

**AGENDA**  
**Hightstown Borough Council**  
**September 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**

**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 2023-14 Final Reading and Public Hearing** An Ordinance Establishing Certain Regulations and Amending and Supplementing “The Revised General Ordinances of the Borough of Hightstown,” In order to Establish a New Chapter 22 Thereof to be Known “Privately-Owned Salt Storage”

**Ordinance 2023-15 Final Reading and Public Hearing** An Ordinance Amending and Supplementing Section 19-2-8, Entitled “Billing,” of Article 19-2, “Charges and Rents,” of Chapter 19, “Water and Sewer,” of “The Revised General Ordinances of the Borough of Hightstown,” in Certain Limited Respects

**Ordinance 2023-16 Final Reading and Public Hearing** An Ordinance Amending and Supplementing Chapter 25, Entitled “Stormwater Control,” of “The Revised General Ordinances of the Borough of Hightstown”

**Budget 2023**

Public Hearing for the 2023 Budget

**Resolutions**

**2023-169** Authorizing Payment of Bills

**2023-170** Re-appointing Seth A. Kurs as Municipal Court Judge

## **Consent Agenda**

**2023-171** Authorizing the Sale of Surplus Personal Property No Longer Needed for Public Use on an Online Auction Website

**2023-172** A Resolution Supporting Porchfest 2023 Sponsored by Hightstown Borough Cultural Arts Commission

**2023-173** Authorizing Payment No. 2 – Black Rock Enterprises, LLC. – Improvements to Hausser Avenue, Bennett Place and Prospect Drive

**2023-174** A Resolution Authorizing a Change Order for a Contract with Customer Environmental Technology for Zeta Lyte 1A Polyelectrolyte

**2023-175** Authorizing Preparation of Bid Specifications for Emergency Repair Contract Services

**2023-176** Accepting Membership of Jorge Serrato, Jr. in Hightstown Engine Co. No. 1

**2023-177** Accepting Membership of Christopher Suk in Hightstown Engine Company No. 1

**2023-178** Resolution Authorizing the Purchase of a GapVax 2022 G7 Trailer Jetter for the Hightstown Borough Department of Public Works from Tri State Environmental Services, an Authorized Dealer of GapVax

**2023-179** Authorizing Emergency Temporary Appropriations Prior to Adoption of the 2023 Budget

## **Discussion**

Sign Approval – RISE Latino Festival

## **Subcommittee Reports**

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

## **Adjournment**

# Ordinance 2023-14

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

**AN ORDINANCE ESTABLISHING CERTAIN REGULATIONS AND AMENDING  
AND SUPPLEMENTING “THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF HIGHTSTOWN,” IN ORDER TO ESTABLISH A NEW  
CHAPTER 22 THEREOF TO BE KNOWN AS  
“PRIVATELY-OWNED SALT STORAGE.”**

**WHEREAS**, the Mayor and Council wish to revise “The Revised General Ordinances of the Borough of Hightstown” (the “Borough Code”), in order to establish certain regulations relating to privately-owned salt storage.

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

1. That Chapter 22, currently entitled “Reserved,” of the Borough Code, is hereby established to read as follows:

**Chapter 22. Privately-Owned Salt Storage**

**Article 22-1. Privately-Owned Salt Storage Regulations**

**§ 22-1-1. Purpose.**

The purpose of this chapter is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This chapter establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the Borough (privately-owned), including residences within the Borough to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

**§ 22-1-2. Definitions.**

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

**DE-ICING MATERIALS**

Any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

### **IMPERVIOUS SURFACE**

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

### **PERMANENT STRUCTURE**

A permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

### **PERSON**

Any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

### **RESIDENT**

A person who resides on a residential property where de-icing material is stored.

### **STORM DRAIN INLET**

The point of entry into the storm water system.

### **§ 22-1-3. De-icing Material Storage Requirements.**

- A. Temporary outdoor storage of de-icing materials shall be allowed between October 15<sup>th</sup> and April 15<sup>th</sup> of the year, in accordance with the following requirements:
  - (1) Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
  - (2) Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;

(3) Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after each use;

(4) Loose materials shall be covered as follows:

(a) The cover shall be waterproof, impermeable, and flexible;

(b) The cover shall extend to the base of the pile(s);

(c) The cover shall be free from holes or tears;

(d) The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and

(e) Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

[1] Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

(5) Containers must be sealed when not in use; and

(6) The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.

B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to the time period between October 15<sup>th</sup> and April 15<sup>th</sup>.

C. All temporary and/or permanent structures utilized for the storage of de-icing materials must also comply with all other applicable Borough ordinances, including but not limited to building and zoning regulations.

D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this chapter are met. Inspection records shall be kept on site and made available to the municipality upon request.

(1) Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

#### **§ 22-1-4. Exemptions.**

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials

from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in § 22-1-3 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This chapter does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

**§ 22-1-5. Enforcement.**

The provisions of this chapter shall be enforced by the Hightstown Borough Police Department and the Superintendent of Public Works or his/her designee(s).

**§ 22-1-6. Violations and Penalties.**

Any person(s) who is found to be in violation of the provisions of this chapter shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in penalties as stated in Chapter 1, Article 1-5.

2. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.

3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduction: August 21, 2023

Adoption:

ATTEST:

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR

# Ordinance 2023-15

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 19-2-8, ENTITLED “BILLING,” OF ARTICLE 19-2, “CHARGES AND RENTS,” OF CHAPTER 19, “WATER AND SEWER,” OF “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN,” IN CERTAIN LIMITED RESPECTS.**

**WHEREAS**, the Borough of Hightstown (the “Borough”) previously established Article 19-2, entitled “Charges and Rents,” of Chapter 19, “Water and Sewer,” of “The Revised General Ordinances of the Borough of Hightstown” (also referenced as the “Borough Code”); and

**WHEREAS**, the Mayor and Council wish to revise Section 19-2-8, entitled “Billing” of Article 19-2 of the Borough Code, in certain limited respects.

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

1. That Section 19-2-8, entitled “Billing,” of Article 19-2, “Charges and Rents,” of Chapter 19, “Water and Sewer,” of “The Revised General Ordinances of the Borough of Hightstown” is hereby amended and supplemented in the following respects (additions are show with underline; deletions are shown with ~~strikethrough~~):

**§ 19-2-8. Billing.**

A. Billing to Owners. Billing by the Borough water and sewer utility office shall be to the record owners of the lot served by the utility.

B. Reimbursement for Errors in Billing. It is the record owner(s)’ responsibility to monitor their water and sewer bills and inform the Borough immediately if an error is detected or suspected. If an error in billing is discovered, involving amounts that were either under-billed or over-billed to the record owner(s)’ account, the Borough’s liability and responsibility to correct the error shall be limited to providing a credit or debit, as applicable, to the record owner(s)’ account for amounts covering up to (a maximum of) the last four (4) billing cycles from the time when the billing error was brought to the Borough’s attention.

BC. Procedure for Unpaid Bills. Use charges for water and sewer service shall be a first lien or charge against the property benefitted therefrom. The liens shall be enforceable in the manner provided for real property tax liens in Chapter 5 of Title 54 of the New Jersey Revised Statutes. Unpaid water and sewer charges shall be subject to an interest charge in the same manner as past-due real property taxes in the Borough.

CD. Discontinuance of Service.

(1) Discontinuance of service due to nonpayment of charges. The Borough Administrator may discontinue water and/or sewer service to any property if any water and/or sewer charges for such property are more than 45 days in arrears for residential or non-residential properties, if written notice of the proposed discontinuance of service and of the reasons therefor is given to the owner of record of the property at least 15 calendar days prior to

the date of discontinuance. The notice shall be deemed complete if it is (1) mailed by regular mail to the last known address of the owner of record, (2) mailed by regular mail for information purposes to any known occupant, and (3) postmarked at least 15 days prior to the date of discontinuance, and (4) posted in a conspicuous manner at the property at least 15 days prior to the date of discontinuance.

- (2) Discontinuance of service at request of property owner. Water and/or sewer service may be temporarily discontinued to any property at the request of the property owner, provided that the property is unoccupied. Such requests for temporary discontinuation of service shall be made in writing, signed by the property owner, and shall certify that the property is unoccupied. Accounts for which service has been temporarily discontinued in accordance with this article shall continue to accrue quarterly base charges for water and sewer as set forth in § 19-2-2, and the property owner will continue to bear full responsibility for payment of same as set forth in Subsections **A** and **B** above.
- (3) In the event that the Borough discontinues water service, whether or not at the request of the property owner, a fee of \$50 shall be charged for reestablishment of water service. Billing of the charge and the procedure for unpaid bills shall be as set forth in Subsections **A** and **B** above.

~~DE.~~ Disputed Bills Related to Water Leaks. Water charges will not be waived if a leak occurs after in the water line leading into the home at any point past the water meter. Sewer charges may be waived if the water plant operator can verify that the water which leaked did not enter the sewer system, or if a licensed plumber provides written verification that the water which leaked did not enter the sewer system.

2. That all other provisions of Chapter 19 of the Borough Code which are not referenced in Section 1 of this Ordinance shall remain unaffected/unchanged and remain in full force and effect.
3. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.
4. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduction: August 21, 2023

Adoption:

ATTEST:

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR



# Ordinance 2023-16

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

## **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 25, ENTITLED “STORMWATER CONTROL,” OF “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN.”**

**WHEREAS**, the Borough of Hightstown (the “Borough”) previously established Chapter 25, entitled “Stormwater Control,” of “The Revised General Ordinances of the Borough of Hightstown” (also referenced as the “Borough Code”); and

**WHEREAS**, the New Jersey Department of Environmental Protection (the “DEP”) adopted new stormwater regulations on July 17, 2023 (the “regulations”); and

**WHEREAS**, the regulations affect the Borough in that they are the new requirements for stormwater in the State of New Jersey (the “State”); and

**WHEREAS**, the Mayor and Council now wish to revise Section 25 of the Borough Code, in order to comply with the State’s new requirements.

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

1. That Chapter 25, entitled “Stormwater Control,” of the Borough Code is hereby amended and supplemented in the following respects (additions are show with underline; deletions are shown with ~~strikethrough~~):

### **Chapter 25. Stormwater Control**

#### **Article 25-1. General Provisions**

##### **§ 25-1-1. Scope and Purpose.**

- A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- B. Purpose. The purpose of this chapter is to establish minimum stormwater management requirements and controls for "major development," as defined below in § 25-1-2.
- C. Applicability.

- (1) This chapter shall be applicable to the following major developments:
  - (a) Non-residential major developments; and
  - (b) Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
- (2) This chapter shall also be applicable to all major developments undertaken by the Borough of Hightstown.
- (3) This chapter shall also apply to any Borough issued Zoning Permits which are not covered under items 1 and 2 above. The Zoning Officer shall provide a copy of all applications for Zoning Permits issued in accordance with this section to the Borough's Environmental Commission for review and recommendation.
- (4) An application required by ordinance pursuant to **C(1)** above that has been submitted prior to **September 5, 2023**, shall be subject to the stormwater management requirements in effect on **September 4, 2023**.
- (5) An application required by ordinance for approval pursuant to **C(1)** above that has been submitted on or after March 2, 2021, but prior to **{adoption date of this ordinance}**, shall be subject to the stormwater management requirements in effect on **{1 day prior to the adoption date of this ordinance}**.
- (6) Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023 shall be subject to the stormwater management requirements in effect prior to July 17, 2023.
- (7) Any application required pursuant to Sections A and B above, which has not received preliminary approval prior to the effective date of this chapter shall be subject to the provisions of this chapter.

