

AGENDA
Hightstown Borough Council
October 16, 2023 | 6:30 p.m.
Hightstown Engine Company No. 1
140 North Main Street, Hightstown

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

Meeting called to order by Mayor Susan Bluth

STATEMENT: Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was advertised in the Trenton Times and Windsor-Hights Herald as required by law and is posted on the Hightstown Borough website.

Roll Call

Flag Salute

Approval of Agenda

Approval of Minutes June 5, 2023 – Public Session
 June 5, 2023 – Executive Session
 June 19, 2023 – Public Session
 July 5, 2023 – Public Session
 July 5, 2023 – Executive Session
 July 17, 2023 – Public Session

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 **2023-17 First Reading and Public Hearing** An Ordinance Further Amending and Supplementing Chapter 25, entitled “Stormwater Control,” of “The Revised General Ordinances of the Borough of Hightstown”

Resolutions **2023-195** Authorizing Payment of Bills

Consent Agenda **2023-196** Authorizing Payment No. 3 – Black Rock Enterprises, LLC – Improvements to Hausser Avenue, Bennett Place and Prospect Drive

 2023-197 Extending the Grace Period for Payment of 2023 Third and Fourth Quarter Taxes

 2023-198 Authorizing Fee for Duplicate Tax Sale Certificate

Discussion Block Party Ordinance

Subcommittee Reports

Mayor/Council/Administrative Updates

Executive Session Resolution 2023-199 Authorizing a Meeting that Excludes the Public

Personnel – Construction/Zoning Official

Contract Negotiations – Sale of Springcrest Pumpstation

Contract Negotiations – Shangles Alley & Liberty Street Vacating

Attorney Client Privilege – First Aid

Attorney Client Privilege – ADA Parks

Adjournment

Meeting Minutes
Hightstown Borough Council
June 5, 2023
6:30 p.m.

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

The flag salute followed Roll Call.

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

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

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Montferrat; Seconded by Councilmember Cicalese.

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

Agenda approved 6-0.

PRESENTATIONS

Certificate of Appreciation – Sean Valarezo

Mayor Bluth presented Sean Valarezo with a certificate of appreciation for his work with the Historic Preservation Commission in the beautification of the Civil War Monument.

PUBLIC COMMENT

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

Eugene Sarafin, 628 South Main Street – Spoke against the pledge of allegiance. He feels that people are trying to destroy the republic. Spoke about New Jersey taxes. Stated that New Jersey needs to start using State Property tax rate, not municipal. Local politicians need to speak up to Trenton.

Michele Epstein, 421 North Main Street – Expressed her appreciation to the Mayor regarding the report about working with Representative Kim on trying to address the truck traffic in Hightstown. She is looking forward to hearing an update on that. Asked if there is a role for residents to play in the truck traffic update, she is happy to volunteer. She informed Council that the North Jersey Planning Authority has a lending library which is available to the entire state for planning purposes for no cost.

Matthew Morgan, 123 Orchard Avenue – Had the pleasure to attend the budget workshop meetings. He learned a lot about the budget process. Thank you for the workshop pages that explain the budget. Thank you to Council for the painful choices that need to be made to keep the tax rate as low as possible.

Scott Caster, 12 Clover Lane – Spoke about the fact that there is no newspaper that is published regularly anymore. Asked about the warehouse in East Windsor and was looking for an update.

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

BUDGET 2023

Introduction of the 2023 Budget

George Lang explained the budget. He explained that we are dealing with an increase in interest rates and pension costs. All of this is out of our control. The average tax increase per household is about \$21 per month.

Mayor Bluth stated that all municipalities in New Jersey are facing the same increases. Pension, healthcare, chemicals and general inflation. Please keep in mind that the Hightstown portion of your tax bill is only 30% of your tax bill.

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

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

Budget introduced 6-0.

ORDINANCES

Ordinance 2023-08 Public Hearing and Final Reading An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

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

Eugene Sarafin, 628 South Main Street – Stated that it is a shame that we need to establish a cap bank every year. Supports this ordinance.

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

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

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

Ordinance 2023-09 Public Hearing and Final Reading A Bond Ordinance Providing for Improvements to the Anaerobic Digester for the Water-Sewer Utility and by the Borough of Hightstown, in the County of Mercer, New Jersey, Appropriating \$499,500 Therefor and Authorizing the Issuance of \$499,500 Bonds or Notes of the Borough to Finance the Cost Thereof

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

Eugene Sarafin, 628 South Main Street – The digester needs to be replaced. He believes the plant was operating with the original digester. He supports this ordinance.

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

Moved for adoption by Councilmember Gulati; Seconded by Councilmember Frantz.

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

Ordinance adopted 6-0. Ordinance 2023-09 attached hereto and made part thereof.

Ordinance 2023-10 First Reading and Introduction An Ordinance Revising Certain Parking Regulations, and Amending and Supplementing Various Sections of Article 7-1, Entitled “On-Street Traffic Regulations,” of Chapter7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown,” in Certain Limited Respects.

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

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

Ordinance introduced 6-0. Public Hearing Scheduled for June 19, 2023.

RESOLUTIONS

Resolution 2023-115 Authorizing Payment of Bills

Moved by Councilmember Jackson; Seconded by Councilmember Frantz.

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

Resolution adopted 6-0.

Resolution 2023-116 Authorizing a Shared Services Agreement Between Hightstown Borough and East Windsor Township for Contribution of the Matching Local Shared for Bus Services

Moved by Councilmember Jackson; Seconded by Councilmember Frantz.

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

Resolution adopted 6-0.

Resolution 2023-117 A Resolution Authorizing the Execution of an Agreement Between the Borough of Hightstown and Draper Training Nutrition, LLC

Moved by Councilmember Jackson; Seconded by Councilmember Fowler.

Mr. Musing explained that this is regarding open water swims in Peddie Lake. This is a high-risk event and our insurance company is requiring the Borough to enter into an agreement and requests a specific certificate of insurance so the Borough is accurately covered. He has been working with Mr. Draper to get the necessary COI. Until the agreement is executed and COI received, open water swims will be postponed or cancelled in their entirety. Mayor Bluth stated that should would like to see this as a fund raiser next year. There is a lot of work for the Borough and this is a high liability event.

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

yes.

Resolution adopted 6-0.

CONSENT AGENDA

Councilmember Montferrat moved Resolutions 2023-118; 2023-119; 2023-120; 2023-121; 2023-122; 2023-123 and 2023-124 as a Consent Agenda; Councilmember Frantz seconded.

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

Resolutions adopted 6-0.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Cicalese

Parks and Rec – Will meet on Thursday.

Board of Health – Will meet next week.

Memorial Day Parade – This was a great event for the Borough. Thanked Councilmember Member Fowler and everyone else on the committee for their work.

Councilmember Fowler

Memorial Day Parade – Thanked the Police Department, Public Works, the School District and everyone else who worked to make the parade a success this year.

Downtown Hightstown – Pie Girl opened this past Saturday. She was sold out in 2 hours. The store will be open again this Saturday at 10:00 a.m.

Harvest Fair – Vendor participation is almost at capacity. The committee will meet again on June 15th.

Councilmember Gulati

Housing Authority – There was no quorum for May meeting.

Pie Girl opening – This is great for Hightstown. The support that the community showed is very special. Congratulations to Chelsea on the grand opening.

Councilmember Montferrat

Memorial Day Parade – Excellent job to everyone involved.

Planning Board – Meets next Monday. They have one application to review and they are continuing to work on master plan

Councilmember Frantz

Environmental Commission – Did not have meeting last month due to scheduling conflicts.

