**WHEREAS**, subsequent to the Borough Council resolution, the Planning Board directed the Borough Planner to undertake such a study that has resulted in this report. It provides an examination of the existing conditions of the study area, written descriptions and data analysis. The information gathered is compared to the criteria contained within the LRHL and, based on that comparison, a recommendation is made as to whether it should be formally identified as an Area in Need of Non-Condemnation Redevelopment (ANR); and

**WHEREAS**, the Study Area is being investigated as an expansion of Sub-Area 3 of the Main Street Redevelopment Area, which had previously been established by the Hightstown Borough Council in 2004. The Study Area is comprised of a series of lots located on the east side of Main Street (or S. Main Street) and west of Peddie Lake, directly south of the municipal parking lot at the new pedestrian bridge over the Rocky Brook at the outfall of the lake. The municipal parking lot and park are located on Block 28, Lots 56-57, comprising 0.74 acres; and

**WHEREAS**, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

**WHEREAS**, the Redevelopment Law further requires the Planning Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten days prior to such public hearing; and

**WHEREAS**, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) according to the Borough's assessment records; and

**WHEREAS**, The Planning Board held a hearing on March 13, 2023, (the "March Hearing"), during which the Planning Board reviewed the Report, heard testimony from representatives of the Planning Consultant, and conducted a public hearing during which members of the general public were given an opportunity to present their own evidence and/or to cross-examine the Planning Consultant, and to address questions to the Planning Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment and/or rehabilitation; and

**WHEREAS**, the Planning Board accepted the Report into the record; and

**WHEREAS**, the Planning Consultant concluded in the Report and testified to the Planning Board on March 13, 2023 that there is evidence to support the following findings: (i) the properties in question, individually and collectively satisfy the criteria for rehabilitation area designation as set forth in N.J.S.A. 40A:12A-14(a)(2) and (a)(6); and (ii) Block 28, Lots 51, 52, 53 (the "**Redevelopment Parcels**") satisfy the criteria for redevelopment area designation according to the criteria as set forth in the Report and summarized below in accordance with the Redevelopment Law; and

Table 1. Tax Parcels in the Study Area.

Map Key	Owner	Address	Block	Lot(s)	Acreage
1	First Baptist Church	131-133 S. Main St. 125 S. Main St.	28	48 49,50	0.09 2.43
2	105 MSH LLC	105 Main St.	28	51, 52, 53	1.47
3	Lakeside 101, LLC	101-103 Main St. 99 Main St.	28	54 55	0.25 0.13

In total the expansion of the Phase II Main Street Study area equals 4.37 acres.

**WHEREAS**, the Planning Board desires to set forth its findings and conclusions, and its recommendations to the Mayor and Council, concerning the designation of (i) the Study as an area in need of rehabilitation, and (ii) the Redevelopment Parcels as an area in need of redevelopment.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of the Hightstown as follows:

1. The aforementioned recitals are incorporated herein as though fully forth at length.
2. Based on the information and testimony presented by the Planning Board Consultant, as well as the Report itself and advice from the Planning Board's consultants, it is the opinion of the Planning Board that: (i) the properties in the Study Area, individually and collectively satisfy the criteria for rehabilitation area designation set forth in N.J.S.A. 40A:12A-14(a)(2) and (a)(6); and (ii) the Redevelopment Parcels satisfy the criteria for redevelopment area designation in accordance with the Redevelopment Law.
3. It is the recommendation of the Planning Board that the Mayor and Council designate the Study Area as an area in need of rehabilitation, pursuant to the Redevelopment Law.
4. It is the recommendation of the Planning Board that the Mayor and Council designate the Redevelopment Parcels as a non-condemnation area in need of redevelopment, pursuant to the Redevelopment Law within which the Township may use all the powers provided by the New Jersey Legislature for use in a redevelopment area, except the power of eminent domain.
5. The Secretary of the Planning Board shall forward a copy of this resolution to the Borough Clerk immediately.
6. This resolution shall take effect immediately.

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**ROLL CALL ON THE RESOLUTION**, (April 10, 2023) :

Member	Yes	No	Abstain	Absent
Mayor Susan Bluth	✓			
Chairwoman Beverly Asselstine	✓			
Nate Gainey				✓
John Laudenberg				✓
Councilman Fred Montferrat	✓			
Matt Morgan	✓			
Dimitri Musing	✓			
Beth Watkins				✓
Chris Yandoli	✓			
Joe Balcewicz			✓	
Ray Cabot			✓	

**ROLL CALL MEMORIALIZATION**, (April 10, 2023) :

Member	Yes	No	Abstain	Absent
Mayor Susan Bluth	✓			
Chairwoman Beverly Asselstine	✓			
Nate Gainey				✓
John Laudenberg				✓
Councilman Fred Montferrat	✓			
Matt Morgan	✓			
Dimitri Musing	✓			
Beth Watkins				✓
Chris Yandoli	✓			
Joe Balcewicz			✓	
Ray Cabot			✓	

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough of Hightstown Planning Board on 10th day of April, 2023.



Jane Davis  
Planning Board Secretary

# Ordinance 2023-12

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

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$428,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$407,600 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$428,000, and further including the aggregate sum of \$20,400 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$407,600 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) <u><b>Police Department</b></u>	\$7,900	\$7,522	5 years

1) The acquisition of firearms and holsters, including all related costs and expenditures incidental thereto.				
2) The acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$86,000	\$81,902		5 years
3) The acquisition and installation of speed signs, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$20,500	\$19,522		10 years
<b>b) <u>Administration Department</u></b> The acquisition of a copier/printer, including all related costs and expenditures incidental thereto.	\$15,500	\$14,760		5 years
<b>c) <u>Fire Department</u></b> 1) Upgrades to radios, defibrillator replacements, self-contained breathing apparatus upgrades/replacements and the acquisition of turnout gear and iPads and mounts for trucks, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$97,400	\$92,760		5 years
2) The acquisition and installation of a hydrant and standpipe connection interface, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$6,200	\$5,902		15 years



d) <b><u>First Aid Department</u></b> The acquisition of new radios, including all related costs and expenditures incidental thereto.	\$30,500	\$29,046	5 years
e) <b><u>Public Works Department</u></b> The acquisition of sewer main cleaning equipment, including, but not limited to, a sewer jet and further including all related costs and expenditures incidental thereto.	\$113,000	\$107,618	15 years
f) <b><u>Parks and Recreation Department</u></b> Rockybrook Park repairs, including, but not limited to, improvements to the Bix Max structure and further including all work and materials necessary therefor and incidental thereto.	\$30,500	\$29,046	15 years
g) <b><u>Environmental Department</u></b> Greenway repairs, including, but not limited to, repairs to the walking/biking path and further including all work and materials necessary therefor and incidental thereto.	<u>\$20,500</u>	<u>\$19,522</u>	10 years
Total	<u>\$428,000</u>	<u>\$407,600</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.97 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 \$407,600, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$9,600 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 purposes or improvements.