D. Compatibility with Other Permit and Ordinance Requirements.

- (1) Development approvals issued pursuant to this chapter are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
- (2) This chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

**§ 25-1-2. Definitions.**

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

### **CAFRA CENTERS, CORES OR NODES**

Those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

### **CAFRA PLANNING MAP**

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

### **COMMUNITY BASIN**

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

### **COMPACTION**

The increase in soil bulk density.

### **CONTRIBUTORY DRAINAGE AREA**

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

### **CORE**

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

### **COUNTY REVIEW AGENCY**

An agency designated by the County ~~Board of Chosen Freeholders~~ [Commissioners](#) to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

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

### **DEPARTMENT**

The Department of Environmental Protection.

### **DESIGN ENGINEER**

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

### **DESIGNATED CENTER**

A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

### **DEVELOPMENT**

- A. The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
- B. In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

### **DISTURBANCE**

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

### **DRAINAGE AREA**

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

### **EMPOWERMENT NEIGHBORHOODS**

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

### **ENVIRONMENTALLY CONSTRAINED AREA**

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

### **ENVIRONMENTALLY CRITICAL AREA**

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

### **EROSION**

The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

## **GREEN INFRASTRUCTURE**

A stormwater management measure that manages stormwater close to its source by:

- A. Treating stormwater runoff through infiltration into subsoil;
- B. Treating stormwater runoff through filtration by vegetation or soil; or
- C. Storing stormwater runoff for reuse.

## **HUC 14 or HYDROLOGIC UNIT CODE 14**

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

## **IMPERVIOUS SURFACE**

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

## **INFILTRATION**

The process by which water seeps into the soil from precipitation.

## **LEAD PLANNING AGENCY**

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

## **MAJOR DEVELOPMENT**

- A. An individual "development," as well as multiple developments that individually or collectively result in:
  - (1) The disturbance of one or more acres of land since February 2, 2004;
  - (2) The creation of 1/4 acre or more of "regulated impervious surface" since February 2, 2004;
  - (3) The creation of 1/4 acre or more of "regulated motor vehicle surface" since March 2, 2021 ~~(or the effective date of this chapter, whichever is earlier)~~; or
  - (4) A combination of Subsections A(2) and (3) above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.
- B. Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of Subsections A(1), (2), (3) or (4) above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

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

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

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

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

## **MOTOR VEHICLE**

Land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

## **MOTOR VEHICLE SURFACE**

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

## **MUNICIPALITY**

The Borough of Hightstown.

## **NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL or BMP MANUAL**

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with § 25-1-4F of this chapter and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

## **NODE**

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

## **NUTRIENT**

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

## **PERSON**

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

## **POLLUTANT**

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

## **PUBLIC ROADWAY OR RAILROAD**

A pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

## **PUBLIC TRANSPORTATION ENTITY**

A Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

## **RECHARGE**

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

## **REGULATED IMPERVIOUS SURFACE**

Any of the following, alone or in combination:

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

- D. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

**REGULATED MOTOR VEHICLE SURFACE**

Any of the following, alone or in combination:

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

**SEDIMENT**

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

**SITE**

The lot or lots upon which a major development is to occur or has occurred.

**SOIL**

All unconsolidated mineral and organic material of any origin.

**STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)**

An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

**STATE PLAN POLICY MAP**

The geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

**STORMWATER**

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

**STORMWATER MANAGEMENT BMP**

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

**STORMWATER MANAGEMENT MEASURE**

Any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal nonstormwater discharges into stormwater conveyances.

**STORMWATER MANAGEMENT PLANNING AGENCY**

A public body authorized by legislation to prepare stormwater management plans.



## **STORMWATER MANAGEMENT PLANNING AREA**

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

## **STORMWATER RUNOFF**

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

## **~~TIDAL FLOOD HAZARD AREA~~**

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

## **URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD**

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

## **URBAN ENTERPRISE ZONES**

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

## **URBAN REDEVELOPMENT AREA**

Previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

## **WATER CONTROL STRUCTURE**

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

## **WATERS OF THE STATE**

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

## **WETLANDS or WETLAND**

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

**§ 25-1-3. Design and Performance Standards for Stormwater Management Measures.**

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  - (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  - (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this chapter apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

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

**§ 25-1-4. Stormwater Management Requirements for Major Development.**

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 25-1-10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergii* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 25-1-4P, Q and R.
  - (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § **25-1-40**, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
- (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of § **25-1-40**, P, Q and R to the maximum extent practicable;
  - (3) The applicant demonstrates that, in order to meet the requirements of § **25-1-40**, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under § **25-1-4D(3)** above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § **25-1-40**, P, Q and R that were not achievable on site.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in § **25-1-40**, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2(f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at: [https://njstormwater.org/bmp\\_manual2.htm](https://njstormwater.org/bmp_manual2.htm)  
<https://dep.nj.gov/stormwater/bmp-manual/>.
- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this chapter, the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

<b>Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</b>				
<b>Best Management Practice</b>	<b>Stormwater Runoff Quality TSS Removal Rate (percent)</b>	<b>Stormwater Runoff Quantity</b>	<b>Groundwater Recharge</b>	<b>Minimum Separation from Seasonal High Water Table (feet)</b>
Cistern	0	Yes	No	—
Dry Well <sup>(a)</sup>	0	No	Yes	2
Grass Swale	50 or less	No	No	2 <sup>(e)</sup> 1 <sup>(f)</sup>
Green Roof	0	Yes	No	—
Manufactured Treatment Device <sup>(a)</sup> <sup>(g)</sup>	50 or 80	No	No	Dependent upon the device
Pervious Paving System <sup>(a)</sup>	80	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Bioretention Basin <sup>(a)</sup>	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Infiltration Basin <sup>(a)</sup>	80	Yes	Yes	2
Small-scale sand filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	—

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

<b>Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)</b>				
<b>Best Management Practice</b>	<b>Stormwater Runoff Quality TSS Removal Rate (percent)</b>	<b>Stormwater Runoff Quantity</b>	<b>Groundwater Recharge</b>	<b>Minimum Separation from Seasonal High Water Table (feet)</b>
Bioretention System	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Infiltration Basin	80	Yes	Yes	2
Sand Filter <sup>(b)</sup>	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond <sup>(d)</sup>	50-90	Yes	No	N/A

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

<b>Table 3</b> <b>BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</b> <b>only with a Waiver or Variance from N.J.A.C. 7:8-5.3</b>				
<b>Best Management Practice</b>	<b>Stormwater Runoff Quality TSS Removal Rate (percent)</b>	<b>Stormwater Runoff Quantity</b>	<b>Groundwater Recharge</b>	<b>Minimum Separation from Seasonal High Water Table (feet)</b>
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device <sup>(h)</sup>	50 or 80	No	No	Dependent upon the device
Sand Filter <sup>(c)</sup>	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

**Notes to Tables 1, 2 and 3:**

- (a) Subject to the applicable contributory drainage area limitation specified at § **25-1-40(2)**;
  - (b) Designed to infiltrate into the subsoil;
  - (c) Designed with underdrains;
  - (d) Designed to maintain at least a ten-foot-wide area of native vegetation along at least 50% of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
  - (e) Designed with a slope of less than 2%;
  - (f) Designed with a slope of equal to or greater than 2%;
  - (g) Manufactured treatment devices that meet the definition of green infrastructure at § **25-1-2**;
  - (h) Manufactured treatment devices that do not meet the definition of green infrastructure at § **25-1-2**.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § **25-1-6B**. Alternative stormwater management measures may be used to satisfy the requirements at § **25-1-40** only if the measures meet the definition of green infrastructure at § **25-1-2**. Alternative

stormwater management measures that function in a similar manner to a BMP listed at Subsection **O(2)** are subject to the contributory drainage area limitation specified at Subsection **O(2)** for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Subsection **O(2)** shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § **25-1-4D** is granted from Subsection **O(2)**.

- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
- (1) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  - (2) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of § **25-1-8C**;
  - (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  - (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § **25-1-8**; and
  - (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of 2 1/2 inches in diameter.

- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at § 25-1-2 may be used only under the circumstances described at § 25-1-40(4).
- K. Any application for a new agricultural development that meets the definition of major development at § 25-1-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at § 25-1-40, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 25-1-40, P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge ~~on-site~~ onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Mercer County's Office of the County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 25-1-40, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US ~~f~~Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 25-1-10B(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 25-1-4 of this chapter and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Mercer County's Office of the County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above

required deed notice has been filed shall be submitted to the municipality in accordance with **M** above.

**O. Green Infrastructure Standards.**

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

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed 3 times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

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

**P. Groundwater Recharge Standards.**

- (1) This subsection contains the minimum design and performance standards for groundwater recharge as follows:



- (2) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § **25-1-5**, either:
  - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site; or
  - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the two-year storm, as defined and determined pursuant to § 25-1-5D is infiltrated.
- (3) This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to Subsection **P(4)** below.
- (4) The following types of stormwater shall not be recharged:
  - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contained Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
  - (b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

#### Q. Stormwater Runoff Quality Standards.

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
- (2) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
  - (a) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

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

**Table 4 - Water Quality Design Storm Distribution**

<b>Time (Minutes)</b>	<b>Cumulative Rainfall (Inches)</b>	<b>Time (Minutes)</b>	<b>Cumulative Rainfall (Inches)</b>	<b>Time (Minutes)</b>	<b>Cumulative Rainfall (Inches)</b>
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050

**Table 4 - Water Quality Design Storm Distribution**

<b>Time (Minutes)</b>	<b>Cumulative Rainfall (Inches)</b>	<b>Time (Minutes)</b>	<b>Cumulative Rainfall (Inches)</b>	<b>Time (Minutes)</b>	<b>Cumulative Rainfall (Inches)</b>
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

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

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

Where:

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

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

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

(6) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in § 25-1-4P, Q and R.

(7) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.

- (8) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (9) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95% of the anticipated load from the developed site, expressed as an annual average.
- (10) ~~This~~ The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

#### R. Stormwater Runoff Quantity Standards.

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § **25-1-5**, complete one of the following:
  - (a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected ~~two~~<sup>ten</sup>10-, and 100-year storm events, as defined and determined in § 25-1-5C and D, respectively, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
  - (b) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected ~~two~~<sup>ten</sup>10-, and 100-year storm events, as defined and determined pursuant to § 25-1-5C and D, respectively, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
  - (c) Design stormwater management measures so that the post-construction peak runoff rates for the current and projected ~~two~~<sup>ten</sup>10-, and 100-year storm events, as defined and determined in § 25-1-5C and D, respectively, are 50, 75 and 80%, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

(d) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (2)(a)(b) and (c) above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

(3) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

### § 25-1-5. Calculation of Stormwater Runoff and Groundwater Recharge.

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

(1) The design engineer shall calculate runoff using ~~one of~~ the following methods:

~~(a)~~ The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, *Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - *Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at: ~~[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1044171.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf)~~ ~~https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422~~ or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873. ~~;~~ ~~or~~

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

(2) For the purpose of calculating ~~runoff coefficients~~ curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "~~runoff coefficient~~ curve number" applies to ~~both~~ the NRCS methodology above at § 25-1-5A(1)(a) ~~and the Rational and Modified Rational Methods at § 25-1-5A(1)(b)~~. A ~~runoff coefficient~~ curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover ~~have~~ has existed on the site during the

five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

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

B. Groundwater recharge may be calculated in accordance with the following: the New Jersey Geological Survey Report GSR-32, [A Method for Evaluating Groundwater-Recharge Areas in New Jersey](https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf), incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at: <https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf> or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. The precipitation depths of the current 2-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items (1) and (2) below:

- (1) The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at: [https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html?bkmrk=nj](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj); and
- (2) The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 5: Current Precipitation Adjustment Factors**

<u>Current Precipitation Adjustment Factors</u>			
<u>County</u>	<u>2-year Design Storm</u>	<u>10-year Design Storm</u>	<u>100-year Design Storm</u>
<u>Mercer</u>	<u>1.01</u>	<u>1.02</u>	<u>1.04</u>

D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected 2-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected 2-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the 2-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to C(1) above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 6: Future Precipitation Adjustment Factors**

<u>Future Precipitation Change Factors</u>			
<u>County</u>	<u>2-year Design Storm</u>	<u>10-year Design Storm</u>	<u>100-year Design Storm</u>
<u>Mercer</u>	<u>1.16</u>	<u>1.17</u>	<u>1.36</u>

**§ 25-1-6. Sources for Technical Guidance.**

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at: [http://www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm) <https://dep.nj.gov/stormwater/bmp-manual/>.