Councilmember Jackson

Memorial Day Parade – Was a great event with a great turnout.

Pie Girl Grand Opening – Was honored to attend the Grand Opening.

Volunteers – Are still needed for several committees. Please complete a citizen leadership form and return to the Clerk's office.

Dimitri Musing, Borough Administrator

Peddle Lake Dam Emergency – A minor repair and investigation has taken place. We will be moving ahead with work for more extensive repairs. This should take up to 3 months to complete and should hold us for 8 – 10 years good. We need to make plans for full replacement by of the sluice gate by about 2031.

Mayor Bluth

Rug Mill – PRC is finalizing some environmental issues that they had and they are nearing resolution of some FEMA issues. They will be coming before Planning Board for minor subdivision. This will allow the Borough to sell old Borough Hall.

Truck Traffic– She has met with Congressman Kim, Senator Greenstein. About this ongoing issue. They both are in agreement that the 133 bypass is underused. Senator Greenstein will look into this to see how trucks can be encouraged to use the 133 Bypass which is a State roadway.

East Windsor Warehouse – The Zoning Board meeting was postponed no new date has been announced. The Borough will be sending one of our professionals to this meeting once the new date has been established.

Memorial Day Parade – thank Council President Jackson for serving at the Master of Ceremonies. Thanked Councilmember Fowler and the committee for their planning of a wonderful event.

EXECUTIVE SESSION

Resolution 2023-125 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Fowler; Seconded by Councilmember Frantz

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

Resolution adopted 6-0.

Council adjourned to executive session at this time.

Council returned to public session.

ADJOURNMENT 8:19 p.m.

Councilmember Cicalese moved to adjourn at 8:19 p.m.; Seconded by Councilmember Fowler. All ayes.

Respectfully Submitted,

Margaret Riggio, RMC
Borough Clerk

Approved by Hightstown Borough Council: _____

Ordinances & Resolutions Hightstown Borough Council Meeting June 5, 2023

Ordinance 2023-08

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

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

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

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

WHEREAS, the Mayor and Council of the Borough of Hightstown in the County of Mercer finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 1.0% increase in the budget for said year, amounting to \$64,084.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Hightstown shall, in accordance with this ordinance and *N.J.S.A. 40A: 4-45.14*, be increased by 3.5%, amounting to \$224,295.60, and that the CY 2023 municipal budget for the Borough of Hightstown be approved and adopted in accordance with this ordinance; and,

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


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

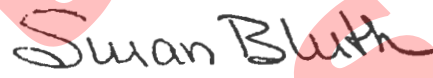
BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, be filed with said Director within 5 days after such adoption.

Introduction: May 15, 2023

Adoption: June 5, 2023

ATTEST:


MARGARET RIGGIO
MUNICIPAL CLERK


SUSAN BLUTH
MAYOR

Draft
Minutes

Ordinance 2023-09

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

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE ANAEROBIC DIGESTER FOR THE WATER-SEWER UTILITY AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$499,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$499,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$499,500. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvement since the project described in Section 3(a) hereof is expected to be funded through the New Jersey Infrastructure Bank.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$499,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the anaerobic digester for the water-sewer utility, including cleaning, painting and inspection of the digester cover, cleaning of the digester and inspection for potential repairs and the replacement of the Perth mixing system with a new jet

mixing system, including all work and materials necessary therefor and incidental thereto and further including all related costs and incidental thereto.

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

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

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

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

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

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

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$499,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$74,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

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

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

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 40c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the

Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

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

Introduction: May 15, 2023

Adoption: June 5, 2023

ATTEST:


MARGARET RIGGIO
MUNICIPAL CLERK


SUSAN BLUTH
MAYOR

Ordinance 2023-10

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

**AN ORDINANCE REVISING CERTAIN PARKING REGULATIONS, AND
AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF ARTICLE 7-1,
ENTITLED “ON-STREET TRAFFIC REGULATIONS,” OF CHAPTER 7,
“TRAFFIC,” OF THE “REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HIGHTSTOWN,” IN CERTAIN LIMITED RESPECTS.**

WHEREAS, the Borough of Hightstown (the “Borough”) has previously established certain traffic and parking regulations (also collectively referenced as the “prior regulations”), within the Borough; and

WHEREAS, the prior regulations are codified in Chapter 7 of the “Revised General Ordinances of the Borough of Hightstown” (the “Borough Code”); and

WHEREAS, since the adoption of the prior regulations, the traffic and parking conditions within the Borough continue to be evaluated by the Borough on a regular basis; and

WHEREAS, the Borough Engineer and the Police Chief have recommended that certain revisions be made to the prior regulations, specifically relating to the parking of vehicles on North Main Street and the prohibition of stopping or standing on Leshin Lane; and

WHEREAS, it is the intention of the Borough Council to revise the prior regulations within the Borough in order to effectuate these recommendations.

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 the stopping or standing of vehicles in specific areas along Leshin Lane is hereby prohibited, as set forth in more detail herein.
2. That the parking of vehicles on the south side of North Main Street, from Bank Street to a point fifty (50) feet north thereof, is hereby prohibited, as set forth in more detail herein.
3. That Section 7-1-11, entitled “Stopping or Standing Prohibited During Certain Hours on Certain Streets,” of Article 7-1, “On-Street Traffic Regulations,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in certain limited respects, as follows (additions are shown with underline):

Chapter 7. Traffic

Article 7-1. On-Street Traffic Regulations

§ 7-1-11. Stopping or Standing Prohibited During Certain Hours on Certain Streets.

No person shall stop or stand a vehicle between the hours specified on any day (except Sundays and public holidays) upon any of the streets or parts of streets described. Notwithstanding the same, the Chief of Police shall be authorized in his/her sole discretion to permit parking where it is otherwise prohibited pursuant to this section, on a temporary basis, in circumstances where deemed necessary in furtherance of the health, safety and welfare of the residents of the Borough and/or to facilitate the operational needs of the Borough.

Name of Street	Side	Hours	Location
Maxwell Avenue	Both	All times	Beginning at a point 90 feet south of the north curbline of Route 33 to a point 115 feet north of the north curbline of Route 33
Harron Avenue	East	All times	From the southerly curbline of Stockton Street to a point 543 feet south
South Main Street	East	All times	From the southern side driveway entrance of the First Baptist Church to the northern side driveway entrance of 145 South Main Street
<u>Leshin Lane</u>	<u>North</u>	<u>All times</u>	<u>From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue</u>
<u>Leshin Lane</u>	<u>South</u>	<u>All times</u>	<u>From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue</u>

4. That Section 7-1-14, entitled “Parking Prohibited at All Times on Certain Streets,” of Article 7-1, “On-Street Traffic Regulations,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in certain limited respects, as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

§ 7-1-14. Parking Prohibited at All Times on Certain Streets.

No person shall park a vehicle at any time upon any streets or parts thereof described. Notwithstanding the same, the Chief of Police shall be authorized in his/her sole discretion to permit parking where it is otherwise prohibited pursuant to this section, on a temporary basis, in circumstances where deemed necessary in furtherance of the health, safety and welfare of the residents of the Borough and/or to facilitate the operational needs of the Borough.