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 or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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 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.

Introduction:

Adoption:

ATTEST:

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR

# Ordinance 2023-13

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

**BOND ORDINANCE PROVIDING FOR VARIOUS WATER- SEWER UTILITY IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$130,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,800 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 several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$130,000, and further including the aggregate sum of \$6,200 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by the Water-Sewer Utility Capital Account.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$123,800 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. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of a generator for the Maxwell Avenue Pump Station, including all related costs and expenditures incidental thereto.	\$38,000	\$36,190	15 years

b) The replacement/upgrades of water meters and related software, including all work and materials necessary therefor and incidental thereto.	<u>\$92,000</u>	<u>\$87,610</u>	15 years
Total:	<u>\$130,000</u>	<u>\$123,800</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

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 improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 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 \$123,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 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 purposes or improvements.

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 or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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 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.

Introduction:

Adoption:

ATTEST:

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR

# Resolution 2023-140

*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 \$1,339,567.20 from the following accounts:

Current		\$1,055,182.76
W/S Operating		122,625.33
General Capital		103,951.27
Water/Sewer Capital		42,269.00
Grant		350.00
Trust		1,356.49
Unemployment Trust		0.00
Animal Control		9,000.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Escrow		<u>4,832.35</u>
Total		<u>\$1,339,567.20</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 July 5, 2023.

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Margaret Riggio  
Borough Clerk



Re: Manual Bill List for 7/5/23

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
COMCAST BUSINESS	6/15/2023	23-00731	035603	\$ 306.17
VERIZON	6/15/2023	23-00732	035602	\$ 383.94
JCP & L	6/15/2023	23-00733	035601	\$ 1,232.10
JCP & L (STREET LIGHTING)	6/15/2023	23-00734	035600	\$ 64.93
VERIZON FIOS	6/15/2023	23-00736	035599	\$ 193.10
EAST WINDSOR REGIONAL SCHOOL	6/15/2023	23-00646	1577	\$ 786,164.00
STATE OF N.J.-DEPT OF TREASURY	6/15/2023	23-00670	1578	\$ 46,459.01
JOHN BALDASSARRE/ADVANCED CONTROL SYSTEMS	6/19/2023	23-00705	035604	\$ 84,999.51
S.T. HUDSON ENGINEERS, INC	6/26/2023	23-00564	035670	\$ 13,000.00
COMCAST BUSINESS	6/27/2023	23-00738	035678	\$ 175.35
COMCAST	6/27/2023	23-00780	035674	\$ 195.30
JCP&L	6/27/2023	23-00737	035677	\$ 12,352.05
JCP&L(STREET LIGHTING)	6/27/2023	23-00760	035676	\$ 2,356.71
VERIZON	6/27/2023	23-00778	035675	\$ 243.96
PSE&G	6/27/2023	23-00783	035673	\$ 246.79
PSE&G	6/27/2023	23-00782	035672	\$ 1,593.92
			\$	-
			\$	-
<b>TOTAL</b>			<b>\$</b>	<b>949,966.87</b>
<b><u>WATER AND SEWER OPERATING</u></b>				
STATE OF N.J.-DEPT OF TREASURY	6/15/2023	23-00670	1398	\$ 24,598.83
<b>TOTAL</b>			<b>\$</b>	<b>24,598.83</b>
<b><u>ESCROW</u></b>				
PARKER MCKAY	6/27/2023	23-00775		\$ 810.00
PARKER MCKAY	6/27/2023	23-00777		\$ 198.00
ROBERTS ENGINEERING	6/27/2023	23-00774		\$ 480.00
<b>TOTAL</b>			<b>\$</b>	<b>1,488.00</b>
<b><u>GRANT</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>TRUST- OTHER</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>ANIMAL CONTROL TRUST</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>LAW ENFORCEMENT TRUST</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>UNEMPLOYMENT TRUST</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>PUBLIC DEFENDER TRUST</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>TAX LIEN TRUST</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>GENERAL CAPITAL</u></b>				
<b>TOTAL</b>			<b>\$</b>	<b>-</b>
<b><u>WATER AND SEWER CAPITAL</u></b>				
ROBERTS ENGINEERING	6/27/2023	23-00803	035671	\$ 1,110.00
<b>TOTAL</b>			<b>\$</b>	<b>1,110.00</b>
<b>MANUAL TOTAL</b>			<b>\$</b>	<b>977,163.70</b>

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		
Vendors: All		Include Non-Budgeted: Y								
Rcvd Batch Id Range: First				to Last						
Vendor #	Name									
PO #	PO Date	Description	Contract	PO Type		First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	Date	Date	Invoice	Exc1
A0050 ABSOLUTE FIRE PROTECTION, INC.										
23-00749 06/19/23 PREVENTATIVE MAINTENANCE FIRE										
1 INV	0085296-IN	FIRE APPARATUS	110.00	3-01-25-252-002-121	B Preventive Maintenance	R	06/19/23	06/28/23	0085296-IN	N
2 INV	0085296-IN	TRAVEL TIME	55.00	3-01-25-252-002-121	B Preventive Maintenance	R	06/19/23	06/28/23	0085296-IN	N
3 INV	0085429-IN	PREVENTATIVE	1,960.00	3-01-25-252-002-121	B Preventive Maintenance	R	06/19/23	06/28/23	0085429-IN	N
4 INV	0085429-FIRE	APPARATUS	1,741.42	3-01-25-252-002-121	B Preventive Maintenance	R	06/19/23	06/28/23	0085429-IN	N
5 INV	0085429-FIRE	APPARATUS	4,785.00	3-01-25-252-002-121	B Preventive Maintenance	R	06/19/23	06/28/23	0085429-IN	N
6 INV	0085429-HAZARDOUS	WASTE	10.00	3-01-25-252-002-121	B Preventive Maintenance	R	06/19/23	06/28/23	0085429-IN	N
			8,661.42							
Vendor Total:		8,661.42								
A0010 ADVANCE AUTO PARTS										
23-00451 04/11/23 MOTOR OIL AND FILTERS										
1 MOBIL 1	5W-30	MOTOR OIL 5 QT	66.18	3-01-25-260-001-034	B Vehicle Repair	R	04/11/23	06/28/23	6372310472160	N
2 OIL	FILTER		13.80	3-01-25-260-001-034	B Vehicle Repair	R	04/11/23	06/28/23	6372310472160	N
4 OIL	ENGINE 1	GA MTRCF	35.99	3-01-25-260-001-034	B Vehicle Repair	R	04/11/23	06/28/23	6372310472160	N
			115.97							
Vendor Total:		115.97								
ADVAN010 ADVANCED REHABILITATION TECH										
23-00489 04/18/23 OBIC LINER SYSTEM-SLUDGE TANK										
1 OBIC LINER	SYSTEM-SLUDGE	TANK	6,140.70	C-08-55-941-001-541	B AWWTP Refur & Replace Media-Trickling Fi	R	04/18/23	06/28/23	4589	N
2 OBIC LINER	SYSTEM-SLUDGE	TANK	9,878.00	C-08-55-945-003-541	B Sewer Projects 2011-03	R	04/18/23	06/28/23	4589	N
3 OBIC LINER	SYSTEM-SLUDGE	TANK	18,855.30	C-08-55-949-001-544	B 2014-12 MISC WATER/SEWER IMPROVEMENT	R	04/18/23	06/28/23	4589	N
			34,874.00							
Vendor Total:		34,874.00								