(1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

(2) Additional maintenance guidance is available on the Department's website at: [https://www.njstormwater.org/maintenance\\_guidance.htm](https://www.njstormwater.org/maintenance_guidance.htm) <https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to: The Division of **Water Quality Watershed Protection and Restoration**, New Jersey Department of Environmental Protection, Mail Code ~~401-02B~~ 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

**§ 25-1-7. Solids and Floatable Materials Control Standards.**

A. Site design features identified under § 25-1-4F above, or alternative designs in accordance with § 25-1-4G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means

sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § **25-1-7A(2)** below.

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

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

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

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

(2) The standard in Subsection **A(1)** above does not apply:

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

[1] A rectangular space 4.625 inches long and 1.5 inches wide (this option does not apply for outfall netting facilities); or

[2] A bar screen having a bar spacing of 0.5 inch.

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



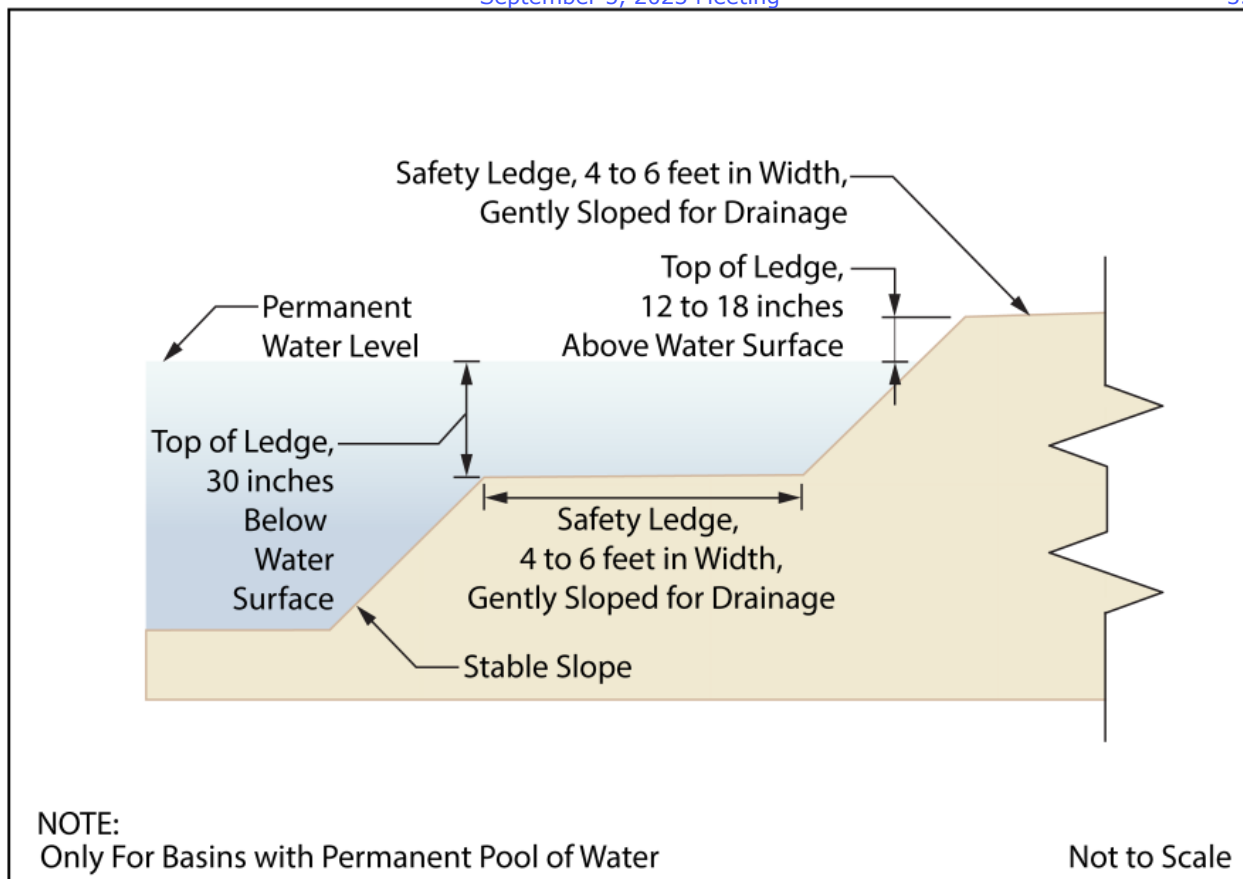
- (d) Where flows are conveyed through a trash rack that has parallel bars with one-inch spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- (e) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey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

#### **§ 25-1-8. Safety Standards for Stormwater Management Basins.**

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent ~~municipal~~ or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in § 25-1-8C(1), (2) and (3) for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions.
  - (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
    - (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
    - (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
    - (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
    - (d) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
  - (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
    - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
    - (b) The overflow grate spacing shall be no ~~less~~ greater than two inches across the smallest dimension.

- (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (3) Stormwater management BMPs shall include escape provisions as follows:
- (a) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to § **25-1-8C**, a free-standing outlet structure may be exempted from this requirement;
  - (b) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than 2 1/2 feet. Safety ledges shall be comprised of two steps. Each step shall be four feet to six feet in width. One step shall be located approximately 2 1/2 feet below the permanent water surface, and the second step shall be located ~~one~~ 1 to 1 1/2 feet above the permanent water surface. See § **25-1-8E** for an illustration of safety ledges in a stormwater management BMP; and
  - (c) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.
- D. Variance or Exemption from Safety Standard. A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.
- E. Safety Ledge Illustration.

### **Elevation View –Basin Safety Ledge Configuration**



**§ 25-1-9. Requirements for a Site Development Stormwater Plan.**

**A. Submission of Site Development Stormwater Plan.**

- (1) Whenever an applicant seeks municipal approval of a development subject to this chapter, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Subsection C below as part of the submission of the application for approval.
- (2) The applicant shall demonstrate that the project meets the standards set forth in this chapter.
- (3) The applicant shall submit ~~16~~ one (1) electronic and two (2) paper copies of the materials listed in the checklist for site development stormwater plans in accordance with Subsection C of this section.

**B. Site Development Stormwater Plan Approval.** The applicant's Site Development project shall be reviewed as a part of the review process by the ~~municipal board or official~~ Planning Board Engineer from which municipal approval is sought. ~~That municipal board or official~~ The Planning Board shall consult the ~~municipality's review~~ Planning Board eEngineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this chapter.

**C. Submission of Site Development Stormwater Plan.** The following information shall be required:

- (1) Topographic Base Map. The ~~reviewing~~ Planning Board eEngineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic

base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one inch (1") equals 200 feet (200') or greater, showing two-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and man-made features not otherwise shown.

- (2) Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
- (3) Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.
- (4) Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of §§ 25-1-3 through 25-1-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
- (5) Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
  - (a) Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
  - (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- (6) Calculations.
  - (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in § 25-1-4 of this chapter.
  - (b) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles. The number and location of required soil borings or soil

pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

(7) Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of § 25-1-10.

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

### § 25-1-10. Maintenance and Repair.

A. Applicability. Projects subject to review as in § 25-1-1C of this chapter shall comply with the requirements of ~~Subsections B and C~~ § 25-1-10B and C.

B. General Maintenance.

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

the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

(7) The party responsible for maintenance identified under Subsection **B(3)** above shall perform all of the following requirements:

(a) Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;

(b) Evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

(c) Retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsections **B(6)** and **(7)** above.

~~(8) The requirements of Subsections **B(3)** and **(4)** do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.~~

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

[A 2 \(two\) year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 is required for all stormwater management facilities into a major development.](#)

(9) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

~~(10) The owner of a private stormwater facility is required to inspect the facility after each major storm event and perform any maintenance and/or repairs that may be required, in addition to routine mowing and removal and disposal of accumulated debris from the facility. The owner shall file a report with the Borough annually which provides its inspection dates (which shall be performed quarterly) and any action(s) taken to rectify any condition(s) found. The Borough shall inspect the facility once per year at the cost of \$100 to the property owner. The Borough shall also maintain a log and map to demonstrate compliance with maintenance requirements and shall document any actions taken by the~~

~~Borough to enforce compliance. If inspection reveals that maintenance has not been maintained by the owner of the stormwater facility, then the Borough Official will issue an order to correct the deficiency within 30 days. If the deficiency is not corrected within 30 days, the Borough will correct the deficiency and recover the cost under the Property Maintenance Section of the Borough Code (Article 14-12). The Borough, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause as approved by the Borough Engineer or his/her designee.~~

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

### ~~§ 25-1-11. Requirements Regarding Dumpsters and Other Refuse Containers.~~

~~A. Purpose. This section requires dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or other discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Hightstown and/or the waters of the state so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.~~

~~B. Definitions. For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.~~

### ~~MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)~~

~~A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Hightstown Borough or other public body, and is designed and used for collecting and conveying stormwater.~~

### ~~PERSON~~

~~Any individual, corporation, company, partnership, firm, association, or political subdivision of this state subject to municipal jurisdiction.~~

### ~~REFUSE CONTAINER~~

~~Any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.~~

### ~~STORMWATER~~

~~Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.~~

### ~~WATERS OF THE STATE~~

~~The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.~~

~~C. Applicability.~~

- ~~(1) Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.~~
- ~~(2) Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Hightstown.~~

~~D. Exceptions.~~

- ~~(1) Permitted temporary demolition containers.~~
- ~~(2) Litter receptacles (other than dumpsters or other bulk containers).~~
- ~~(3) Individual homeowner trash and recycling containers.~~
- ~~(4) Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.~~
- ~~(5) Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).~~

~~E. Enforcement and penalties.~~

- ~~(1) This section shall be enforced by the Stormwater Management Coordinator and/or Superintendent of the Department of Public Works and/or their designee of the Borough of Hightstown.~~
- ~~(2) Any person who is found to be in violation of this section shall be subject to penalties as stated in Chapter 1, Article 1-5 of the Revised General Ordinances of the Borough of Hightstown.~~

~~[1] Editor's Note: This ordinance also redesignated former §§ 25-1-11 and 25-1-12 as §§ 25-1-12 and 25-1-13.~~

**§ 25-1-1211. Penalties.**

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this chapter shall be subject to the following penalties: Chapter 1, Article 1-5, of the Revised General Ordinances of the Borough of Hightstown.