Name of Street	Side	Location
Academy Street	North	Mercer Street to easternmost Post Office driveway

Name of Street	Side	Location
Academy Street	North	Railroad Avenue to 100 feet east
Academy Street	North	For a distance of 170 feet west of Mercer Street
Academy Street	South	Mercer Street to Railroad Avenue
Academy Street	East	From Park Avenue to Stockton Street
Academy Street	East	From Rogers Avenue to Railroad Avenue
Academy Street	East	From Stockton Street to Rogers Avenue
Academy Street	West	From Park Avenue to Grant Avenue
Bank Street	North	From North Main Street to Mechanic Street
Bank Street	North	From the westerly curblin of the driveway entrance of the water plant, a distance of 30 feet east and 30 feet west
Bank Street	South	From North Main Street to Academy Street
Center Street	West	From Stockton Street to Morrison Avenue
Church Street	East	From Rogers Avenue to Stockton Street
Clinton Street	North	From Cole Avenue to Maxwell Avenue
Clinton Street	South	From the westerly curblin of Cole Avenue for a distance of 70 feet east
Cole Avenue	Both	From Franklin Street to Clinton Street
Cranbury Station Road [5-2-2022 by Ord. No. 2022-08]	Both	From Monmouth Street to Wyckoff Mills Road
Dutch Neck Road	North	From the southerly curblin of Stockton Street 665 feet southwesterly
Dutch Neck Road	Southeast	From Gilman Place to Stockton Street

Name of Street	Side	Location
Etra Road	Both	From South Main Street to the Borough line
First Avenue	North	From Outcalt Street to Joseph Street
Forman Street	West	From the southerly curbline of Stockton Street for 205 feet south
Grape Run Road	North	From Westerlea Avenue to Pershing Avenue
Grape Run Road	South	From the easterly curbline of Westerlea Avenue to a point 120 feet east
Grape Run Road	Both	From Westerlea Avenue to Mercer Street
Hagemount Avenue	West	From Lincoln Avenue to Rocky Brook Court
Harron Avenue	East	From Stockton Street to Morrison Avenue
Hutchinson Street	East	From Grant Avenue to Park Avenue
Joseph Street	East	From Stockton Street to Second Avenue
Leshin Lane	North	From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue
Leshin Lane	South	From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue
Lincoln Avenue	North	Between Hagemount Avenue and Hutchinson Street
Monmouth Street	North	From North Main Street to a point opposite the east curbline of Broad Street
Monmouth Street	South	From the east curbline of Manlove Avenue 652.67 feet east

Name of Street	Side	Location
Monmouth Street	South	From Pennsylvania Railroad to Broad Street
North Main Street	East	From the northerly curblineline of Franklin Street to a point 80 feet north
North Main Street	West	From a point 239.5 feet north of the north curblineline of Stockton Street to a point 242 feet north
North Main Street	North	From Monmouth Street to Sunset Avenue
North Main Street	South	From the Borough Line to Monmouth Street
<u>North Main Street</u>	<u>South</u>	<u>From Bank Street to a point 50 feet north</u>
Oak Lane	East	From Stockton Street to the north curblineline of Lincoln Avenue; thence from Lincoln Avenue for 397 feet north
Oak Lane	West	From the northerly curblineline of Stockton Street to a point 450 feet north
Outcalt Avenue	East	For a distance of 50 feet north or south of the First Avenue and Second Avenue intersections
Outcalt Street	West	From Rogers Avenue to Morrison Avenue
Park Avenue	South	From the westerly curblineline of Academy Street to a point 50 feet west
Pershing Avenue	West	From Grape Run Road to South Street
Purdy Street	East	From Bank Street to Reed Street
Railroad Avenue	East	From Stockton Street to Academy Street
Railroad Avenue	West	From Stockton Street to Rogers Avenue
Reed Street	North	From Mechanic Street to Rev. Powell Drive

Name of Street	Side	Location
Rev. Powell Drive	East	From Reed Street to Chamberlin Avenue
Rogers Avenue	North	From Stockton Street to Mercer Street
Second Avenue	North	From Outcalt Street to Joseph Street
Second Avenue	North	From Summit Street to Joseph Street
South Main Street	West	From Ward Street to Mercer Street
South Street	North	From Mercer Street to South Main Street
Stockton Street	North	From Mercer Street to South Main Street for 199 feet west
Stockton Street	South	From Main Street to the west curblane of Dutch Neck Road; thence on Dutch Neck Road for 624 feet
Ward Street	North	From Mercer Street to South Main Street
Ward Street	North	From the easterly curblane of South Main Street to a point 793.25 feet east
Ward Street	South	From the southeasterly curblane of Mercer Street to a point 57 feet east
Ward Street	South	From the easterly curblane of South Main Street to a point 2,241 feet east
Westerlea	West	Leshin Lane to Grape Run Road

5. That all other provisions of Article 7-1 of the Borough Code which are not referenced above shall remain unaffected/unchanged and remain in full force and effect.

6. 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.

7. 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.

8. That this Ordinance shall become effective upon final passage and publication in accordance with the law, following the receipt of any approvals deemed necessary by any other governmental agencies or authorities which may have jurisdiction over the matters set forth in the within Ordinance and the installation of proper signage by the Borough of Hightstown and/or the County of Mercer.

Introduction:

Adoption:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Draft
Minutes

Resolution 2023-116

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

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

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

WHEREAS, the term of said agreement shall be from July 1, 2022 through June 30, 2023; and

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

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

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

CERTIFICATION

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


Margaret Riggio
Borough Clerk

Resolution 2023-117

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

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF HIGHTSTOWN AND DRAPER TRAINING NUTRITION, LLC.

WHEREAS, the body of water known as “Peddie Lake” is located within the municipal boundaries of the Borough of Hightstown (the “Borough”) (Block 28, Lot 58 on the Borough’s Tax Map); and

WHEREAS, the Borough and its Board of Recreation Commissioners (also referenced as the “Board”) possess jurisdiction and control over all public playground and recreation areas within the Borough pursuant to N.J.S.A. 40:12-1, et seq., and Section 2-31 of the Borough Code, including Peddie Lake; and

WHEREAS, Draper Training Nutrition, LLC (“Draper”) wishes to conduct a series of organized open water swims on the Peddie Lake, during which time a number of individual swimmers (approximately 10-15 persons) will engage in aquatic swimming exercises and related activities for athletic training purposes; and

WHEREAS, the Borough and its Board have agreed to allow Draper to conduct these organized open water swims on the Peddie Lake subject to the terms and conditions set forth in the attached Agreement; and

WHEREAS, the Mayor and Borough Council wish to approve the attached Agreement and to authorize the Mayor and Borough Clerk to execute the same.

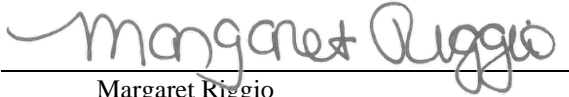
NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, as follows:

1. That the Borough Council hereby approves the attached Agreement, in accordance with the provisions set forth above.
2. That the Mayor is hereby authorized to execute, and the Borough Clerk to attest, the attached Agreement, or one which is substantially similar thereto and in a form satisfactory to the Borough Attorney.
3. That a certified copy of this Resolution (along with the attached Agreement) shall be provided to each of the following:
 - a. Draper Training and Nutrition, LLC;
 - b. Hightstown Board of Recreation Commissioners;
 - c. Dimitri Musing, Borough Administrator; and

- d. Frederick C. Raffetto, Borough Attorney.