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	Date	Invoice	Excl
A0554 ALL INDUSTRIAL SAFETY PRODUCTS												
23-00631 05/16/23 SAFETY GLOVES AND GLASSES												
1	DZ ANSELL POWERFLEX GLOVES	438.90	3-01-26-290-001-189		B	Safety Equipment & Testing	R	05/16/23	06/28/23		233519	N
2	DZ LEATHER PALM KNIT WRIST	104.40	3-01-26-290-001-189		B	Safety Equipment & Testing	R	05/16/23	06/28/23		233519	N
3	EA ZTEC GRAY LENS	93.60	3-01-26-290-001-189		B	Safety Equipment & Testing	R	05/16/23	06/28/23		233519	N
4	SHIPPING	30.12	3-01-26-290-001-189		B	Safety Equipment & Testing	R	06/09/23	06/28/23		233519	N
		667.02										
Vendor Total:		667.02										
A0164 ALLIED BOILER REPAIR CORP.												
23-00460 04/12/23 ESTIMATE #1242												
1	8 HOUR LABOR FOR- ANNUAL	840.00	3-09-55-501-002-503		B	Sewer Plant Maintenance	R	04/12/23	06/28/23		19160	N
2	CERAMIC ROPE	30.00	3-09-55-501-002-503		B	Sewer Plant Maintenance	R	04/12/23	06/28/23		19160	N
		870.00										
Vendor Total:		870.00										
APRUZ005 APRUZZESE, MCDERMOTT, MASTRO &												
23-00772 06/22/23 MAY 2023 LABOR INVOICES												
1	MAY 2023 LABOR INVOICES	1,313.50	3-01-20-155-001-031		B	Labor,Personnel & Union Council	R	06/22/23	06/28/23		231055	N
Vendor Total:		1,313.50										
BHMGC005 BHMGC - CORPORATE CARE												
22-01632 12/22/22 NEW HIRE PHYSICALS												
1	NEW HIRE PHYSICALS	120.00	2-01-25-240-001-093		B	Medical Exams/Hepatitis B Shot	R	12/22/22	06/28/23		00035599-00	N
2	NEW HIRE PHYSICALS	110.00	2-01-25-240-001-093		B	Medical Exams/Hepatitis B Shot	R	12/22/22	06/28/23		00035577-00	N
		230.00										
23-00552 05/01/23 HPD NEW HIRE PHYSICAL												
1	HPD NEW HIRE PHYSICAL	262.00	3-01-25-240-001-093		B	Medical Exams/Hepatitis B Shot	R	05/01/23	06/28/23		00038678-00	N
Vendor Total:		492.00										
FERNB005 CARGORAXX												
23-00532 04/26/23 HPD VEHICLE SUPPLIES												
1	HPD VEHICLE SUPPLIES	49.95	3-01-26-315-001-131		B	Vehicle Maint. - Police	R	04/26/23	06/28/23		1953	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
E0024 EARLE ASPHALT COMPANY												
23-00745	06/19/23 WATER/SEWER EMERGENCY SERVICES											
1	REPLACE SANITARY LATERAL AT	6,164.01	3-09-55-501-002-529	B Sewer Main Repair/Supplies	R	06/19/23	06/28/23	6/5/2023			N	
2	REAPIR LEAKING 6" CAST IRON	6,388.06	3-09-55-501-001-535	B Hydrants and Line Repair	R	06/19/23	06/28/23	6/5/2023			N	
3	REPAIR 8" SANITARY MAIN & 4"	7,545.97	3-09-55-501-002-529	B Sewer Main Repair/Supplies	R	06/19/23	06/28/23	6/5/2023			N	
		20,098.04										
Vendor Total:		20,098.04										
B0966 ERB'S GARAGE INC												
23-00754	06/19/23 TRUCK REPAIR											
1	INV 17107-TRK #120 REPAIRS	145.00	3-01-26-305-001-034	B Motor Vehicle Parts & Access.	R	06/19/23	06/28/23	17107			N	
2	INV 17108-TRK #10A TESTING &	3,228.75	3-01-26-305-001-034	B Motor Vehicle Parts & Access.	R	06/19/23	06/28/23	17108			N	
		3,373.75										
Vendor Total:		3,373.75										
ESIEQ005 ESI EQUIPMENT, INC.												
23-00076	01/30/23 HOLMATRO CORE/BATTERY RESCUE											
1	PCU50 PENTHEON 7.2" INCLINE	12,230.40	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
2	PSP40 PENTHEON 28.5" SPREADER	12,632.20	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
3	PCT14 PENTHEON 143" COMBI	12,062.82	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
4	PCT50 PENTHEON 15" COMBI	12,902.68	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
5	PTR40 PENTHEON TELESCOPIC RAM	9,878.40	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
6	PTR50 PENTHEON TELESCOPIC RAM	10,187.10	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
7	8.7" RAM EXTENSION	806.54	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
8	17.3" RAM EXTENSION	976.08	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
9	XRS01 CROSS RAM SUPPORT SET	874.16	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
10	PBPA287 PENTHEON BATTERY 7.0	605.64	C-04-55-898-003-444	B FIRE DP.-SCBA, RESCUE EQUIP,TURNOUT GEAR	R	01/30/23	06/28/23	23-1179			N	
		73,156.02										
Vendor Total:		73,156.02										
Q0176 EUROFINS QC, LLC												
23-00763	06/22/23 WATER ANALYSIS											
1	INV 6300042645 WATER ANALYSIS	247.50	3-09-55-501-001-532	B Outside Testing/Labs	R	06/22/23	06/28/23	6300042645			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		
Q0176 EUROFINS QC, LLC Continued														
23-00763	06/22/23	WATER ANALYSIS	Continued											
2 INV	6300042845	WATER ANALYSIS	103.50	3-09-55-501-001-532	B	Outside Testing/Labs	R	06/22/23	06/28/23		6300042845		N	
			351.00											
Vendor Total:		351.00												
GENER015 GENERAL CODE, LLC														
23-00795	06/27/23	SUPPLIEMENT NO. 4												
1 SUPP	NO. 4	CODE ANALYSIS	1,864.00	3-01-20-140-001-060	B	Internet Services and Web Services	R	06/27/23	06/28/23		PG000032230		N	
2 SUPP	NO. 4	COMPOSITION	198.00	3-01-20-140-001-060	B	Internet Services and Web Services	R	06/27/23	06/28/23		PG000032230		N	
			2,062.00											
Vendor Total:		2,062.00												
G1077 GEORGE S. COYNE CO., INC.														
23-00148	02/08/23	RES 2022-207 HYDROFLUOSILIC		B										
5 INV	408064	6/5/23HYDROFLUOSILIC	870.95	3-09-55-501-001-528	B	Fluorosilic Acid-	R	02/08/23	06/28/23		408064		N	
Vendor Total:		870.95												
HIGHW005 HIGHWAY EQUIPMENT CO OF NJ INC														
23-00742	06/19/23	SERVICE KUBOTA FRONT ENDLOADER												
1 SERVICE	KUBOTA	FRONT ENDLOADER	407.00	3-09-55-501-002-502	B	Vehicle Maintenance	R	06/19/23	06/28/23		Z09984		N	
2 PARTS	INV	Z09984	36.00	3-09-55-501-002-502	B	Vehicle Maintenance	R	06/19/23	06/28/23		Z09984		N	
3 ENVIRONMENTAL	CHARGE		17.85	3-09-55-501-002-502	B	Vehicle Maintenance	R	06/19/23	06/28/23		Z09984		N	
4 MILEAGE	CHARGE		60.30	3-09-55-501-002-502	B	Vehicle Maintenance	R	06/19/23	06/28/23		Z09984		N	
5 SHOP	SUPPLIES		2.00	3-09-55-501-002-502	B	Vehicle Maintenance	R	06/19/23	06/28/23		Z09984		N	
			523.15											
Vendor Total:		523.15												
H1100 HOME DEPOT CREDIT SERVICES														
23-00750	06/19/23	PARTS/SUPPLIES												
1 INV	9041380	EXHAUST FAN	106.00	3-09-55-501-001-503	B	Water Plant Maintenance	R	06/19/23	06/28/23		9041380		N	
2 INV	9041380	PLIERS	19.97	3-09-55-501-001-503	B	Water Plant Maintenance	R	06/19/23	06/28/23		9041380		N	
3 INV	2513761	HAMPTON BAY FAN	68.92	3-09-55-501-001-503	B	Water Plant Maintenance	R	06/19/23	06/28/23		2513761		N	
4 INV	2183065	REFUND OF INV	68.92	3-09-55-501-001-503	B	Water Plant Maintenance	R	06/19/23	06/28/23		2183065		N	