**§ 25-1-1312. Severability.**

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



2. That all parts and provisions of any Ordinance which are inconsistent with the provisions of this Ordinance shall be repealed to the extent of such inconsistency.
3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.
4. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduction:

Adoption:

ATTEST:

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MARGARET RIGGIO  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR

# Resolution 2022-169

*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 \$140,341.41 from the following accounts:

Current		\$38,976.33	
W/S Operating		12,533.97	
General Capital		42,875.34	
Water/Sewer Capital		40,910.25	
Grant		0.00	
Trust		400.00	
Unemployment Trust		0.00	
Animal Control		0.00	
Law Enforcement Trust		0.00	
Tax Lien Trust		0.00	
Housing Trust		0.00	
Public Defender Trust		0.00	
Escrow		<u>4,645.52</u>	
Total		<u>\$140,341.41</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 September 5, 2023.

\_\_\_\_\_  
Margaret Riggio  
Borough Clerk



P.O. Type: All  
Range: First  
Format: Detail without Line Item Notes  
Vendors: All  
Rcvd Batch Id Range: First to Last

Include Project Line Items: Yes  
to Last  
Include Non-Budgeted: Y

Open: N  
Rcvd: Y  
Bid: Y

Paid: N  
Held: Y  
State: Y

Void: N  
Aprv: N  
Other: Y  
Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
A1014	APPROVED FIRE PROTECTION, INC.	23-00813	06/28/23	QUOTE #0029039								
		1		ANNUAL FIRE EXTINGUISHER	134.64	3-09-55-501-002-518	R	06/28/23	08/29/23		IN00085812	N
		2		SWAP OF 10 LB ABC EXTINGUISHER	74.38	3-09-55-501-002-518	R	06/28/23	08/29/23		IN00085812	N
		3		SWAP 6 YR MAINTENANCE OF 5 LB	51.47	3-09-55-501-002-518	R	08/18/23	08/29/23		IN00085812	N
					260.49							
	Vendor Total:				260.49							
B0011	BEN MILLER	23-01002	08/09/23	REIMBURSEMENT - MILLER								
		1		REIMBURSEMENT - MILLER	619.04	3-01-25-240-001-119	R	08/09/23	08/29/23		MANNINOS 8/1/23	N
	Vendor Total:				619.04							
B1050	BILL FOX CO., LLC	23-00055	01/24/23	CW/N-6 GP BADGE W/ PLAIN SEAL								
		1		CW/N-6 GP BADGE W/ PLAIN SEAL	264.60	3-01-25-252-002-032	R	01/24/23	08/29/23		32340	N
		2		SHIPPING	35.00	3-01-25-252-002-032	R	01/24/23	08/29/23			N
					299.60							
	Vendor Total:				299.60							
C0058	CINTAS CORPORATION #061	23-00977	08/07/23	UNIFORM ADVANTAGE JULY 2023								
		1		INV 4160905163 7/7/23	56.99	3-09-55-501-002-507	R	08/07/23	08/29/23		4160905163	N
		2		INV 4161625074 7/14/23	56.99	3-09-55-501-002-507	R	08/07/23	08/29/23		4161625074	N
		3		INV 4162282800 7/21/23	56.99	3-09-55-501-002-507	R	08/07/23	08/29/23		4162282800	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
<b>C0058 CINTAS CORPORATION #061 Continued</b>														
23-00977	08/07/23	UNIFORM ADVANTAGE JULY 2023		Continued										
4 INV	4162982879	7/28/23	56.99	3-09-55-501-002-507		B Uniforms & Safety Equipment		R	08/07/23	08/29/23		4162982879		N
			227.96											
		Vendor Total:	227.96											
<b>C0087 CUSTOM BANDAG, INC</b>														
23-01058	08/17/23	TIRE/TIRE REPAIR												
1 TIRE/TIRE REPAIR FOR TRK 10A			785.70	3-01-26-305-001-034		B Motor Vehicle Parts & Access.		R	08/17/23	08/29/23		80223811		N
		Vendor Total:	785.70											
<b>DEBLO005 DEBLOCK ENVIRONMENTAL SVCS,LLC</b>														
23-00137	02/06/23	BACK UP OPERATOR FOR AWWTP				B								
6 INV	00009524	6/30/23	500.00	3-09-55-501-002-528		B Outside Consulting Services (B		R	07/10/23	08/29/23		00009524		N
		Vendor Total:	500.00											
<b>D0269 DENNIS SALES &amp; SERVICE INC.</b>														
23-01052	08/17/23	SERVICE CALL FOR CHLORINATORS												
1 INV	23-4275-LABOR TO SERVICE		760.00	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
2 INV	23-4275-MILEAGE ROUND TRIP		198.00	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
3 INV	23-4275-FUEL SURCHARGE		105.60	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
4 INV	23-4275-TOLLS		32.00	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
5 INV	23-4275-MISC TUBING &		50.00	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
6 INV	23-4275-REPAIR KIT		165.10	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
7 INV	23-4275-FILTER		19.50	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
8 INV	23-4275-KIT VR3-10C		65.00	3-09-55-501-001-503		B Water Plant Maintenance		R	08/17/23	08/29/23		23-4275		N
			1,395.20											
		Vendor Total:	1,395.20											
<b>DRPUT005 DR PUTHENMADAM RADHAKRISHNAN</b>														
23-00475	04/13/23	PROF SVCS HEALTH CLINIC 2023				B								
7 PROF SVCS HEALTH CLINIC	7/31/23		357.18	3-01-27-330-001-031		B Contract-Professional Serv.(B)		R	07/14/23	08/29/23		7/31/23		N

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
DRPUT005	DR PUTHENMADAM RADHAKRISHNAN	Continued										
23-00475	04/13/23	PROF SVCS HEALTH CLINIC	2023	Continued								
8	PROF SVCS HEALTH CLINIC	8/7/23	357.18	3-01-27-330-001-031	B Contract-Professional Serv.(B)	R	08/23/23	08/29/23		8/7/2023		N
			714.36									
	Vendor Total:		714.36									
Q0176	EUROFINS QC, LLC											
23-01064	08/22/23	WATER ANALYSIS										
1	INV 6300046579-WATER ANALYSIS		247.50	3-09-55-501-001-532	B Outside Testing/Labs	R	08/22/23	08/29/23		6300046579		N
2	INV 6300046716-WATER ANALYSIS		103.50	3-09-55-501-001-532	B Outside Testing/Labs	R	08/22/23	08/29/23		6300046716		N
			351.00									
	Vendor Total:		351.00									
GEETA005	GEETANJALI JAIN											
23-01039	08/15/23	MILEAGE REIMBURSEMENT 2ND QTR										
1	MILEAGE REIMBURSEMENT 2ND QTR		281.65	3-01-27-330-001-045	B Mileage/Travel	R	08/15/23	08/29/23		2ND QTR 2023		N
	Vendor Total:		281.65									
HANDI005	HANDI-HUT, INC.											
23-00753	06/19/23	PURCHASE OF NEW BUS SHELTER										
1	PURCHASE OF NEW BUS SHELTER		11,695.00	3-01-26-290-001-127	B Street Repair & Maintenance	R	06/19/23	08/29/23		0026006-IN		N
	Vendor Total:		11,695.00									
L0205	LANGUAGE LINE SERVICES											
23-01051	08/17/23	INV 11066938 7/29/23 SERVICES										
1	INV 11066938 7/29/23 HPD SVCS		40.60	3-01-25-240-001-111	B Interpretor	R	08/17/23	08/29/23		11066938		N
2	CREDIT MLI-072179 EAST WINDSOR		23.20	3-01-25-240-001-111	B Interpretor	R	08/17/23	08/29/23		MLI-072179		N
			17.40									
	Vendor Total:		17.40									
L0037	LINCOLN FINANCIAL GROUP											
23-01077	08/28/23	SEPTEMBER 2023 LIFE INSURANCE										
1	SEPTEMBER 2023 LIFE INSURANCE		290.56	3-01-23-210-003-115	B Medical Ins-Emp] Grp Health	R	08/28/23	08/29/23		SEPTEMBER 2023		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
<b>M0053 MES - PENNSYLVANIA</b>														
22-01529	12/06/22	SELF CONTAINED BREATHING APP												
1	RIT-PAK III 4.5, LG,AV, HANSEN	7,475.86	C-04-55-892-000-444	B FIRE DEPT SCBA BOTT, BAILOUT KIT, AED	R	12/06/22	08/29/23					IN1896671	N	
2	(HM) CYL&VLV CARBON 60	3,149.02	C-04-55-892-000-444	B FIRE DEPT SCBA BOTT, BAILOUT KIT, AED	R	12/06/22	08/29/23					IN1896671	N	
3	SNAP-CHANGE CYLINDER, CARBON-	6,047.48	C-04-55-892-000-444	B FIRE DEPT SCBA BOTT, BAILOUT KIT, AED	R	12/06/22	08/29/23					IN1896671	N	
4	CREDIT TO MATCH THE QUOTE	<u>1,209.52</u>	C-04-55-892-000-444	B FIRE DEPT SCBA BOTT, BAILOUT KIT, AED	R	08/29/23	08/29/23					IN1896671	N	
		15,462.84												
Vendor Total:		15,462.84												
<b>M0065 METTLER-TOLEDO, LLC</b>														
23-00908	07/25/23	ORDER #332741020												
1	FULL PREVENTIVE MAINTENANCE	160.05	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	07/25/23	08/29/23					655212590	N	
2	BASIC TEST REPORT (1 POINT)	<u>201.70</u>	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	07/25/23	08/29/23					655212590	N	
		361.75												
Vendor Total:		361.75												
<b>N1115 NJ SHADE TREE FEDERATION</b>														
23-00510	04/20/23	MUNICIPAL MEMBERSHIP 2023												
1	MUNICIPAL MEMBERSHIP 2023	95.00	3-01-27-335-001-044	B Professional Assoc. Dues	R	04/20/23	08/29/23					M2023-114	N	
Vendor Total:		95.00												
<b>N1001 NJWEA</b>														
23-01018	08/09/23	S. WHITE MEMBERSHIP RENEWAL												
1	S. WHITE AEA/NJWEA JOINT SESSN	135.00	3-09-55-501-002-513	B Education & Training	R	08/09/23	08/29/23					E10245	N	
2	S.WHITE MEMBERSHIP RENEWAL	<u>117.00</u>	3-09-55-501-002-513	B Education & Training	R	08/28/23	08/29/23					E10245	N	
		252.00												
Vendor Total:		252.00												
<b>00019 O'BRIEN CONSULTING SERVICES</b>														
23-00870	07/13/23	MONTHLY IT FEE JUNE 2023												
1	MONTHLY IT FEE JUNE 2023	900.00	3-01-25-240-001-029	B Maint. Contracts - Other	R	07/13/23	08/29/23					23-6324	N	
2		280.00	3-01-25-240-001-029	B Maint. Contracts - Other	R	07/13/23	08/29/23					23-6324	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
P0088	PARKER MCCAY, P.A.			Continued										
		23-01062	08/21/23	Services through 7/31/2023										
		1		Resolution & Notice follow-up	162.00	3PRCLLC		P Site Plan Application #2020-01	R	08/21/23	08/29/23		3166762	N
				Vendor Total:	612.00									
R0077	ROBERTS ENGINEERING GRP LLC													
		23-00637	05/23/23	IMPRVMT SUMMIT & DUTCH NECK			B							
		8		RES 2023-105 NJ DOT MUNICIPAL	157.50	3-01-20-165-001-028		B General Engineering	R	05/23/23	08/30/23		7685	N
		23-01087	08/29/23	BILLING THROUGH AUGUST 2023										
		1		COUNCIL MEETINGS	240.00	3-01-20-165-001-104		B Attendance at Meetings (B)	R	08/29/23	08/30/23		7678	N
		2		MISC REQUESTS	312.50	3-01-20-165-001-028		B General Engineering	R	08/29/23	08/30/23		7679	N
		3		STORM WATER PERMIT 2023	2,567.50	3-01-20-165-001-106		B Misc. Road & Drainage Issues(B	R	08/29/23	08/30/23		7681	N
		4		SW MAPPING	240.00	3-01-20-165-001-106		B Misc. Road & Drainage Issues(B	R	08/29/23	08/30/23		7682	N
		5		MAXWELL AVENUE PUMP STATION	160.00	3-09-55-501-002-549		B MAXWELL AVE PUMPING STATION	R	08/29/23	08/30/23		7684	N
		6		MISC ROADS	678.75	3-01-20-165-001-028		B General Engineering	R	08/29/23	08/30/23		7686	N
		7		GENERAL SEWERS	2,807.50	3-09-55-501-002-508		B Engineer	R	08/29/23	08/30/23		7687	N
		8		GENERAL WATER	1,316.25	3-09-55-501-001-508		B Engineer	R	08/29/23	08/30/23		7688	N
		9		CHEMICALS & SLUDGE REMOVAL	702.50	3-09-55-501-002-538		B Sludge Removal/Disposal-waste Management	R	08/29/23	08/30/23		7689	N
		10		WATER TANKS	547.50	C-08-55-963-000-544		B DESIGN COSTS WATER TANKS/STANDPIPE	R	08/29/23	08/30/23		7690	N
		11		IMPROVEMENTS TO RAILROAD AVE	315.00	C-04-55-894-002-447		B RAILROAD AVE & DEY STREET SOFT COSTS	R	08/29/23	08/30/23		7692	N
		12		IMPROVEMENTS TO HAUSSEY AVE	19,070.00	C-04-55-894-001-447		B HAUSER, BENNETT PL PROSPECT DR SOFT COST	R	08/29/23	08/30/23		7693	N
		13		HIGHTSTOWN-STOCKTON ST CURB &	6,511.25	C-04-55-880-001-447		B RETAINING WALL 17-9, STOCKTON SIDEW SEC20	R	08/29/23	08/30/23		7694	N
		14		IMPROVEMENTS TO ORCAHARD AVE,	1,068.75	C-08-55-969-001-544		B IMP TO ORCHARD, CLOVER & S. MAIN SEC 20	R	08/29/23	08/30/23		7696	N
		15		IMPROVEMENTS TO MAXWELL	916.25	C-04-55-899-000-447		B MAXWELL AVE IMPROVEMENTS SEC. 20	R	08/29/23	08/30/23		7697	N
					37,453.75									
		23-01088	08/29/23	EW STOCKTON CURB/SIDEWALK IMPR										
		1		EW STOCKTON CURB/SIDEWALK IMPR	1,590.00	3-01-43-519-001-199		B STOCKTON ST. IMPROVEMENTS-EAST WINDSOR	R	08/29/23	08/30/23		7695	N
		23-01089	08/29/23	AWWTP ACTIVATED SLUDGE IMPROVE										
		1		AWWTP ACTIVATED SLUDGE	5,140.00	C-08-55-972-000-544		B ACTIVATED SLUDGE TANK & DRYWELL SEC 20	R	08/29/23	08/30/23		7691	N
		23-01090	08/29/23	ADA PARK IMPROVEMENT PLAN										
		1		ADA PARK IMPROVEMENT PLAN	31.25	3-01-20-165-001-028		B General Engineering	R	08/29/23	08/30/23		7683	N