CERTIFICATION

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



Margaret Riggio
Borough Clerk

Draft
Minutes

Resolution 2023-118

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

A RESOLUTION SUPPORTING FUN FRIDAYS

WHEREAS, the Parks and Recreation Commission is a recognized commission of Hightstown Borough pursuant to Article 2-31 entitled “Board of Recreation Commissioners” of “The Revised General Ordinances of the Borough of Hightstown”; and

WHEREAS, the Parks and Recreation Commission will be hosting *Fun Fridays* during the summer of 2023; and

WHEREAS, Fun Fridays will be at Memorial Park on the following dates: June 16, 2023 from 6:00 p.m. – 9:00 p.m., July 14, 2023 from 6:00 p.m. – 9:00 p.m., September 8, 2023 from 5:00 p.m. – 7:30 p.m. and October 13, 2023 from 5:00 p.m. – 7:30 p.m.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support Fun Fridays and look forward to more successful community events in the Borough of Hightstown.

CERTIFICATION

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


Margaret Riggio
Borough Clerk

Resolution 2023-119

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

AMENDING RESOLUTION 2023-04 APPROVING THE BOROUGH COUNCIL MEETING SCHEDULE FOR THE YEAR 2023

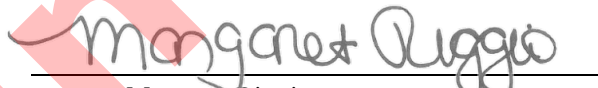
WHEREAS, Resolution 2023-04 was adopted by Borough Council on January 3, 2023 approving the Borough Council Meeting Schedule for 2023;

WHEREAS, Borough Council wish change the meeting originally scheduled for Monday July 3, 2023 to **WEDNESDAY, JULY 5, 2023** at 6:30 p.m. The location of the meeting will remain the Hightstown Firehouse, 140 North Main Street, Hightstown.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that the July 3, 2023 Borough Council meeting as been changed as detailed herein.

CERTIFICATION

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



Margaret Riggio
Borough Clerk

Resolution 2023-120

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

AUTHORIZING PAYMENT NO. 7 – ALLIED PAINTING, INC. (WATER TANK PAINTING AND REPAIR AT FIRST AVENUE, LESHIN LANE AND CRANBURY STATION ROAD)

WHEREAS, on May 16, 2022, the Borough Council awarded a contract for the Water Tank Painting and Repairs at First Avenue, Leshin Lane and Cranbury Station Road to Allied Painting Inc., of Cherry Hill, New Jersey at the price of \$427,300.00; and

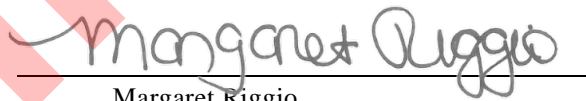
WHEREAS, the contractor has submitted a request for payment No. 7 in the amount of \$17,640.00, for partial payment through May 17, 2023; and

WHEREAS, the Borough Engineer has recommended approval of Payment Request No. 7 to the contractor in the amount of \$17,640.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Payment Request No. 7 to Allied Painting, Inc., of Cherry Hill New Jersey for \$17,340.00, 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 June 5, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-121

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

**AUTHORIZING PAYMENT NO. 3 FINAL AND CHANGE ORDER NO.
1 FINAL – ADVANCED CONTROL SYSTEMS (WATER TREATMENT
PLANT EMERGENCY GENERATOR AND FLOOD GATES)**

WHEREAS, on May 3, 2021, the Borough Council awarded a contract for the Water Treatment Plant Emergency Generator and Flood Gates to Advanced Control Systems, of Manalapan, New Jersey at the price of \$448,600.00; and

WHEREAS, the contractor has submitted Change Order No. 1 (Final) for \$23,989.51, which adjusts the contract to as-built quantities which increases the final contract amount by 5.35% to a total of \$472,589.51; and

WHEREAS, the contractor has submitted a request for payment No. 3 (Finals) in the amount of \$84,999.51; and

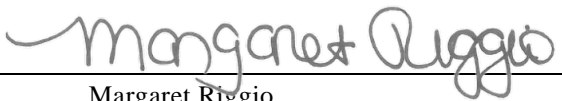
WHEREAS, the Borough Engineer has recommended approval of Change Order No. 1 (Final); and

WHEREAS, the Borough Engineer has recommended the contract be accepted, closed out and final payment be made to Advanced Control Systems in the amount of \$88,999.51.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Change Order No. 1 for \$23,989.51 and Payment Request No. 3 (Final) to Advanced Control Systems, of Manalapan, New Jersey for \$88,999.51 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 June 3, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-122

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

A RESOLUTION SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 22 – JUNE 4, 2023

WHEREAS, there were 694 motor vehicle fatalities in New Jersey in 2022; and

WHEREAS, approximately 40% of the motor vehicle occupants killed in those traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 22 – June 4, 2023 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of further increasing the seat belt usage rate in the state from the current level of 93%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Hightstown declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 22 – June 4, 2023 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 6, 2022.



Margaret Riggio
Borough Clerk

Resolution 2023-123

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

RESOLUTION AUTHORIZING THE MAYOR & BOROUGH CLERK TO SIGN CANCELLATION OF TAX LIEN FOR BLOCK 29 LOT 9

WHEREAS, on July 16, 2021, the Borough of Hightstown acquired a tax lien at a sale held by Angela LoConte, Collector of Taxes, Borough of Hightstown for certain property described as Block 29 Lot 9 of the Borough of Hightstown Tax Map, more commonly known as 219 North Main Street, Hightstown, NJ certificate #21-00001 and,

WHEREAS, the Tax Sale Certificate issued was recorded July 20, 2021, in the office of the Mercer County Clerk in Mortgage Book 11641, Page 521, and

WHEREAS, this tax sale certificate issued has been satisfied by payment in full and the Tax Collector does so certify.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to sign the tax sale certificate for the property known as Block 26 Lot 9 on the Borough of Hightstown tax map, more commonly known as 219 North Main Street, Hightstown, NJ.

CERTIFICATION

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


Margaret Riggio
Borough Clerk

Borough of Hightstown
Emergency Temporary No.6
6/5/2023

Current Fund

Mayor and Council	Salaries and Wages	5,000.00
Municipal Clerk	Salaries and Wages	3,000.00
Administrative and Executive	Salaries and Wages	8,000.00
Tax Assessor	Salaries and Wages	2,000.00
Legal	Other Expenses	15,000.00
Historical Sites Commission	Other Expenses	300.00
Planning Board	Other Expenses	7,000.00
Police	Salaries and Wages	80,000.00
Uniform Fire Safety Act	Salaries and Wages	2,000.00
Construction Code	Salaries and Wages	15,000.00
Social Security	Other Expenses	20,000.00
		<hr/>
Total Current Fund		157,300.00

Water-Sewer Operating Fund

Salaries and Wages	70,000.00
Other Expenses	65,000.00
Social Security	5,000.00
	<hr/>
Total Water Sewer Operating	140,000.00
	<hr/>
Total	297,300.00
	<hr/>

Resolution 2023-124

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>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	157,300.00	2,055,945.00	2,213,245.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	140,000.00	704,500.00	844,500.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	297,300.00	2,760,445.00	3,057,745.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 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 June 5, 2023.