Vendor #	Name	PO #	PO Date	Description	Amount	Contract Charge Account	PO Type	Acct Type	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
H1100	HOME DEPOT CREDIT SERVICES	Continued													
23-00750	06/19/23 PARTS/SUPPLIES	Continued													
5 INV	0040078-36X64 WINDOW BLIND	15.48	3-01-26-310-001-024	B Building Maintenance	R	06/19/23	06/28/23		0040078		N				
6 INV	7524290-4.5" FLAP DISC	23.94	3-01-28-369-001-141	B Parks & Playgrd Maintenance	R	06/19/23	06/28/23		7524290		N				
		165.39													
23-00771	06/22/23 MAINTENANCE SUPPLIES/MATERIALS														
1 INV	1024601 PAINT ROLLERS	14.91	3-01-26-290-001-127	B Street Repair & Maintenance	R	06/22/23	06/28/23		1024601		N				
2 INV	7041652 18" Y62 CHAIN 2PK	31.47	3-01-26-290-001-127	B Street Repair & Maintenance	R	06/22/23	06/28/23		7041652		N				
3 INV	7041677 VSR DRILL	129.00	3-01-26-290-001-127	B Street Repair & Maintenance	R	06/22/23	06/28/23		7041677		N				
4 INV	0524265 PAINT	19.96	3-01-26-290-001-127	B Street Repair & Maintenance	R	06/22/23	06/28/23		0524265		N				
5 INV	0524357 RAIL POST	21.97	3-01-28-369-001-141	B Parks & Playgrd Maintenance	R	06/22/23	06/28/23		0524357		N				
		217.31													
Vendor Total:		382.70													
JERSE015	JERSEY AUTO SUPPLY INC.														
23-00746	06/19/23 MAINTENANCE SUPPLIES														
1 INV	243044-THREADLOCK GEL &	30.98	3-01-26-290-001-127	B Street Repair & Maintenance	R	06/19/23	06/28/23		243044		N				
2 INV	243866-2 YR BATTERY/CORE	125.12	3-01-33-195-002-199	B Miscellaneous	R	06/19/23	06/28/23		243866		N				
3 INV	243872-BATTERY CABLE TERM.	22.49	3-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	06/19/23	06/28/23		243872		N				
4 INV	243927-ABSORBENT	97.25	3-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	06/19/23	06/28/23		243927		N				
5 INV	244404-WIPER BLADES;	148.93	3-01-26-290-001-034	B Motor Vehicle Parts & Access.	R	06/19/23	06/28/23		244404		N				
		424.77													
Vendor Total:		424.77													
J0069	JERSEY ELEVATOR LLC														
23-00744	06/19/23 JUNE 2023 MAINTENANCE														
1 INV	420163 JUNE 2023	198.01	3-01-26-310-001-029	B Maintenance Contracts	R	06/19/23	06/28/23		420163		N				
Vendor Total:		198.01													
J0378	KENNCO LLC														
23-00708	06/07/23 MAY RENTAL														
1 INV	R20283 CYLINDER RENTAL	36.60	3-01-26-290-001-050	B DPW Work Equipment	R	06/07/23	06/28/23		R20283		N				
Vendor Total:		36.60													