Vendor #	Name	PO #	PO Date	Description	Contract Amount	PO Type	Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
<b>R0077 ROBERTS ENGINEERING GRP LLC Continued</b>														
		23-01091	08/29/23	PEDDIE LAKE DAM VALVE EMERGENCY										
		1		PEDDIE LAKE DAM VALVE	150.00		3-01-20-165-001-105	B Peddie Lake Dam-Inspection	R	08/29/23	08/30/23		7680	N
		Vendor Total:			44,522.50									
<b>R0039 RR DONNELLEY</b>														
		23-00920	07/25/23	2023 NEW SAFETY PAPER										
		1		2023 NEW SAFETY PAPER	106.50		3-01-27-330-001-036	B Office Supplies- Maint.	R	07/25/23	08/29/23		016089381	N
		2		2023 NEW SAFETY PAPER	106.50		3-01-27-330-001-036	B Office Supplies- Maint.	R	07/25/23	08/29/23		016089381	N
					213.00									
		Vendor Total:			213.00									
<b>R0114 RUTGERS, THE STATE UNIVERSITY</b>														
		23-01071	08/24/23	PRINCIPLES FIN MGMT O'CONNOR										
		1		PRINCIPLES FIN MGMT O'CONNOR	883.00		3-01-20-130-001-042	B Education & Training	R	08/24/23	08/29/23		75121	N
		Vendor Total:			883.00									
<b>S0002 SAFETY-KLEEN SYSTEMS, INC</b>														
		23-01005	08/09/23	PARTS WASHER SERVICE										
		1		PARTS WASHER SERVICE	310.79		3-01-26-290-001-050	B DPW Work Equipment	R	08/09/23	08/29/23		92220729	N
		Vendor Total:			310.79									
<b>SHERW010 SHERWIN WILLIAMS PAINT</b>														
		23-00960	08/01/23	PAINT SUPPLIES AWWTP										
		1		PAINT SUPPLIES AWWTP	223.11		3-09-55-501-002-503	B Sewer Plant Maintenance	R	08/01/23	08/29/23		1088-7	N
		Vendor Total:			223.11									
<b>T0972 TIMBERWOLF TREE SERVICE</b>														
		23-01043	08/15/23	ESTIMATE FOR TREE SERVICE										
		1		ESTIMATE 6857 FOR TREE SERVICE	1,759.31		3-01-26-290-001-129	B Maint.& Replace-Street Trees	R	08/15/23	08/29/23		3854	N

Vendor #	Name	PO #	PO Date	Description	Contract Amount	PO Type	Charge Account	Acct Type	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
<b>T0972 TIMBERWOLF TREE SERVICE Continued</b>															
23-01043	08/15/23	ESTIMATE FOR TREE SERVICE	Continued												
2	ESTIMATE 6857-SALES TAX EXEMPT	109.31	3-01-26-290-001-129	B Maint.& Replace-Street Trees	R	08/15/23	08/29/23		3854						N
		1,650.00													
	Vendor Total:	1,650.00													
<b>T0228 TOWNSHIP OF HAMILTON</b>															
23-01079	08/28/23	STD CLINIC JAN-JUN 2023													
1	STD CLINIC JAN-JUN 2023	250.00	3-01-43-511-001-029	B Hamilton STD Clinic	R	08/28/23	08/30/23		7/12/2023						N
	Vendor Total:	250.00													
<b>R0112 UNITED SITE SERVICES</b>															
23-00969	08/01/23	DAWES PARK 7/28/23-8/24/23													
1	HAND SANITIZER REFILL	70.00	3-01-28-370-002-021	B RECREATION SUMMER PROGRAM	R	08/01/23	08/29/23		0006784216						N
2	STANDARD RESTROOM SERVICES	227.00	3-01-28-370-002-021	B RECREATION SUMMER PROGRAM	R	08/01/23	08/29/23		0006784216						N
		297.00													
	Vendor Total:	297.00													
<b>U0013 USA BLUE BOOK</b>															
23-00404	03/29/23	QUOTE 338413 3/27/23													
1	POTASSIUM PERSULFATE PILLOWS	348.25	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	03/29/23	08/29/23		313928						N
2	FERRIC CHLORIDE/SULFURIC ACID	39.85	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	03/29/23	08/29/23		313929						N
3	PHOSPHATE REAGENT SET, POWDER	70.00	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	03/29/23	08/29/23		314043						N
4	DEIONIZED WATER, 99ML FILL IN	139.44	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	03/29/23	08/29/23		329405						N
5	DOUBLE-STRENGTH TSB, 100-ML	145.20	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	03/29/23	08/29/23		314043						N
6	FREIGHT	24.27	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	03/29/23	08/29/23		31403						N
7	POTASSIUM PERSULFATE PILLOWS	199.00	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	08/29/23	08/29/23		314043						N
8	FERRIC CHLORIDE/SULFURIC ACID	39.85	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	08/29/23	08/29/23		314043						N
		1,005.86													
23-00498	04/20/23	QUOTE #341896													
1	HACH NITRIFICATION INHIBITOR	35.50	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	04/20/23	08/29/23		329354						N
2	POLYSEED BOD SEED INOCULUM	124.50	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	04/20/23	08/29/23		329354						N
3	SULFURIC ACID STANDARD, 0.020N	651.00	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	04/20/23	08/29/23		329354						N
4	RICCA POTASSIUM ANTIMONYL	64.43	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	04/20/23	08/29/23		338237						N

Vendor # Name	PO #	PO Date	Description	Contract Amount	PO Type Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
U0013 USA BLUE BOOK Continued												
	23-00498	04/20/23	QUOTE #341896			Continued						
	5		AMMONIUM MOLYBDATE 4% (W/V),	56.55	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	04/20/23	08/29/23		338237	N
	6		FREIGHT	56.51	3-09-55-501-002-506	B Lab. Equipment & Supplies	R	04/20/23	08/29/23		338237	N
				988.49								
	Vendor Total:			1,994.35								
VCIEM005 VCI EMERGENCY VEHICLE												
	23-00203	02/14/23	EMS AMBULANCE BUMPER REPAIR									
	1		EMS AMBULANCE BUMPER REPAIR	4,951.55	3-01-25-260-001-034	B Vehicle Repair	R	02/14/23	08/29/23		0013469	N
	2		EMS AMBULANCE BUMPER REPAIR	1,000.00	3-01-23-210-003-110	B Insurance Deductibles	R	02/14/23	08/29/23		0013469	N
	4		EMS AMBULANCE BUMPER REPAIR	444.94	3-01-25-260-001-034	B Vehicle Repair	R	03/16/23	08/29/23		0013469	N
	5		EMS AMBULANCE REPAIR-OIL LEAK	262.28	3-01-25-260-001-034	B Vehicle Repair	R	08/14/23	08/29/23		0013469	N
				6,658.77								
	Vendor Total:			6,658.77								

Total Purchase Orders: 42 Total P.O. Line Items: 115 Total List Amount: 101,483.96 Total Void Amount: 0.00



Project Description	Project No.	Rcvd Total	Held Total	Project Total
105 Main St - Concept Plan	2022-01	4,429.52	0.00	4,429.52
424 Stockton Street	2022-04	54.00	0.00	54.00
Site Plan Application #2020-01	3PRCLLC	162.00	0.00	162.00
Total of All Projects:		<u>4,645.52</u>	<u>0.00</u>	<u>4,645.52</u>

# Resolution 2023-170

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

## **RE-APPOINTING SETH A. KURS AS MUNICIPAL COURT JUDGE**

**WHEREAS**, Judge Seth A. Kurs currently serves as Municipal Court Judge and his term is set to expire on October 1, 2023; and

**WHEREAS**, it is the desire of the Mayor and Council to reappoint Judge Kurs for a subsequent three-year term in accordance with the provisions of section 2-24.2 of the *Revised General Ordinances of the Borough of Hightstown*; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Seth A. Kurs, of Hightstown, New Jersey, is hereby reappointed as Municipal Court Judge effective October 2, 2023 for a three-year term ending October 1, 2026.