Margaret Riggio
Borough Clerk

Borough of Hightstown
Emergency Temporary No.6
6/5/2023

Current Fund

Mayor and Council	Salaries and Wages	5,000.00
Municipal Clerk	Salaries and Wages	3,000.00
Administrative and Executive	Salaries and Wages	8,000.00
Tax Assessor	Salaries and Wages	2,000.00
Legal	Other Expenses	15,000.00
Historical Sites Commission	Other Expenses	300.00
Planning Board	Other Expenses	7,000.00
Police	Salaries and Wages	80,000.00
Uniform Fire Safety Act	Salaries and Wages	2,000.00
Construction Code	Salaries and Wages	15,000.00
Social Security	Other Expenses	20,000.00
		<hr/>
Total Current Fund		157,300.00

Water-Sewer Operating Fund

Salaries and Wages	70,000.00
Other Expenses	65,000.00
Social Security	5,000.00
	<hr/>
Total Water Sewer Operating	140,000.00
	<hr/>
Total	297,300.00
	<hr/>

Resolution 2023-125

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

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

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

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

Contract Negotiations – First Aid Donation

Contract Negotiations – PRC

Contract Negotiations – Municipal Facility

Contract Negotiations – 133 Monmouth Street

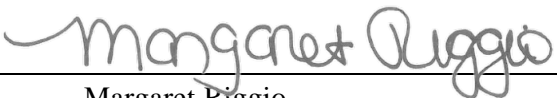
Contract Negotiations – Stockton Street Sidewalks

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public September 5, 2023, or when the need for confidentiality no longer exists.

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

CERTIFICATION

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



Margaret Riggio
Borough Clerk

**Meeting Minutes
Hightstown Borough Council
June 19, 2023
6:30 p.m.**

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

The flag salute followed Roll Call.

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

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

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Montferrat; Seconded by Councilmember Frantz

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

Agenda approved 4-0.

PUBLIC COMMENT

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

Storm Lewis, 14 Elwood Drive – Elements Owner 101 Main Street. Would like to formally engage with Hightstown to open a retail cannabis facility. He has already received a conditional license from the State.

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

ORDINANCES

Ordinance 2023-10 Final Reading and Public Hearing An Ordinance Revising Certain Parking Regulations, and Amending and Supplementing Various Sections of Article 7-1, Entitled “On-Street Traffic Regulations,” of Chapter7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown,” in Certain Limited Respects.

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

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

Moved for adoption by Councilmember Fowler, Seconded by Councilmember Cicalese

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

Ordinance adopted 4-0.

RESOLUTIONS

Resolution 2023-128 Authorizing Payment of Bills

Moved by Councilmember Cicalese; Seconded by Councilmember Fowler.

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

Resolution adopted 4-0.

Resolution 2023-129 Establishing Procedures for Projects and Events Sponsored by Hightstown Borough Boards and Commissions

Moved by Councilmember Montferrat; Seconded by Councilmember Cicalese.

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

Resolution adopted 4-0.

Resolution 2023-130 Resolution of the Borough of Hightstown, in the County of Mercer, New Jersey, Determining the Form and Other Details of One or More Notes Relating to the Construction Financing Loan Program of the New Jersey Infrastructure Bank, to be Issued in the Aggregate Principal Amount of up to \$710,000, Providing for the Issuance and Sale of Such Notes to the New Jersey Infrastructure Bank, and Authorizing the Execution and Delivery of Such Notes by the Borough in Favor of the New Jersey Infrastructure Bank, All Pursuant to the New Jersey Infrastructure Bank Construction Financing Loan Program

Moved by Councilmember Fowler; Seconded by Councilmember Cicalese.

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

Resolution adopted 4-0.

CONSENT AGENDA

Councilmember Frantz moved Resolutions 2023-131; 2023-132; 2023-133; 2023-134; 2023-135 and 2023-136 as a Consent Agenda; Councilmember Fowler seconded.

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

Resolution adopted 4-0.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Frantz

Environmental Commission and First Aid both meet next week.

Councilmember Cicalese

Board of Health – held their meeting last week. Vaccine clinics will be held June 20th and 27th at the West Windsor Senior Center.

Parks & Rec – Met last week. They will be adding an additional Fun Friday in August. The commission is excited to move forward with Big Max at Rocky brook Park.

Councilmember Fowler

Downtown Hightstown – Will be continuing this summer with the historic walking tour. There will be dates in July, August and September.

Mayor Bluth

Thanked Mr. Lewis for attending tonight's meeting. The subcommittee is reviewing the cannabis opt-in ordinance. We are not in a position to commit on anything at this time and cannot give a timeline.

Stockton Street & Joseph Street – This was a Federal Project. She is pleased to announce that the

project has finally been closed out.

Stockton Street – This is a shared services agreement with East Windsor to install curbs and sidewalks on Stockton Street from Oak Lane to Route 130. The contract has been awarded. We are looking to have work completed by the start of school.

North Main Street – The new electronic speed sign went up a week ago. We are receiving very positive feedback. Cars are slowing their speed as they are entering town. An additional electronic sign at South Main by Peddie will be installed in the near future. We have added \$20,000 to the budget for additional signs.

Painting of the Rams logo Leshin Lane water tower is scheduled to begin next week.

Last week, she had the opportunity to tour the AWWTP. Improvements are being completed. The increase in the water/sewer rates are funding these much needed improvements. She was fascinated by the workings of the plant and commended the new superintendent for doing a fantastic job.

ADJOURNMENT

Councilmember Cicalese moved to adjourn at 6:52 p.m.; Councilmember Fowler seconded. All ayes.

Respectfully Submitted,

Margaret Riggio, RMC
Borough Clerk

Approved by Hightstown Borough Council: _____

Ordinances & Resolutions Hightstown Borough Council Meeting June 19, 2023

Ordinance 2023-10

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

**AN ORDINANCE REVISING CERTAIN PARKING REGULATIONS, AND
AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF ARTICLE 7-1,
ENTITLED “ON-STREET TRAFFIC REGULATIONS,” OF CHAPTER 7,
“TRAFFIC,” OF THE “REVISED GENERAL ORDINANCES OF THE
BOROUGH OF HIGHTSTOWN,” IN CERTAIN LIMITED RESPECTS.**

WHEREAS, the Borough of Hightstown (the “Borough”) has previously established certain traffic and parking regulations (also collectively referenced as the “prior regulations”), within the Borough; and

WHEREAS, the prior regulations are codified in Chapter 7 of the “Revised General Ordinances of the Borough of Hightstown” (the “Borough Code”); and

WHEREAS, since the adoption of the prior regulations, the traffic and parking conditions within the Borough continue to be evaluated by the Borough on a regular basis; and

WHEREAS, the Borough Engineer and the Police Chief have recommended that certain revisions be made to the prior regulations, specifically relating to the parking of vehicles on North Main Street and the prohibition of stopping or standing on Leshin Lane; and

WHEREAS, it is the intention of the Borough Council to revise the prior regulations within the Borough in order to effectuate these recommendations.

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 the stopping or standing of vehicles in specific areas along Leshin Lane is hereby prohibited, as set forth in more detail herein.
2. That the parking of vehicles on the south side of North Main Street, from Bank Street to a point fifty (50) feet north thereof, is hereby prohibited, as set forth in more detail herein.
3. That Section 7-1-11, entitled “Stopping or Standing Prohibited During Certain Hours on Certain Streets,” of Article 7-1, “On-Street Traffic Regulations,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in certain limited respects, as follows (additions are shown with underline):

Chapter 7. Traffic

Article 7-1. On-Street Traffic Regulations

§ 7-1-11. Stopping or Standing Prohibited During Certain Hours on Certain Streets.

No person shall stop or stand a vehicle between the hours specified on any day (except Sundays and public holidays) upon any of the streets or parts of streets described. Notwithstanding the same, the Chief of Police shall be authorized in his/her sole discretion to permit parking where it is otherwise prohibited pursuant to this section, on a temporary basis, in circumstances where deemed necessary in furtherance of the health, safety and welfare of the residents of the Borough and/or to facilitate the operational needs of the Borough.