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
L0205 LANGUAGE LINE SERVICES												
23-00720	06/07/23 INV 11019212 HPD											
1	INV 11019212 HPD	31.90		3-01-25-240-001-111	B	Interpreter	R	06/07/23	06/28/23		11019212	N
Vendor Total:		31.90										
LILYH005 LILY BEA HEZRONY												
23-00685	06/05/23 EC LEADERSHIP INTERNSHIP											
1	ENVIRONMENTAL COMMISSION	200.00		3-01-27-335-001-199	B	Miscellaneous	R	06/05/23	06/28/23		EC LEADERESHIP	N
Vendor Total:		200.00										
L0037 LINCOLN FINANCIAL GROUP												
23-00800	06/27/23 JULY 2023 LIFE INSURANCE											
1	JULY 2023 LIFE INSURANCE	263.32		3-01-23-210-003-115	B	Medical Ins-Emp	R	06/27/23	06/28/23		JULY 2023	N
2	JULY 2023 LIFE INSURANCE	18.16		3-01-23-210-003-115	B	Medical Ins-Emp	R	06/27/23	06/28/23		JULY 2023	N
3	JULY 2023 LIFE INSURANCE	5.91		3-01-23-210-003-115	B	Medical Ins-Emp	R	06/27/23	06/28/23		JULY 2023	N
4	JULY 2023 LIFE INSURANCE WTP	18.16		3-09-55-501-001-514	B	INSURANCE	R	06/27/23	06/28/23		JULY 2023	N
5	JULY 2023 LIFE INSURANCE AWWTP	63.56		3-09-55-501-002-514	B	Insurance	R	06/27/23	06/28/23		JULY 2023	N
		332.79										
Vendor Total:		332.79										
LSCME005 LSC MECHANICAL												
23-00497	04/20/23 EMER VEH MAINT CHIEF'S TRUCK											
1	SUPPRESSOR SPARK PLUG	159.60		3-01-25-252-002-121	B	Preventive Maintenance	R	04/20/23	06/28/23		6167	N
2	IGNITION COIL	893.28		3-01-25-252-002-121	B	Preventive Maintenance	R	04/20/23	06/28/23		6167	N
3	CK ENGINE LIGHT TURBO ISSUE?	125.00		3-01-25-252-002-121	B	Preventive Maintenance	R	04/20/23	06/28/23		6167	N
4	LABOR REMOVE & REPLACE AIR	37.50		3-01-25-252-002-121	B	Preventive Maintenance	R	04/20/23	06/28/23		6167	N
5	LABOR REMOVE & REPLACE SPARK	187.50		3-01-25-252-002-121	B	Preventive Maintenance	R	04/20/23	06/28/23		6167	N
6	AIR FILTER	21.56		3-01-25-252-002-121	B	Preventive Maintenance	R	04/20/23	06/28/23		6167	N
		1,424.44										
Vendor Total:		1,424.44										
M0180 MCMASTER-CARR												
23-00565	05/04/23 LOCKOUT-TAGOUT SET & BINDERS											
1	LOCKOUT-TAGOUT SET	1,185.52		3-01-25-252-002-199	B	Miscellaneous	R	05/04/23	06/28/23		97400756	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		
M0180	MCMASTER-CARR	Continued										
23-00565	05/04/23	LOCKOUT-TAGOUT SET & BINDERS	Continued									
2	SDS RIGHT TO UNDERSTAND BINDER	526.64	3-01-25-252-002-199	B Miscellaneous	R	05/04/23	06/28/23		97400756	N		
		1,712.16										
	Vendor Total:	1,712.16										
M0256	MERCER CO IMPROVEMENT AUTH											
23-00740	06/19/23	MAY 2023 TIPPING										
1	MAY 2023 TIPPING	17,303.02	3-01-32-465-001-165	B Landfill Solid Waste Disposal-MCIA	R	06/19/23	06/28/23		MAY 2023	N		
2	MAY 2023 RECYCLIKNG TAX	485.13	3-01-43-496-001-174	B Recycling Tax	R	06/19/23	06/28/23		MAY 2023	N		
		17,788.15										
	Vendor Total:	17,788.15										
M0186	MERCER CTY MUN. CLERKS ASSOC.											
23-00796	06/27/23	ANNUAL MEMBERSHIP 2023-2024										
1	ANNUAL MEMBERSHIP - P. RIGGIO	100.00	3-01-20-120-001-044	B Professional Assoc. Dues	R	06/27/23	06/28/23		RIGGIO	N		
	Vendor Total:	100.00										
NJADV005	NJ Advance Media											
23-00793	06/27/23	LEGAL ADS APRIL & MAY 2023										
1	ORD 2023-05 ADOPT	27.56	3-01-20-120-001-021	B Advertisements	R	06/27/23	06/28/23		0010624531	N		
2	ORD2023-06 ADOPT	26.52	3-01-20-120-001-021	B Advertisements	R	06/27/23	06/28/23		0010624534	N		
3	ORD 2023-27 ADOPT	27.56	3-01-20-120-001-021	B Advertisements	R	06/27/23	06/28/23		0010624535	N		
4	NOTICE TO BIDDERS	102.80	3-01-20-120-001-021	B Advertisements	R	06/27/23	06/28/23		0010631902	N		
5	ORD 2023-08 INTRO	31.20	3-01-20-120-001-021	B Advertisements	R	06/27/23	06/28/23		0010653824	N		
6	ORD 2023-09 INTRO	31.20	3-01-20-120-001-021	B Advertisements	R	06/27/23	06/28/23		0010653827	N		
		246.84										
	Vendor Total:	246.84										
00019	O'BRIEN CONSULTING SERVICES											
23-00717	06/07/23	MONTHLY IT SVC MAY 23										
1	MONTHLY IT SVC MAY 23	900.00	3-01-25-240-001-029	B Maint. Contracts - Other	R	06/07/23	06/28/23		23-6293	N		
2	MONTHLY IT SVC MAY 23	280.00	3-01-25-240-001-029	B Maint. Contracts - Other	R	06/07/23	06/28/23		23-6293	N		