### **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk



# Resolution 2023-171

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

## **AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

**WHEREAS**, the Borough of Hightstown has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, the Borough of Hightstown intends to utilize the online auction services of GovDeals.com located at [www.GovDeal.com](http://www.GovDeal.com); and

**WHEREAS**, the sales are being conducted pursuant to the Division of Local Government Services' Local requirements by a vendor approved by the Division of Local Government Services; and

**WHEREAS**, a notice shall be published in the Borough approved newspaper and on the Borough website announcing the auction, the web address where the auction will take place, the date(s) and time(s) for the auction and a description of the items to be sold with such publication being at least 10 days, but no more than 14 days prior to the auction.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Hightstown in the County of Mercer, State of New Jersey, that the Borough is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled [www.GovDeal.com](http://www.GovDeal.com); and

**BE IT FURTHER RESOLVED**, that the terms and conditions of the agreement entered into between GovDeals.com and the Borough of Hightstown shall be made available at [www.GovDeal.com](http://www.GovDeal.com) and in the Borough Clerk's office.

### **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk

**Schedule "A"**

**Hightstown Borough  
Surplus of Personal Property  
September 5, 2023**

	<b><u>DESCRIPTION</u></b>	<b><u>VIN #</u></b>
1984	Aquatech SJ1000 Sewer Jet	842018354
1995	Chevy Astro Van	1GNDM19WOSB119958
1990	Toro Groundsmaster 345	3078900545
1997	Ford Crown Victoria	2FALP71WXVX213900
2004	Ford Crown Victoria	2FAHP71W44X106040
2008	Ford Crown Victoria	2FAHP71V18X118188
2008	Ford Crown Victoria	2FAHP71V88X118186
2008	Ford Crown Victoria	2FAHP71VX8X118187

# Resolution 2023-172

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

## **A RESOLUTION SUPPORTING PORCHFEST 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 “Porchfest”, a walkable music festival where neighbors offer their front porches as DIY concert venues. Local performers play rotating sets throughout the neighborhood during this day-long celebration of music while attendees stroll from porch to porch; and

**WHEREAS**, Porchfest is scheduled to take place on September 23, 2023, at various homes located on Morrison Avenue, South Street and Taylor Avenue; and

**WHEREAS**, all bands performing and homes participating will submit a Hold Harmless Agreement as required by Statewide Insurance; and

**WHEREAS**, proper Police Coverage has been secured to handle traffic control and security.

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

### **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk

# Resolution 2023-173

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

**AUTHORIZING PAYMENT NO. 2– BLACK ROCK ENTERPRISES,  
LLC. - IMPROVEMENTS TO HAUSSER AVENUE, BENNETT PLACE,  
AND PROSPECT DRIVE**

**WHEREAS**, on March 20, 2023, the Borough Council awarded a contract for the Improvements to Hausser Avenue, Bennett Place, and Prospect Drive to Black Rock Enterprises, LLC, of Old Bridge, New Jersey at the price of \$755,759.40; and

**WHEREAS**, the contractor has submitted a request for payment No. 2 in the amount of \$258,007.54, for partial payment through August 14, 2023; and

**WHEREAS**, the Borough Engineer has recommended approval of Payment Request No. 2 to the contractor in the amount of \$258,007.54.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown Payment Request No. 2 to Black Rock Enterprises, LLC, of Old Bridge, New Jersey for \$258,007.54 is hereby approved as detailed herein, and the Deputy CFO is authorized to issue same.

**CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk



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## MEMORANDUM

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**TO:** Mayor and Council  
Borough of Hightstown

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

**DATE:** August 28, 2023

**RE:** Improvements to Hausser Avenue, Bennett Place,  
And Prospect Drive  
Payment No. 2  
Our File No.: H1802

Attached please find the following in reference to Payment No. 2 which is a partial payment through August 14, 2023 for site clearing, manhole frames and covers, sanitary sewer main and laterals, cleanouts, water service transfers to new water main, water main and services, curb valves and boxes, fire hydrants, caps, gate valves, tees, fertilizer, topsoiling and seeding, test holes, and tree removal:

1. Payment No. 2
2. Invoice No. 2
3. Certified Payrolls
4. Monthly Project Workforce Reports
5. Wage Rate Interview Forms for June and July

I recommend payment be made to Black Rock Enterprises, LLC in the amount of \$258,007.54.

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

cc: Dimitri Musing, Borough Administrator  
Peggy Riggio, RMC, CMR, Borough Clerk  
George Lang, Borough CFO  
Silvia Abreu, Black Rock Enterprises, LLC  
Manny DaRocha, Black Rock Enterprises, LLC  
John Rinaldi, Black Rock Enterprises, LLC  
Cameron Corini, PE, CME, Roberts Engineering Group, LLC  
John Zangrilli, Roberts Engineering Group, LLC  
Kelly Pham, EIT, Roberts Engineering Group, LLC



**PAYMENT No. 2**  
**IMPROVEMENTS TO HAUSSER AVENUE, BENNETT PLACE, AND PROSPECT DRIVE**  
**Borough of Hightstown, Mercer County, New Jersey**  
August 24, 2023  
File No.: H1802

Item No.	Description	Units	Contract Quantity	Total As-Built Quantity	As-Built This Period	Unit Price	Total Cost
1	Mobilization	LS	1.00	1.00	0.00	\$12,500.00	\$12,500.00
2	Clearing Site	LS	1.00	0.75	0.25	\$10,000.00	\$7,500.00
3	Project Video	LS	1.00	1.00	0.00	\$20,000.00	\$20,000.00
4	Traffic Cones	UNIT	30.00	30.00	0.00	\$15.00	\$450.00
5	Drums	UNIT	30.00	0.00	0.00	\$1.00	\$0.00
6	Traffic Director, Flagger	HOUR	150.00	0.00	0.00	\$1.00	\$0.00
7	Uniform Traffic Director	HOUR	250.00	0.00	0.00	\$130.00	\$0.00
8	Breakaway Barricade	UNIT	9.00	6.00	0.00	\$1.00	\$6.00
9	Construction Sign 'B' (60"x30")	UNIT	3.00	3.00	0.00	\$100.00	\$300.00
10	Construction Sign 'C' (72"x60")	UNIT	2.00	2.00	0.00	\$100.00	\$200.00
11	Construction Sign 'D' (72"x60")	UNIT	2.00	2.00	0.00	\$100.00	\$200.00
12	Construction Sign 'E' (72"x60")	UNIT	2.00	2.00	0.00	\$100.00	\$200.00
13	Inlet Filter, Type 2	UNIT	11.00	11.00	0.00	\$100.00	\$1,100.00
14	Manhole Frame and Cover, Sanitary	UNIT	12.00	12.00	12.00	\$900.00	\$10,800.00
15	8" Type 'N' Eco Curb Piece	UNIT	7.00	7.00	0.00	\$400.00	\$2,800.00
16	Bicycle Safe Frame and Grate	UNIT	7.00	7.00	0.00	\$375.00	\$2,625.00
17	8" PVC Sanitary Main	LF	40.00	40.00	40.00	\$250.00	\$10,000.00
18	6" PVC Sanitary Lateral	LF	30.00	35.00	35.00	\$150.00	\$5,250.00
19	PVC Cleanout, Sanitary	UNIT	5.00	5.00	5.00	\$1,000.00	\$5,000.00
20	Transfer Existing Water Service	UNIT	15.00	23.00	23.00	\$1,250.00	\$28,750.00
21	1" Type K Copper Water Service	LF	239.00	230.00	230.00	\$30.00	\$6,900.00
22	1" Curb Valve and Box	UNIT	4.00	5.00	5.00	\$1,500.00	\$7,500.00
23	6" HDPE Water Main	LF	1,339.00	1,327.00	1,327.00	\$95.00	\$126,065.00
24	Fire Hydrant Assembly, Complete	UNIT	5.00	5.00	4.00	\$8,500.00	\$42,500.00
25	8" Cap	UNIT	2.00	0.00	0.00	\$1,000.00	\$0.00
26	6" Cap	UNIT	7.00	4.00	4.00	\$650.00	\$2,600.00
27	6" Gate Valve	UNIT	5.00	4.00	4.00	\$3,500.00	\$14,000.00
28	6" Insertion Valve	UNIT	2.00	2.00	0.00	\$15,000.00	\$30,000.00
29	6"x6" Tee	UNIT	3.00	4.00	4.00	\$1,000.00	\$4,000.00
30	6"x6" Wet Tap and Valve	UNIT	1.00	1.00	0.00	\$9,500.00	\$9,500.00
31	6"x8" Wet Tap and Valve	UNIT	2.00	0.00	0.00	\$10,000.00	\$0.00
32	Concrete Sidewalk, 4" Thick	SY	916.00	819.22	0.00	\$77.00	\$63,079.94
33	Reinforced Concrete Sidewalk, 6" Thick	SY	197.00	210.50	0.00	\$90.00	\$18,945.00
34	6"x8"x16" Concrete Vertical Curb	LF	1,595.00	1,013.00	0.00	\$33.00	\$33,429.00
35	Detectable Warning Surface (Typ.)	SY	10.00	6.47	0.00	\$350.00	\$2,264.50
36	Hot Mix Asphalt Driveway, 2" Thick	SY	74.00	210.22	0.00	\$45.00	\$9,459.90
37	HMA Milling, 3" or Less	SY	7,615.00	0.00	0.00	\$3.75	\$0.00
38	Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	TON	1,050.00	0.00	0.00	\$96.00	\$0.00
39	Hot Mix Asphalt 9.5M64 Leveling Course, Variable Thickness	TON	225.00	0.00	0.00	\$1.00	\$0.00
40	Tack Coat	GAL	780.00	0.00	0.00	\$4.00	\$0.00
41	HMA Pavement Repair	SY	143.00	0.00	0.00	\$30.00	\$0.00
42	Regulatory Sign, R1-1 'Stop'	UNIT	5.00	0.00	0.00	\$300.00	\$0.00
43	Warning Sign, W15-2 'Watch for Children'	UNIT	2.00	0.00	0.00	\$300.00	\$0.00
44	Warning Sign, 'Autistic Children'	UNIT	2.00	0.00	0.00	\$300.00	\$0.00
45	Warning Sign, 'Children at Play'	UNIT	3.00	0.00	0.00	\$300.00	\$0.00
46	Warning Sign, W1-2R 'Arrow'	UNIT	2.00	0.00	0.00	\$335.50	\$0.00
47	Warning Sign, W11-2 'Pedestrian'	UNIT	4.00	0.00	0.00	\$325.00	\$0.00
48	Warning Sign, W16-9P 'Ahead'	UNIT	4.00	0.00	0.00	\$100.00	\$0.00
49	Street Sign	UNIT	8.00	0.00	0.00	\$385.00	\$0.00
50	Traffic Marking, 24" Wide White	LF	228.00	0.00	0.00	\$7.55	\$0.00
51	Traffic Marking, 8" Wide White	LF	345.00	0.00	0.00	\$2.55	\$0.00
52	Fertilizing and Seeding, Type A-3	SY	1,050.00	1,073.00	23.00	\$1.00	\$1,073.00
53	Topsoiling, 5" Thick	SY	1,050.00	1,073.00	23.00	\$5.00	\$5,365.00
54	Asphalt Price Adjustment	DOLLAR	6,500.00	0.00	0.00	\$1.00	\$0.00
55	Fuel Price Adjustment	DOLLAR	4,000.00	0.00	0.00	\$1.00	\$0.00
56	Excavation, Test Hole	CY	50.00	17.70	17.70	\$100.00	\$1,770.00
57	Dense Graded Aggregate, If & Where Directed	CY	50.00	0.00	0.00	\$1.00	\$0.00
58	Tree Removal, Over 12" to 18" Diameter	UNIT	3.00	1.00	1.00	\$4,000.00	\$4,000.00
59	Tree Planting, 2" Cal.	UNIT	5.00	0.00	0.00	\$800.00	\$0.00
60	Allowance	DOLLAR	20,000.00	0.00	0.00	\$1.00	\$0.00
<b>TOTAL WORK COMPLETED</b>							<b>\$490,132.34</b>
<b>LESS: RETAINAGE 2%</b>							<b>\$9,802.65</b>
<b>SUBTOTAL</b>							<b>\$480,329.69</b>
<b>LESS: PREVIOUS PAYMENTS</b>							<b>\$222,322.15</b>
<b>TOTAL AMOUNT DUE</b>							<b>\$258,007.54</b>
<b>AMOUNT OF ORIGINAL CONTRACT</b>							<b>\$755,759.40</b>