Name of Street	Side	Hours	Location
Maxwell Avenue	Both	All times	Beginning at a point 90 feet south of the north curblineline of Route 33 to a point 115 feet north of the north curblineline of Route 33
Harron Avenue	East	All times	From the southerly curblineline of Stockton Street to a point 543 feet south
South Main Street	East	All times	From the southern side driveway entrance of the First Baptist Church to the northern side driveway entrance of 145 South Main Street
<u>Leshin Lane</u>	<u>North</u>	<u>All times</u>	<u>From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue</u>
<u>Leshin Lane</u>	<u>South</u>	<u>All times</u>	<u>From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue</u>

4. That Section 7-1-14, entitled “Parking Prohibited at All Times on Certain Streets,” of Article 7-1, “On-Street Traffic Regulations,” of Chapter 7, “Traffic,” of the “Revised General Ordinances of the Borough of Hightstown,” is hereby amended and supplemented in certain limited respects, as follows (additions are shown with underline; deletions are shown with ~~strikeout~~):

§ 7-1-14. Parking Prohibited at All Times on Certain Streets.

No person shall park a vehicle at any time upon any streets or parts thereof described. Notwithstanding the same, the Chief of Police shall be authorized in his/her sole discretion to permit parking where it is otherwise prohibited pursuant to this section, on a temporary basis, in circumstances where deemed necessary in furtherance of the health, safety and welfare of the residents of the Borough and/or to facilitate the operational needs of the Borough.

Name of Street	Side	Location
Academy Street	North	Mercer Street to easternmost Post Office driveway

Name of Street	Side	Location
Academy Street	North	Railroad Avenue to 100 feet east
Academy Street	North	For a distance of 170 feet west of Mercer Street
Academy Street	South	Mercer Street to Railroad Avenue
Academy Street	East	From Park Avenue to Stockton Street
Academy Street	East	From Rogers Avenue to Railroad Avenue
Academy Street	East	From Stockton Street to Rogers Avenue
Academy Street	West	From Park Avenue to Grant Avenue
Bank Street	North	From North Main Street to Mechanic Street
Bank Street	North	From the westerly curblin of the driveway entrance of the water plant, a distance of 30 feet east and 30 feet west
Bank Street	South	From North Main Street to Academy Street
Center Street	West	From Stockton Street to Morrison Avenue
Church Street	East	From Rogers Avenue to Stockton Street
Clinton Street	North	From Cole Avenue to Maxwell Avenue
Clinton Street	South	From the westerly curblin of Cole Avenue for a distance of 70 feet east
Cole Avenue	Both	From Franklin Street to Clinton Street
Cranbury Station Road [5-2-2022 by Ord. No. 2022-08]	Both	From Monmouth Street to Wyckoff Mills Road
Dutch Neck Road	North	From the southerly curblin of Stockton Street 665 feet southwesterly
Dutch Neck Road	Southeast	From Gilman Place to Stockton Street

Name of Street	Side	Location
Etra Road	Both	From South Main Street to the Borough line
First Avenue	North	From Outcalt Street to Joseph Street
Forman Street	West	From the southerly curbline of Stockton Street for 205 feet south
Grape Run Road	North	From Westerlea Avenue to Pershing Avenue
Grape Run Road	South	From the easterly curbline of Westerlea Avenue to a point 120 feet east
Grape Run Road	Both	From Westerlea Avenue to Mercer Street
Hagemount Avenue	West	From Lincoln Avenue to Rocky Brook Court
Harron Avenue	East	From Stockton Street to Morrison Avenue
Hutchinson Street	East	From Grant Avenue to Park Avenue
Joseph Street	East	From Stockton Street to Second Avenue
Leshin Lane	North	From a point 50' west of the western side of the driveway of 16 Leshin Lane to Westerlea Avenue
Leshin Lane	South	From a point 50' west of the western side of the driveway of 17 Leshin Lane to Westerlea Avenue
Lincoln Avenue	North	Between Hagemount Avenue and Hutchinson Street
Monmouth Street	North	From North Main Street to a point opposite the east curbline of Broad Street
Monmouth Street	South	From the east curbline of Manlove Avenue 652.67 feet east

Name of Street	Side	Location
Monmouth Street	South	From Pennsylvania Railroad to Broad Street
North Main Street	East	From the northerly curblineline of Franklin Street to a point 80 feet north
North Main Street	West	From a point 239.5 feet north of the north curblineline of Stockton Street to a point 242 feet north
North Main Street	North	From Monmouth Street to Sunset Avenue
North Main Street	South	From the Borough Line to Monmouth Street
<u>North Main Street</u>	<u>South</u>	<u>From Bank Street to a point 50 feet north</u>
Oak Lane	East	From Stockton Street to the north curblineline of Lincoln Avenue; thence from Lincoln Avenue for 397 feet north
Oak Lane	West	From the northerly curblineline of Stockton Street to a point 450 feet north
Outcalt Avenue	East	For a distance of 50 feet north or south of the First Avenue and Second Avenue intersections
Outcalt Street	West	From Rogers Avenue to Morrison Avenue
Park Avenue	South	From the westerly curblineline of Academy Street to a point 50 feet west
Pershing Avenue	West	From Grape Run Road to South Street
Purdy Street	East	From Bank Street to Reed Street
Railroad Avenue	East	From Stockton Street to Academy Street
Railroad Avenue	West	From Stockton Street to Rogers Avenue
Reed Street	North	From Mechanic Street to Rev. Powell Drive

Name of Street	Side	Location
Rev. Powell Drive	East	From Reed Street to Chamberlin Avenue
Rogers Avenue	North	From Stockton Street to Mercer Street
Second Avenue	North	From Outcalt Street to Joseph Street
Second Avenue	North	From Summit Street to Joseph Street
South Main Street	West	From Ward Street to Mercer Street
South Street	North	From Mercer Street to South Main Street
Stockton Street	North	From Mercer Street to South Main Street for 199 feet west
Stockton Street	South	From Main Street to the west curblin of Dutch Neck Road; thence on Dutch Neck Road for 624 feet
Ward Street	North	From Mercer Street to South Main Street
Ward Street	North	From the easterly curblin of South Main Street to a point 793.25 feet east
Ward Street	South	From the southeasterly curblin of Mercer Street to a point 57 feet east
Ward Street	South	From the easterly curblin of South Main Street to a point 2,241 feet east
Westerlea	West	Leshin Lane to Grape Run Road

5. That all other provisions of Article 7-1 of the Borough Code which are not referenced above shall remain unaffected/unchanged and remain shall in full force and effect.

6. 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.

7. 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.

8. That this Ordinance shall become effective upon final passage and publication in accordance with the law, following the receipt of any approvals deemed necessary by any other governmental agencies or authorities which may have jurisdiction over the matters set forth in the within Ordinance and the installation of proper signage by the Borough of Hightstown and/or the County of Mercer.

Introduction: June 5, 2023

Adoption: June 19, 2023

ATTEST:



MARGARET RIGGIO
MUNICIPAL CLERK



SUSAN BLUTH
MAYOR

DRAFT
MINUTES

Resolution 2023-128

*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 \$111,605.95 from the following accounts:

Current		\$94,958.91
W/S Operating		9,529.56
General Capital		375.08
Water/Sewer Capital		0.00
Grant		5,169.40
Trust		0.00
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Public Defender Trust		0.00
Escrow		<u>1,573.00</u>
Total		<u>\$111,605.95</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 June 19, 2023.