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Item	Description	Amount	Charge	Account	Acct Type	Description	Enc	Date	Date	Date	Invoice	Excl
POLIC005 POLICE & SHERIFFS PRESS, INC												
23-00748	06/19/23 TAXI DRIVER PHOTO ID											
1	TAXI DRIVER PHOTO ID	17.60	3-01-20-125-001-023		B	Printing & Stationary	R	06/19/23	06/28/23		178859	N
Vendor Total:		17.60										
REDAR005 RED ARROW TECHNOLOGIES, LLC												
23-00662	05/24/23 VOIP SVCS MAY 23 AWWTP/HPD											
1	VOIP SVCS MAY 23 AWWTP	175.16	3-01-31-440-001-085		B	Telephone-Block Line Systems, LLC LSI	R	05/24/23	06/28/23		12927	N
2	VOIP SVCS MAY 23 HPD	392.79	3-01-31-440-001-085		B	Telephone-Block Line Systems, LLC LSI	R	05/24/23	06/28/23		12927	N
		567.95										
23-00794	06/27/23 MONTHLY SUPPORT JUNE 2023											
1	TECH SUPPORT & SERVICES	1,749.53	3-01-20-140-001-094		B	Computer Service & Support	R	06/27/23	06/28/23		12977	N
2	INTERNET & WEB	1,408.50	3-01-20-140-001-060		B	Internet Services and Web Services	R	06/27/23	06/28/23		12977	N
3	TECH SUPPORT/INTERNET/WEB	653.89	3-09-55-501-002-530		B	Computer Software/Maint/Equip	R	06/27/23	06/28/23		12977	N
4	TELEPHONE SUPPORT	700.00	3-01-31-440-001-085		B	Telephone-Block Line Systems, LLC LSI	R	06/27/23	06/28/23		12977	N
5	TECH SUPPORT/INTERNET/WEB	287.95	3-09-55-501-001-530		B	Computer Software/Maint/Equip	R	06/27/23	06/28/23		12977	N
		4,799.87										
23-00801	06/27/23 VOIP SVCS JUNE 23 AWWTP/HPD											
1	VOIP SVCS JUNE 23 HPD	366.83	3-01-31-440-001-085		B	Telephone-Block Line Systems, LLC LSI	R	06/27/23	06/28/23		13110	N
2	VOIP SVCS JUNE 23 AWWTP	175.16	3-01-31-440-001-085		B	Telephone-Block Line Systems, LLC LSI	R	06/27/23	06/28/23		13110	N
		541.99										
Vendor Total:		5,909.81										
RICHA035 RICHARD HAAS												
23-00722	06/07/23 GARDEN TOUR 6/10/23											
1	GARDEN TOUR 6/10/23	150.00	G-02-41-761-000-000		B	Mercer County Local Arts Grant	R	06/07/23	06/28/23		JUNE 10, 2023	N
Vendor Total:		150.00										
R0077 ROBERTS ENGINEERING GRP LLC												
23-00637	05/23/23 IMPRVMT SUMMIT & DUTCH NECK				B							
4	RES 2023-105 NJ DOT LOCAL	2,268.50	3-01-20-165-001-028		B	General Engineering	R	05/23/23	06/28/23		7445	N

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
R0077	ROBERTS ENGINEERING GRP LLC	Continued										
23-00637	05/23/23 IMPRVMT SUMMIT & DUTCH NECK	Continued										
5	RES 2023-105 NJ DOT MUNICIPAL	2,047.50	3-01-20-165-001-028	B	General Engineering	R	05/23/23	06/28/23		7446	N	
		4,316.00										
23-00802	06/27/23 BILLING THROUGH JUNE 2023											
1	MISC REQUESTS	465.00	3-01-20-165-001-028	B	General Engineering	R	06/27/23	06/28/23		7439	N	
2	PEDDIE LAKE DAM	1,055.00	3-01-20-165-001-105	B	Peddie Lake Dam-Inspection	R	06/27/23	06/28/23		7440	N	
3	PEDDIE LAKE DAM VALVE	1,405.00	3-01-20-165-001-105	B	Peddie Lake Dam-Inspection	R	06/27/23	06/28/23		7441	N	
4	STORM WATER PERMTI 2023	303.75	3-01-20-165-001-106	B	Misc. Road & Drainage Issues(B	R	06/27/23	06/28/23		7442	N	
5	MAXWELL AVE PUMP STATION LOT	75.00	3-09-55-501-002-549	B	MAXWELL AVE PUMPING STATION	R	06/27/23	06/28/23		7444	N	
6	MISC ROADS	525.00	3-01-20-165-001-028	B	General Engineering	R	06/27/23	06/28/23		7447	N	
7	GENERAL SEWERS	2,757.50	3-09-55-501-002-508	B	Engineer	R	06/27/23	06/28/23		7448	N	
8	GENERAL WATER	3,310.00	3-09-55-501-001-508	B	Engineer	R	06/27/23	06/28/23		7449	N	
9	WATER TANKS	2,085.00	C-08-55-963-000-544	B	DESIGN COSTS WATER TANKS/STANDPIPE	R	06/27/23	06/28/23		7450	N	
10	LEAD WATER SYSTEMS	280.00	3-09-55-501-001-508	B	Engineer	R	06/27/23	06/28/23		7452	N	
11	IMPROVEMENTS TO HAUSER AVE,	19,265.00	C-04-55-894-001-447	B	HAUSER, BENNETT PL PROSPECT DR SOFT COST	R	06/27/23	06/28/23		7456	N	
12	HIGHTSTOWN-STOCKTON ST CURB &	395.00	C-04-55-880-001-447	B	RETAINING WALL 17-9,STOCKTON SIDEW SEC20	R	06/28/23	06/28/23		7457	N	
13	IMPROVEMENTS TO ORCHARD AVE,	1,580.00	C-08-55-969-001-544	B	IMP TO ORCHARD, CLOVER & S. MAIN SEC 20	R	06/28/23	06/28/23		7459	N	
14	IMPROVEMENTS TO MAXWELL AVE	4,951.25	C-04-55-899-000-447	B	MAXWELL AVE IMPROVEMENTS SEC. 20	R	06/28/23	06/28/23		7460	N	
15	STORM WATER MAPPING	1,312.50	3-01-20-165-001-106	B	Misc. Road & Drainage Issues(B	R	06/28/23	06/28/23		7443	N	
		39,765.00										
23-00804	06/28/23 AWWTP ACTIVATED SLUDGE IMPROVE											
1	AWWTP ACTIVATED SLUDGE IMPROVE	2,620.00	C-08-55-972-000-544	B	ACTIVATED SLUDGE TANK & DRYWELL SEC 20	R	06/28/23	06/28/23		7453	N	
23-00805	06/28/23 EW STOCKTON CURB/SIDEWALK IMPR											
1	EW STOCKTON CURB/SIDEWALK IMPR	395.00	3-01-43-519-001-199	B	STOCKTON ST. IMPROVEMENTS-EAST WINDSOR	R	06/28/23	06/28/23		7458	N	
23-00806	06/28/23 Billing through 6/17/2023											
1	Attend PB Meeting	40.00	3-01-21-180-001-106	B	Planning Board Engineer-General	R	06/28/23	06/28/23		7455	N	
2	Coordinate & onsite inspection	207.00	HTELLC	P	Clinton Street	R	06/28/23	06/28/23		7461	N	
3	Application review & hearing	2,030.00	3PRCLLC	P	Site Plan Application #2020-01	R	06/28/23	06/28/23		7462	N	
		2,277.00										
Vendor Total:		49,373.00										