# Resolution 2023-174

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

## **A RESOLUTION AUTHORIZING A CHANGE ORDER FOR A CONTRACT WITH CUSTOM ENVIRONMENTAL TECHNOLOGY FOR ZETA LYTE 1A POLYELECTROLYTE**

**WHEREAS**, Resolution 2022-205, approved by Borough Council on November 21, 2022, awarded a contract to Custom Environmental Technology for the purchase of Zeta Lyte 1A Polyelectrolyte in the amount of \$8,712.00; and

**WHEREAS**, after the award of the contract, it was discovered that changes in the chemical dosing at the AWWTP had not taken place resulting in the need to purchase an additional 385 gallons of Zeta Lyte 1A Polyelectrolyte at a cost of \$13.20 per gallon; and

**WHEREAS**, change order No. 1 in the amount of \$5,082.00 increases the contract amount by 58.33% to a total of \$13,794.00; and

**WHEREAS**, the CFO has certified availability of funds for this change order; and

**WHEREAS**, this change order increases the original contract amount by more than 20% and N.J.A.C. 5:30-11.9 requires the adoption of a resolution authorizing all change orders in excess of 20%.

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

1. A change order in the amount of \$5,082.00 increasing the total contract amount with Custom Environmental Technology for Zeta Lyte 1A Polyelectrolyte from \$8,712.00 to \$13,794.00; and
2. Notice of this change order will be published once in a newspaper of general circulation in the Borough of Hightstown as required by law.

### **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk

**CERTIFICATION OF FUNDS**

I, George Lang, CFO of the Borough of Hightstown, certify availability of funds as follows:

<b>Account #</b>	<b>Appropriation Title</b>	<b>Amount</b>
3-09-55-501-002-554	Zeta Lyte 1A Polymer	\$5,082.00

*George Lang*      8/31/2023

George Lang, CFO      DATE





# The Borough of Hightstown

Peggy Riggio, RMC/QPA, Borough Clerk/Purchasing Agent  
156 Bank Street, Hightstown, New Jersey 08520  
Phone – (609) 490-5100, ext. 628  
Fax – (609) 371-0267  
[priggio@hightstownborough.com](mailto:priggio@hightstownborough.com)

TO: Mayor & Council  
FROM: Peggy Riggio, Borough Clerk/Purchasing Agent  
DATE: August 31, 2023  
RE: Change Order No. 1 Custom Environmental, Zeta Lyte 1A PolyElectrolyte

It has become necessary to amend the Zeta Lyte 1A Polyelectrolyte contract between Hightstown Borough and Custom Environmental Technology due to additional chemicals needed for the AWWTP that cannot be effectuated under a separate contract. We are requesting an additional \$5,082.00 added to the contract amount. In speaking with the Superintendent of the AWWTP, we were informed that because of the discontinuation of receipt of graywater, the original Zeta Lyte 1A Polyelectrolyte contract for 2023 was awarded for a lesser amount than previous years. It has recently come to our attention that to date, no changes in this chemical's dosing has taken place. The new Superintendent at the AWWTP will begin reducing the dose of the polymer by 10%. If there is little change in the phosphorus numbers, he will continue reducing the polymer usage in 10% increments.

Change Order	Reason For Change	Amount
No. 1	Additional Zeta Lyte 1A Polyelectrolyte needed for the AWWTP  a. 385 gallons at \$13.20 per gallon	\$5, 082.00



# The Borough of Hightstown

156 Bank Street  
Hightstown, New Jersey 08520

## Change Order No. 1 Custom Environmental Technologies Zeta Lyte 1A Polyelectrolyte

Change Order	Reason For Change	Amount
No. 1	Additional Zeta Lyte 1A Polyelectrolyte needed for the AWWTP  a. 385 gallons at \$13.20 per gallon	\$5,082.00
	Total for Change Order No. 1	\$5,082.00
	Original Contract Amount	\$8,712.00
	New Contract Total	\$13,794.00
	<b>% of Increase</b>	<b>58.33%</b>

The foregoing modification is accepted by:

**Hightstown Borough:**

\_\_\_\_\_  
Mayor Susan Bluth

\_\_\_\_\_  
Date

**Custom Environmental Technologies:**

\_\_\_\_\_  
Date

# Resolution 2023-175

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

## **AUTHORIZING PREPARATION OF BID SPECIFICATIONS FOR EMERGENCY REPAIR CONTRACT SERVICES**

**WHEREAS**, Hightstown Borough is in need of a contract for Emergency Repair Contract Services; and

**WHEREAS**, Borough Engineer, Carmela Roberts, has submitted a fee proposal for preparation and advertisement of bids for said services; and

**WHEREAS**, the proposal is inclusive of preparation of the specifications, construction details, bidding, recommendation of award and execution of contracts at an amount not to exceed \$3,500.00.

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Engineer is hereby authorized to prepare bid specifications as detailed within at an amount not to exceed \$3,500.00.

### **CERTIFICATION**

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

---

Margaret Riggio  
Borough Clerk



**Roberts**  
ENGINEERING GROUP LLC  
*Women Business Enterprise Certified*

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

August 29, 2023

Dimitri Musing, Borough Administrator  
Borough of Hightstown  
156 Bank Street  
Hightstown, New Jersey 08520

Re: Emergency Repair Contract – 2024/2025  
Borough of Hightstown, Mercer County, New Jersey  
Our File No.: H1537

Dear Dimitri:

As you know, the Borough currently has a two-year contract with Earle Asphalt Company to provide emergency repair services on an as-needed basis. The contract expires on December 31, 2023. As such, a new bid package must be prepared and advertised in order to obtain a new contract for 2024 and 2025. Roberts Engineering Group is prepared to move forward with preparation of the updated bid documents.

The specifications will address repairs for the municipally owned water system, sanitary sewer system and stormwater system as well as general utility repair at both the water and wastewater treatment plants. The specifications will include all technical requirements for construction as well as construction details for the water, sanitary sewer and storm water utilities.

Our fee to prepare the specifications for Emergency Repair Contract Services will be at a cost not to exceed \$3,500.00. This fee is inclusive of preparation of the specifications, construction details, bidding, recommendation of an award and execution of contracts.

Should you have any questions or concerns, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in blue ink that reads "Carmela Roberts". The signature is written in a cursive, flowing style.

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

cc: Peggy Riggio, RMC, CMR, Borough Clerk  
George Lang, Borough CFO  
Ken Lewis, Superintendent of Public Works  
Cameron Corini, P.E., C.M.E., Roberts Engineering Group, LLC

# Resolution 2023-176

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

## **ACCEPTING MEMBERSHIP OF JORGE SERRATO, JR. IN HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Jorge Serrato, Jr. of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Mr. Serrato has undergone and passed the required physical examination, and her membership application has been reviewed and approved by Fire Chief Donald Derr.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the membership of Jorge Serrato, Jr. in Hightstown Engine Company No. 1 is hereby accepted.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

### **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk

# Resolution 2023-177

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

## **ACCEPTING MEMBERSHIP OF CHRISTOPHER SUK IN HIGHTSTOWN ENGINE CO. NO. 1**

**WHEREAS**, Christopher Suk of East Windsor, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

**WHEREAS** Mr. Suk has undergone and passed the required physical examination, and her membership application has been reviewed and approved by Fire Chief Donald Derr.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that the membership of Christopher Suk in Hightstown Engine Company No. 1 is hereby accepted.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Hightstown Engine Co. #1.

### **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk

# Resolution 2023-178

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

**RESOLUTION AUTHORIZING THE PURCHASE OF A GAPVAX 2022 G7 TRAILER JETTER FOR THE HIGHTSTOWN BOROUGH DEPARTMENT OF PUBLIC WORKS FROM TRI STATE ENVIRONMENTAL SERVICES, AN AUTHORIZED DEALER OF GAPVAX**

**WHEREAS**, the Borough of Hightstown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf Sourcewell (Formerly NJPA), 202 12<sup>th</sup> Street, Staples, MN, 56479 pursuant to the provision of P.L.2011, c.139 which permits contracting units to use contracts awarded by national or regional cooperative or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS**, GapVax, Inc of Johnstown, PA has been awarded the contract for this item under Sourcewells Category: Roads & Airports: Sewer Cleaning Contract #101221-GPV (expiration 11/29/2025); and

**WHEREAS**, the Purchasing Agent and Superintendent of Public Works recommend the utilization of this contract; and

**WHEREAS**, under Sourcewell Contract No. ##101221-GPV, Tri State Environmental Services, LLC, 112 Phillips Avenue, Milford, NJ 08848, an authorized dealer of GapVax, can provide a GapVax 2022 G7 Trailer Jetter as per their quote dated August 22, 2023 in the amount of \$95,632.58 to Hightstown Borough; and

**WHEREAS**, the CFO has certified funds are available for this purchase.

**THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hightstown that Tri State Environmental Services, LLC, 112 Phillips Avenue, Milford, NJ 08848 an authorized dealer of GapVax, under Sourcewell Contract No. #101221-GPV be utilized to provide a GapVax 2022 G7 Trailer Jetter at the cost of \$95,632.58.

## **CERTIFICATION**

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

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Margaret Riggio  
Borough Clerk

**CERTIFICATION OF FUNDS**

I, George Lang, CFO of the Borough of Hightstown, certify availability of funds as follows:

<b>Account #</b>	<b>Appropriation Title</b>	<b>Amount</b>
Ordinance 2023-12	Capital Bond Ordinance	\$95, 632.58

*George Lang*      8/31/2023

George Lang, CFO      DATE





# The Borough of Hightstown

Clerk's Office

156 Bank Street, Hightstown, New Jersey 08520

Phone – (609) 490-5100, ext. 628

Fax – (609) 371-0267

[priggio@hightstownborough.com](mailto:priggio@hightstownborough.com)

TO: Mayor and Council  
FROM: Peggy Riggio, Borough Clerk/Purchasing Agent  
DATE: August 31, 2023  
RE: Purchase of a GapVax 2022 G7 Trailer Jetter

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N.J.S.A 52:34-6.2 authorizes contracting units to purchase goods, or to contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available.