Margaret Riggio
Borough Clerk

Resolution 2023-129

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

ESTABLISHING PROCEDURES FOR PROJECTS AND EVENTS SPONSORED BY HIGHTSTOWN BOROUGH BOARDS AND COMMISSIONS

WHEREAS, Hightstown Borough flourishes due to the work of volunteers and our Boards and Commissions; and

WHEREAS, our Boards and Commissions are responsible for many of the projects and events throughout the year that make Hightstown the community it is; and

WHEREAS, while these events are run by our volunteers, protocols are required to be in place to fully protect Hightstown Borough and its residents; and

WHEREAS, Boards and Commissions must submit their proposed project or event in writing to the Borough Clerk and Borough Administrator at least 45 days prior to any event or start of any project; and

WHEREAS, the Borough Clerk and Borough Administrator will review the proposed project or event and work with the Board or Commission to ensure insurance and any other requirements are met; and

WHEREAS, following the review by the Borough Clerk and Borough Administrator, the event or project will be presented to Borough Council; and

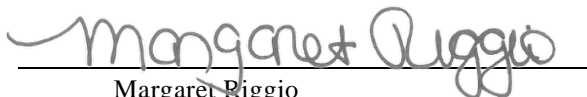
WHEREAS, upon the approval of the event or project, a formal resolution of approval or support will be adopted.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown, that the procedures for projects and events sponsored by Hightstown Borough Boards and Commissions as set forth herein be implemented immediately.

BE IT FURTHERED RESOLVED, that a certified copy of this Resolution be provided to all Hightstown Borough Boards and Commissions.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023



Margaret Riggio
Borough Clerk

Resolution 2023-130

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

RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ONE OR MORE NOTES RELATING TO THE CONSTRUCTION FINANCING LOAN PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK, TO BE ISSUED IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$710,000, PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTES TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTES BY THE BOROUGH IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE NEW JERSEY INFRASTRUCTURE BANK CONSTRUCTION FINANCING LOAN PROGRAM.

WHEREAS, the Borough of Hightstown, in the County of Mercer, New Jersey (the “Local Unit”), intends to undertake water and sewer improvements to Railroad Avenue, Dey Street, Hauser Avenue, Bennett Place and Prospect Drive for the water-sewer utility, including all work and materials necessary therefor and incidental thereto (collectively, the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the undertaking of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan (or loans) to be made by the I-Bank (collectively the “Construction Loan”) to the Local Unit, pursuant to the Construction Financing Loan Program of the I-Bank (the “Construction Financing Loan Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Loan Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to the Construction Financing Loan Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$710,000 (collectively the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note or Notes to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, on March 15, 2021 the Local Unit adopted bond ordinance #2021-03 (the “Local Unit Bond Ordinance”) pursuant to the provisions of the Local Bond Law;

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note or Notes to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note

or Notes to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with the provisions of the Local Bond Law, the Infrastructure Trust Act and the Local Unit Bond Ordinance, the Local Unit hereby authorizes the issuance, sale and award of the Notes in accordance with the provisions hereof. The obligations represented by the Notes have been appropriated and authorized by the Local Unit Bond Ordinance, at which time a quorum was present and acted throughout, all in accordance with the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, pursuant to the terms and conditions hereof, (i) the final principal amount of the Note or Notes (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note or Notes.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note or Notes by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note or Notes shall be as follows:

- (a) the aggregate principal amount of the Note or Notes to be issued shall be an amount not to exceed \$710,000;
- (b) the maturity of the Note or Notes shall be as determined by the I-Bank;
- (c) the interest rate of the Note or Notes shall be as determined by the I-Bank;
- (d) the purchase price for the Note or Notes shall be par;
- (e) the Note or Notes shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note or Notes;
- (f) the Notes shall each be issued in a single denomination and shall be numbered “CFP-2023-[_]”;
- (g) the Note or Notes shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note or Notes shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk; and
- (i) the Note or Notes may be issued in one or more series as may be deemed necessary by the I-Bank.

Section 5. The Notes shall be substantially in the form on file with the Local Unit Clerk, together with such additions, deletions and other modifications required by the I-Bank and agreed to by the Local Unit upon consultation with counsel and any advisors to the Local Unit, such determinations being conclusively evidenced by the execution of the Note or Notes by the

Authorized Officers (as defined herein).

Section 6. The law firm of McManimon, Scotland and Baumann, LLC is hereby authorized to arrange for the printing of the Note or Notes, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Loan Financing Program, to arrange for same.

Section 7. The Local Unit Mayor, Chief Financial Officer and Local Unit Clerk (each an “Authorized Officer”) of the Local Unit are each hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note or Notes and the participation of the Local Unit in the Construction Financing Loan Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note or Notes and the participation of the Local Unit in the Construction Financing Loan Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023



Margaret Riggio
Borough Clerk

Resolution 2023-131

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

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

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

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

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

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

**2023-2024 Plenary Retail Consumption License
License #1104-33-003-009
Fee: \$2,500.00**

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023.


Margaret Riggio
Borough Clerk

Resolution 2023-132

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

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

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

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

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

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

**2023-2024 Plenary Retail Distribution License
License #1104-44-002-011
Fee: \$2,500.00**

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-133

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

**AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE
#1104-32-001-007 WINE DEPOT CORPORATION, T/A JOE CANAL'S
DISCOUNT LIQUOR OUTLET**

WHEREAS, Wine Depot Corporation has made application to the Borough for renewal of their Plenary Retail Consumption License with Broad Package Privilege License #1104-32-001-007, together with the required fees; and

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

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

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

**2023-2024 Plenary Retail Consumption License with Broad Package Privilege
License #1104-32-001-007
Fee: \$2,500.00**

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-134

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

A RESOLUTION SUPPORTING THE SUMMER RECREATION PROGRAM AT DAWES PARK

WHEREAS, for over 50 years, Hightstown Borough has sponsored the Summer Recreation Program at Dawes Park for Hightstown resident children ages 7 and up; and


WHEREAS, this year's Summer Recreation Program will take place July 3, 2023 – August 11, 2023; and

WHEREAS, supervised by Recreation Director, Larry Gunnell, the daily program will offer organized games and sports, arts and crafts, a daily lunch, and weekly day trips.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support the Summer Recreation Program at Dawes Park and are thankful to Mr. Gunnell for the leadership that he provides to the youth of our community.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-135

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

A RESOLUTION SUPPORTING THEATRE IN THE PARK AT ASSOCIATION PARK

WHEREAS, since 2015, Hightstown Borough Cultural Arts Commission has supported Hightstown Theatre in the Park; and

WHEREAS Hightstown Theatre in the Park has introduced performing arts to the youth of the Hightstown Community in a safe and fun environment; and

WHEREAS, Hightstown Theatre in the Park will take place at Association Park June 26, 2023 – July 30, 2023.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support Hightstown Theatre in the Park and look forward to another successful season of performing arts in our community.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on June 19, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-136

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:

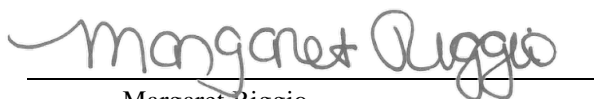
	<i>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	36,600.00	2,213,245.00	2,249,845.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	0.00	844,500.00	844,500.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	36,600.00	3,057,745.00	3,094,345.00

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

1. An emergency temporary appropriation is hereby made for each item listed on the schedules that are attached hereto and made a part hereof;
2. Each emergency appropriation listed will be provided for in the 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 June 19, 2023.