[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
SUSAN010 SUSAN BLUTH												
23-00808	06/28/23	MAYOR'S EXPENSES										
1	REIMBURSEMENT	83.17	3-01-20-110-001-195	B Mayor's Expense	R	06/28/23	06/28/23	5/25/23	RCPT	N		
Vendor Total:		83.17										
T0972 TIMBERWOLF TREE SERVICE												
23-00653	05/24/23	ESTIMATE 6624 FOR TREE SERVICE										
1	ESTIMATE 6624 FOR TREE SERVICE	906.31	3-01-26-290-001-129	B Maint.& Replace-Street Trees	R	05/24/23	06/28/23	6624		N		
2	QUOTE 6624-NJ SALES TAX	56.31	3-01-26-290-001-129	B Maint.& Replace-Street Trees	R	05/24/23	06/28/23	6624		N		
		850.00										
Vendor Total:		850.00										
TOWNS010 TOWNSHIP OF MANALAPAN												
23-00586	05/08/23	ANIMAL CONTROL 1ST & 2ND 2023										
1	ANIMAL CONTROL SVCS 1ST QTR 23	4,500.00	T-13-56-286-000-824	B RESERVE-ANIMAL CONTROL TRUST	R	05/08/23	06/28/23	1ST QTR 2023		N		
2	ANIMAL CONTROL SVCS 2ND QTR 23	4,500.00	T-13-56-286-000-824	B RESERVE-ANIMAL CONTROL TRUST	R	05/08/23	06/28/23	2ND QTR 2023		N		
		9,000.00										
Vendor Total:		9,000.00										
T0061 TOWNSHIP OF ROBBINSVILLE DPW												
23-00762	06/22/23	HPD VEHICLE MAINTENANCE										
1	HPD VEHICLE MAINTENANCE	405.29	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5604		N		
2	HPD VEHICLE MAINTENANCE	131.44	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5605		N		
3	HPD VEHICLE MAINTENANCE	1,106.03	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5607		N		
4	HPD VEHICLE MAINTENANCE	535.80	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5608		N		
5	HPD VEHICLE MAINTENANCE	703.98	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5616		N		
6	HPD VEHICLE MAINTENANCE	212.16	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5617		N		
7	HPD VEHICLE MAINTENANCE	75.77	3-01-43-515-001-170	B Mechanic Services	R	06/22/23	06/28/23	5610		N		
		3,170.47										
Vendor Total:		3,170.47										
TRAFF010 TRAFFIC SAFETY WAREHOUSE												
23-00656	05/24/23	STREET BARRICADES										
1	QUOTE 109057A	539.90	3-01-26-290-001-126	B Signs & Posts	R	05/24/23	06/28/23	109057A		N		

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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		
TRAFF010 TRAFFIC SAFETY WAREHOUSE Continued												
23-00656	05/24/23	STREET BARRICADES	Continued									
2 QUOTE 109057A		218.85	3-01-26-290-001-126	B Signs & Posts	R	05/24/23	06/28/23		109057A	N		
3 QUOTE 109057A		325.00	3-01-26-290-001-126	B Signs & Posts	R	05/24/23	06/28/23		109057A	N		
		1,083.75										
Vendor Total:		1,083.75										
T1886 TWINCO SUPPLY CO., INC												
23-00741	06/19/23	40 X 48 BLACK BAGS										
1 L48225 - 40 X 48 BLACK BAGS		511.56	3-01-20-125-001-035	B Paper Products/Janitorial	R	06/19/23	06/28/23		025427	N		
Vendor Total:		511.56										
U0007 UNIVAR USA INC												
23-00111	02/01/23	RES 2022-209 LIME HI-CALC WTP	B									
7 INV51219817	6/8/23	LIMEHICALC	875.00	3-09-55-501-001-527	B Calcium Hydroxide - Lime	R	05/05/23	06/28/23	51219817	N		
Vendor Total:		875.00										
U0144 UPS												
23-00799	06/27/23	INV 0000161Y33253 DPW/WTP										
1 INV 0000161Y33253 DPW		39.30	3-01-30-421-001-022	B Postage & Express Charges	R	06/27/23	06/28/23		0000161Y33253	N		
2 INV 0000161Y33253 WTP DENNIS		35.40	3-09-55-501-001-516	B Postage & Express Charges	R	06/27/23	06/28/23		0000161Y33253	N		
		74.70										
Vendor Total:		74.70										
U0061 USALCO, LLC												
23-00317	03/13/23	RES 2022-208 ALUMINUM SULFATE	B									
3 INV 20269343	6/1/23	5,875.75	3-09-55-501-002-542	B Aluminum Sulfate	R	03/13/23	06/28/23		20260436R	N		
Vendor Total:		5,875.75										
V0275 V.E. RALPH & SON, INC.												
23-00677	06/05/23	MEDICAL SUPPLIES										
1 1200 CC SUCTION CANISTER		169.50	3-01-25-260-001-136	B Medical Supplies	R	06/05/23	06/28/23		454616	N		
2 EPINEPHRINE AUTO INJECTOR		425.00	3-01-25-260-001-136	B Medical Supplies	R	06/05/23	06/28/23		454616	N		

Total Purchase Orders: 68 Total P.O. Line Items: 179 Total List Amount: 362,403.50 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	2-01	275.00	0.00	275.00	0.00	0.00	0.00	275.00
CURRENT FUND	3-01	104,940.89	0.00	104,940.89	0.00	0.00	0.00	104,940.89
	3-09	98,026.50	0.00	98,026.50	0.00	0.00	0.00	98,026.50
	3-21	0.00	0.00	0.00	0.00	0.00	3,344.35	3,344.35
Year Total:		202,967.39	0.00	202,967.39	0.00	0.00	3,344.35	206,311.74
GENERAL CAPITAL	C-04	103,951.27	0.00	103,951.27	0.00	0.00	0.00	103,951.27
WATER/SEWER CAPITAL	C-08	41,159.00	0.00	41,159.00	0.00	0.00	0.00	41,159.00
Year Total:		145,110.27	0.00	145,110.27	0.00	0.00	0.00	145,110.27
	G-02	350.00	0.00	350.00	0.00	0.00	0.00	350.00
TRUST OTHER - FUND #12	T-12	1,356.49	0.00	1,356.49	0.00	0.00	0.00	1,356.49
ANIMAL CONTROL TRUST FUND #13	T-13	9,000.00	0.00	9,000.00	0.00	0.00	0.00	9,000.00
Year Total:		10,356.49	0.00	10,356.49	0.00	0.00	0.00	10,356.49
Total of All Funds:		359,059.15	0.00	359,059.15	0.00	0.00	3,344.35	362,403.50