Hightstown Borough is currently a member of Sourcewell, a National Cooperative Pricing System. Hightstown's member number is 41560

It has been determined that by utilizing the Sourcewell Cooperative Pricing System, to purchase a new GapVax 2022 G7 Trailer Tri State Environmental Services, Inc., 112 Phillips Road, Milford, NJ 08848 an authorized dealer of GapVax, shall result in an overall costs saving to the Borough of approximately \$ 1,819.72.

I recommend that the purchase of the new GapVax 2022 G7 Trailer Jetter, for the Department of Public Works by the use of the Sourcewell Cooperative Pricing System.

Funds are available in the through the following Bond Ordinance:

Ordinance 2023-12 amount; \$ 95,632.58

# Resolution 2023-179

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	331,707.00	2,796,074.00	<b>3,127,781.00</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	185,000.00	1,131,481.00	<b>1,316,481.00</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>516,707.00</b>	<b>3,927,555.00</b>	<b>4,444,262.00</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 September 5, 2023.

\_\_\_\_\_  
Margaret Riggio  
Borough Clerk

**Borough of Hightstown  
 Emergency Temporary  
 September 5, 2023**

**SCHEDULE "A"**

**Current Fund**

Mayor and Council	Other Expenses	500.00
Municipal Clerk	Salaries and Wages	9,707.00
Financial Administration	Salaries and Wages	15,000.00
Financial Administration	Other Expenses	1,000.00
Data Processing	Other Expenses	20,000.00
Tax Collector	Salaries and Wages	15,000.00
Tax Assessor	Salaries and Wages	20,000.00
Legal Services	Other Expenses	20,000.00
Municipal Court	Salaries and Wages	5,000.00
Group Insurance	Other Expenses	50,000.00
Insurance Deductibles	Other Expenses	2,000.00
Police	Salaries and Wages	100,000.00
Uniform Fire Safety Act	Other Expenses	5,000.00
First Aid	Other Expenses	5,000.00
Sanitation	Salaries and Wages	5,000.00
Buildings and Grounds	Salaries and Wages	5,000.00
Buildings and Grounds	Other Expenses	5,000.00
Maintenance of Parks	Salaries and Wages	8,500.00
Board of Health	Other Expenses	2,000.00
Telephone	Other Expenses	4,000.00
Uniform Construction Code	Salaries and Wages	10,000.00
Housing-Code Enforcement	Salaries and Wages	6,000.00
Social Security	Other Expenses	15,000.00
Manalapan Animal Control	Salaries and Wages	3,000.00
		<hr/>
		331,707.00
 <b>Water-Sewer Utility Fund</b>		
Salaries and Wages		50,000.00
Other Expenses		120,000.00
Bond Interest		10,000.00
Social Security		5,000.00
		<hr/>
		185,000.00

**From:** [George Chin](#)  
**To:** [Peggy Riggio](#); [Dimitri Musing](#)  
**Subject:** Rise Latino Festival Signs  
**Date:** Wednesday, August 30, 2023 7:35:36 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image009.png](#)

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Hello,

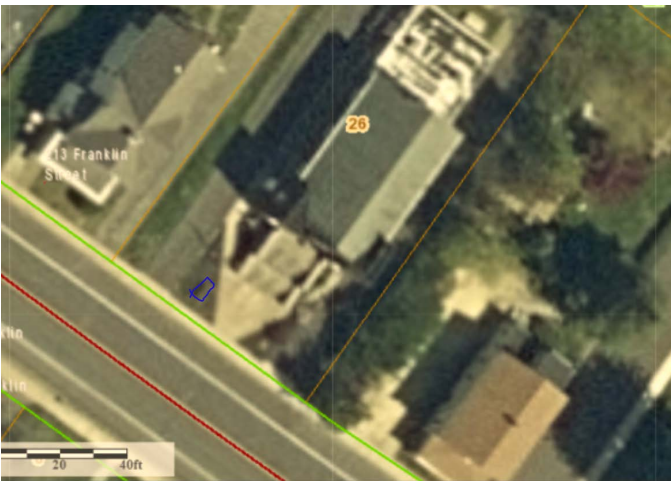
Rise is requesting to put up 3 signs in Hightstown for the Latino Festival on Saturday September 30. The size of the signs will be 4' x 4' or 16 sq ft.

This is a photograph of the proposed signs.



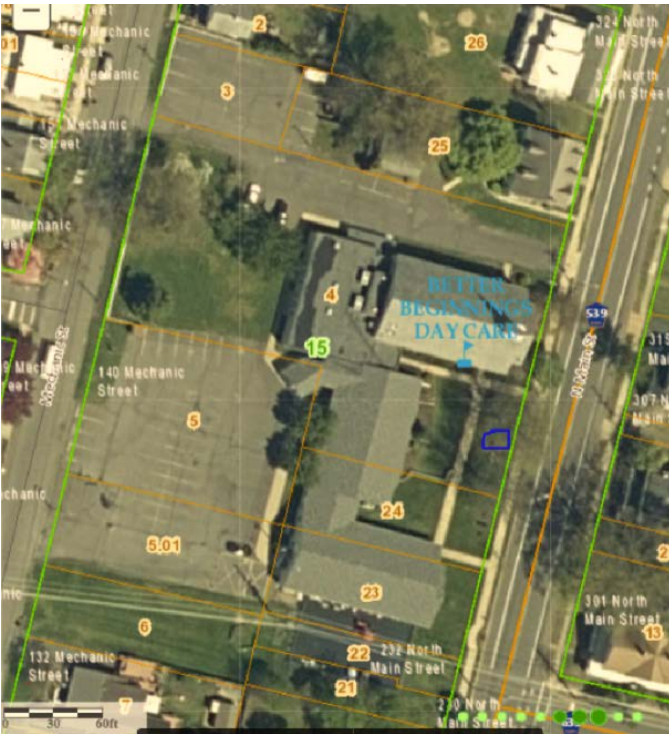
The signs will be located at:

Rise Main Office at 219 Franklin St. The blue rectangle is the proposed sign.



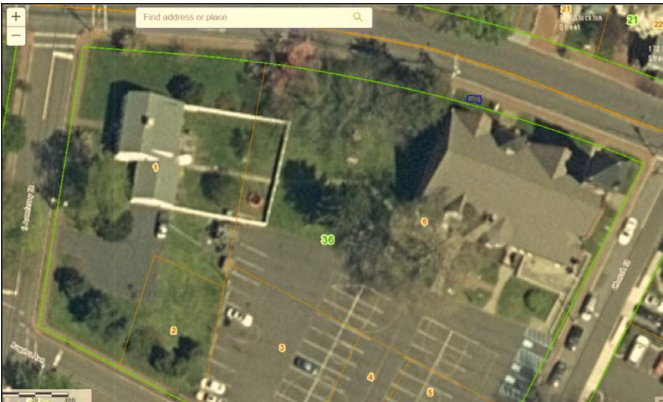
The sign needs to be set back from the street to not block the view for cars pulling out of driveways.

First Presbyterian Church of Hightstown at 320 North Main Street.



The sign needs to be set back from the street to not block the view for cars pulling out of driveways.

First United Methodist Church at 187 Stockton Street.



The sign is the blue rectangle near the top left corner of the building.

The sign needs to be set back from the street to not block the view for cars pulling out of the street.

The reason that a resolution is required for the Latino Festival Signs is because the signs that they are proposing are not allowed by Ordinance.

Rise Main Office at 219 Franklin St.

DTG Zone

§ 29-1-17 **Office Residential Zones - DTG Downtown Gateway.**

In the DTG Downtown Gateway, the following signs only shall be permitted:

- A. Freestanding Sign. One freestanding sign may be erected on each street frontage that contains a minimum of 50 feet of frontage and with direct vehicular access from that street. The maximum permitted sign area shall be 12 square feet per sign and the height of the sign shall not exceed four feet.
- B. Facade Sign. One facade sign per building shall be permitted, provided that the sign area shall not exceed six square feet, nor project more than eight inches from the building or structure.
- C. Directory Signs. In accordance with § 29-1-10 of this article.
- D. Directional Signs. In accordance with § 29-1-9 of this article.
- E. Signs in accordance with § 29-1-6 of this article.

Freestanding sign covers permanent signs. Ordinance 29-1-6 covers Signs Exempt from Permits. The closest ordinance is

- T. Special event signs on lands under the jurisdiction of the Board of Recreation Commissioners as defined in § 2-31-5 of the Borough Code. Such signs shall require the prior written approval of the Board of Recreation Commissioners and must conform to the relevant provisions of this article. Approved signs shall not be erected for more than two weeks and shall not exceed 16 square feet. All signs shall be removed within 24 hours of the conclusion of the event.

This is not a Parks and Recreation event and is at the High School, which is not under the jurisdiction of Parks and Recreation. It does limit the sign size to 16 square feet, a maximum two weeks to be displayed and 24 hours to take down the sign.

In conclusion, the DTG Zone, does not allow the signs that Rise wants to put up.

First Presbyterian Church of Hightstown at 320 North Main Street.

R-3 Residential Zone

First United Methodist Church at 187 Stockton Street.

R-4 Residential Zone

§ 29-1-16 **Residential Zones - R-1-2-3-4, R-MF, R-PE, R-PF.**

In all residential zones the following signs shall be permitted:

- A. Signs for residential and institutional uses.
  - (1) One freestanding residential sign shall be permitted per lot. Sign area not to exceed two square feet.
  - (2) One freestanding sign identifying a multifamily housing development, shall be permitted on each street frontage that provides direct access to the property, provided that such sign does not exceed a total sign area along any one street of 12 square feet.
  - (3) In addition to any freestanding sign that may be permitted, institutional uses shall also be permitted changeable copy signs in accordance with § 29-1-8 of this article.
- B. Signs in accordance with § 29-1-6 of this article.
- C. Directional signs in accordance with § 29-1-9 of this article.

In a Residential Zone a freestanding sign is allowed, but it is limited to two square feet.

Therefore, a resolution by Council is required to allow the signs.

Since their type of sign is not in the Ordinance and a sign can be considered similar to a banner, I will reference Borough Ordinance 29-1-5B for banners.

- B. Banners, pennants, streamers, spinners or similar devices constructed of cloth, light fabric, cardboard, plastic, vinyl, or other like material, and lights and searchlights, displayed for the purpose of attracting the attention of pedestrians or motorists, except as permitted for special events not to exceed four times per year for a maximum two-week period and not exceeding 16 square feet.

I recommend the following:

1. The signs be approve since they meet the maximum size requirement of 16 square feet for a banner.
2. The signs do not exceed the two week maximum period for display.
3. The signs are taken down within 24 hours after the festival is over.
4. The signs location do not affect the line of sight for cars or pedestrians. The exact location is to be approved by the Borough before the signs are installed.
5. The signs have an additional diagonal braces attached at the back of the sign which is staked to the ground. The legs look too small and narrow to keep the sign from blowing over in a windy storm when the soil is saturated.
6. Housing Official, Mr. Dave Bell, will inspect how the signs are installed. I am out of the office the week of September 19<sup>th</sup>.
7. We receive a letter from the churches that they approve locating the signs on their property.
8. Certificate of Insurance be required, listing the Borough as additional insured covering all of the properties that the signs are installed on.
9. If someone wanted display a banner, they would come to the zoning office and file a sign application for each banner and pay \$50.00 for each banner. The same procedure should be followed for the signs.

George