Project Description	Project No.	Rcvd Total	Held Total	Project Total
Bulk Variance	2022-07	1,107.35	0.00	1,107.35
Site Plan Application #2020-01	3PRCLLC	2,030.00	0.00	2,030.00
Clinton Street	HTELLC	207.00	0.00	207.00
Total of All Projects:		3,344.35	0.00	3,344.35

# Resolution 2023-141

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

**A RESOLUTION CONFIRMING INSURANCE COVERAGE FOR  
REPRESENTATIVES OF THE BOROUGH'S PLANNING BOARD WHILE  
ENGAGED IN ACTIVITIES OFFSITE IN FURTHERANCE OF THE  
MASTER PLAN REEXAMINATION PROCESS.**

**WHEREAS**, the Borough of Hightstown must provide for a general reexamination of the Borough's Master Plan and development regulations by the Planning Board at least once every ten (10) years, pursuant to N.J.S.A. 40:55D-89; and

**WHEREAS**, the Borough and the Planning Board have commenced this mandatory process; and

**WHEREAS**, in order to obtain feedback from residents of the community concerning the reexamination of the Master Plan and development regulations, representatives of the Planning Board intend to set up tables at various locations offsite around the Borough, such as at Borough sponsored events and at local business establishments, in order to engage in these discussions; and

**WHEREAS**, the Borough wishes to ensure that those representatives of the Planning Board who are engaged in the process of gathering resident feedback while at various locations offsite shall be covered under the Borough's general liability policy in case of any incidents which may trigger liability; and

**WHEREAS**, in order to be eligible for such coverage, those members of the Planning Board who are involved must be acting within the good faith performance of their duties on behalf of the Borough and acting pursuant to the direction and under the authorization of the Borough; and

**WHEREAS**, insurance coverage shall be subject to the terms, conditions, limitations and exclusions of the Memorandum of Coverage relating to the Borough's general liability policy.

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

1. That the Borough hereby confirms that those representatives of the Planning Board who are engaged in the process of gathering resident feedback while at various locations offsite shall be covered under the Borough's general liability policy in case of any incidents which may trigger liability.
2. That, in order to be eligible for such coverage, those members of the Planning Board who are involved must be acting within the good faith performance of their duties on behalf of the Borough and acting pursuant to the direction and under the authorization of the Borough.

3. That insurance coverage shall be subject to the terms, conditions, limitations and exclusions of the Memorandum of Coverage relating to the Borough's general liability policy.
4. That a certified copy of this Resolution shall be provided to each of the following:
  - a. Dimitri Musing, Borough Administrator;
  - b. Frederick C. Raffetto, Borough Attorney; and
  - c. The Borough's Liability Insurance Representatives.

### **CERTIFICATION**

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 5, 2023.

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Margaret Riggio  
Borough Clerk

# Resolution 2023-142

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

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
THE IMPROVEMENTS TO SUMMIT STREET**

**NOW, THEREFORE, BE IT RESOLVED** that Council of the Borough of Hightstown formally approves the grant application for the above stated projects.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2024-Improvements to Summit Street-00292 to the New Jersey Department of Transportation on behalf of the Borough of Hightstown.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Hightstown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**CERTIFICATION**

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 5, 2023

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Margaret Riggio  
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**ATTEST and AFFIX SEAL**

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Margaret Riggio, Borough Clerk

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Susan Bluth, Mayor

# Resolution 2023-143

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

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
THE IMPROVEMENTS TO DUTCH NECK ROAD**

**NOW, THEREFORE, BE IT RESOLVED** that Council of the Borough of Hightstown formally approves the grant application for the above stated projects.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LTPF-2023-Improvements to Dutch Neck Road-00109 to the New Jersey Department of Transportation on behalf of the Borough of Hightstown.

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Hightstown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**CERTIFICATION**

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 5, 2023

---

Margaret Riggio  
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

**ATTEST and AFFIX SEAL**

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Margaret Riggio, Borough Clerk

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Susan Bluth, Mayor

# Resolution 2023-144

BOROUGH OF HIGHTSTOWN  
COUNTY OF MERCER  
STATE OF NEW JERSEY

## AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2023 BUDGET

**WHEREAS**, an emergent condition has arisen with respect to inadequate appropriation balances remaining in some line items of the 2023 temporary budget; and

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

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

**WHEREAS**, the total emergency temporary appropriations in resolutions adopted in the year 2023 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951, as amended), including this resolution, total:

	<i><b>THIS RESOLUTION</b></i>	<i><b>PREVIOUS TOTAL</b></i>	<i><b>CUMULATIVE TOTAL</b></i>
Current	99,010.00	2,249,845.00	<b>2,348,855.00</b>
Capital Outlay – Current	0.00	0.00	<b>0.00</b>
Debt Service - Current	0.00	0.00	<b>0.00</b>
Water/Sewer	70,000.00	844,500.00	<b>914,500.00</b>
Capital Outlay – W/S	0.00	0.00	<b>0.00</b>
Debt Service - W/S	0.00	0.00	<b>0.00</b>
<b>TOTAL</b>	<b>169,010.00</b>	<b>3,094,345.00</b>	<b>3,263,355.00</b>

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 2023 budget under the same title as written herein;
3. One certified copy of this resolution will be filed with the Director of Local Government Services, and a copy provided to the Chief Finance Officer.

### CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 5, 2023.

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Margaret Riggio  
Borough Clerk

Borough of Hightstown  
Emergency Temporary No. 8  
July 5, 2023

**SCHEDULE "A"**

Current Fund

Mayor and Council	Other Expenses	1,100.00
Tax Collector	Salaries and Wages	6,000.00
Tax Assessor	Salaries and Wages	1,000.00
Engineer	Other Expenses	6,000.00
Police	Salaries and Wages	40,000.00
Emergency Mgt	Salaries and Wages	500.00
Board of Health	Salaries and Wages	5,000.00
Buildings and Grounds	Salaries and Wages	3,000.00
Enviromental Commission	Other Expenses	600.00
Maintenance of Parks	Salaries and Wages	3,000.00
Telephone	Other Expenses	4,000.00
Construction Code	Salaries and Wages	12,000.00
Housing	Salaries and Wages	4,000.00
EMS Services - Robbinsville	Other Expenses	8,000.00
EMS Dispatch - County	Other Expenses	<u>4,810.00</u>
		99,010.00

Water-Sewer Utility Fund

Salaries and Wages	20,000.00
Other Expenses	<u>50,000.00</u>
	70,000.00



# Resolution 2023-145

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

## **AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on July 5, 2023, at the Hightstown Fire House located at 140 North Main Street, Hightstown, that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

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

Attorney Client Privilege

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public October 5, 2023, 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 July 5, 2023.

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Margaret Riggio  
Borough Clerk