Margaret Riggio
Borough Clerk

Borough of Hightstown
Emergency Temporary
June 19, 2023

Admin	Salaries and Wages	10,000.00
Municipal Clerk	Salaries and Wages	6,000.00
Tax Assessor	Salaries and Wages	1,000.00
Legal	Other Expenses	5,000.00
Engineer	Other Expenses	4,000.00
Planning Board	Other Expenses	2,000.00
Emergency Mgt	Salaries and Wages	500.00
UFGA	Salaries and Wages	2,000.00
Buildings and Grounds	Salaries and Wages	3,000.00
Environmental Commission	Other Expenses	1,100.00
Maintenance of Parks	Salaries and Wages	2,000.00
		36,600.00

Meeting Minutes
Hightstown Borough Council
July 5, 2023
6:30 p.m.

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

The flag salute followed Roll Call.

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

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

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Montferrat; Seconded by Councilmember Jackson.

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

Agenda approved 4-0.

APPROVAL OF MINUTES

April 3, 2023 – Public Session & Executive Session

Moved by Councilmember Cicalese; Seconded by Councilmember Gulati.

Roll Call Vote: Councilmembers Cicalese, Gulati, Jackson voted yes. Councilmember Montferrat abstained

Minutes approved 4-0.

April 17, 2023 – Public Session

Moved by Councilmember Jackson; Seconded by Councilmember Gulati.

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

Minutes approved 4-0.

THIRD ROUND HOUSING ELEMENT & FAIR SHARE PLAN

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

Moved by Councilmember Montferrat; Seconded by Councilmember Jackson.

Brian Slaugh, Borough Planner, explained that the Planning Board adopted Third Round Housing Element & Fair Share Plan adopted in April. This establishes the Borough Affordable Housing obligation. Endorsement process is that the Governing Body endorses the plan that the Planning Board put into place. This will also establish a spending plan for the Affordable Housing Trust Fund. This fund is comprised of fees received from redevelopment and other areas. Affirmative Marketing Plan – Establishes the administration of the affordable housing plan. Administrative Agent – CGP&H. We will be expanding the scope of their current contract to be able to follow the plans that were adopted.

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

Resolution adopted 4-0.

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

Mr. Slaugh explained that CGP&H, is currently the Administrative Agent for Affordable Housing. This resolution expands the scope of work to enable CGP&H to administer the Affordable Housing Plan and Rehabilitation Plan set forth in the Third Round Housing Element & Fair Share Plan that has been adopted by the Planning Board and endorsed by the Borough Council.

Moved by Councilmember Cicalese; Seconded by Councilmember Jackson.

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

Resolution adopted 4-0.

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

Mr. Slaugh explained that the housing plan relies on the rezoning of some areas of the Borough to allow multifamily units. This provides the opportunity to add additional units to the Borough's affordable housing units. This does not mean that current owners must change their homes to multifamily units. The zoning is in place if the desire is there.

Moved for introduction by Councilmember Gulati; Seconded by Councilmember Cicalese

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

Ordinance introduced 6-0. Public Hearing Scheduled for August 7, 2023.

AREA IN NEED OF REDEVELOPMENT

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

Mr. Slaugh explained the Area in need of Redevelopment. Council requested Planning Board to look at an area Phase 3 of the Downtown Redevelopment Area. Tavern on the Lake, Wells Fargo bank and the First Baptist Church. Planning Board investigated properties to see if they met the criteria for an area in need of redevelopment. Mr. Slaugh investigated and found only the Wells Fargo Bank met the criteria. Planning Board agreed with the investigation and voted to recommend that this area be declared a non-condemnation area in need of redevelopment. Tavern on the Lake and the Baptist Church did not meet criteria. This resolution confirms that.

Moved by Councilmember Montferrat; Seconded by Councilmember Gulati.

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

Resolution adopted 4-0.

BUDGET 2023 – PUBLIC HEARING FOR THE 2023 BUDGET - POSTPONED

Mr. Lang explained that this year we have not been declared a self-exam municipality. The State must approve our introduced budget before we can adopt. The State is in need of additional documentation before they approve the introduced budget. The public hearing will be rescheduled

for July 17, 2023. We will not need estimated tax bills. August payment may be delayed.

PUBLIC COMMENT

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

Scott Caster, 12 Clover Lane – Mr. Caster offered support to Mayor and Council over 6 months ago. Spoke about the tax rate in Hightstown. There is no town in NJ that has a higher rate than Hightstown. NJ has the highest rate in the United States. There needs to be a transformative process in Hightstown. We are not spending too much money. We cannot give our residents a 12 cent increase year after year. He is available to speak to Council about the budget and how to fix it. Hightstown deserves more.

Jeff Epstein, 421 North Main Street – Spoke about the tax rate compared to tax rates in surrounding municipalities. He understands that there are no rateables. He proposes a financial committee be put into place so Hightstown can fix the tax rate problem. The Peddie School has the ability to do more for Hightstown. They have an enormous endowment that can help our town. We cannot just keep raising taxes. Spoke about truck traffic.

Eugene Sarafin, 628 South Main Street – Spoke about property taxes. Agrees that a committee should be put into place to come up with a solution. Suggested merging the communities or police department. Spoke against the Republican party. He also feels we need to regionalize schools in the State.

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

ORDINANCES

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

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

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

Ordinance introduced 4-0. Public Hearing Scheduled for July 17, 2023.

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

Moved for introduction by Councilmember Montferrat; Seconded by Councilmember Jackson.

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

Ordinance introduced 4-0. Public Hearing Scheduled for July 17, 2023.

RESOLUTIONS

Resolution 2023-140 Authorizing Payment of Bills

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

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

Resolution adopted 4-0.

CONSENT AGENDA

Councilmember Jackson moved Resolutions 2023-141; 2023-142; 2023-143 and 2023-144 as a Consent Agenda; Councilmember Gulati seconded.

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

Resolutions adopted 4-0.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Montferrat

Planning Board – Thanked Bev Asselstine and Matt Morgan for their work on the Master Plan. There will be table at Fun Friday next week to discuss the Master Plan with residents.

Councilmember Gulati

Housing Authority – They would like to investigate the cooperation agreement again. They have funds coming in from HUD. The Authority is in the process of making capital improvements. They will be replacing many pipes and just finished replacing the roofs

Mayor Bluth

Stockton Street – Curb and Sidewalk Improvements Oak Lane to 130. The pre-construction meeting with the contractor took place last week. Work will begin July 17th and the hope is that all work will be completed before the start of school. The County is scheduled to pave the

remainder of Stockton Street sometime after Labor Day.

She had a meeting with Congressman Kim regarding truck traffic. The meeting involved several Mayors of neighboring communities in which they all expressed frustration with truck traffic. Congressman Kim is suggesting the GPS directions be updated. There is no immediate solution.

Energy Tax Receipts – A joint letter from Mayors for restoration of Energy Tax Receipts was submitted to the Legislature. Municipal credits have not been fully restored in the State budget that was passed last Friday but the amount has doubled from last year's amount.

She does hear the public regarding taxes and forming a committee to investigate this matter. She will give this serious thought.

EXECUTIVE SESSION

Resolution 2023-145 Authorizing a Meeting that Excludes the Public

Moved by Councilmember Jackson; Seconded by Councilmember Cicalese.

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

Resolution adopted 4-0.

Council adjourned to executive session at 7:36 p.m.

Council returned to open session at 7:46 p.m.

ADJOURNMENT

Councilmember Jackson motioned to adjourn at 7:47 p.m.; Seconded by Councilmember Cicalese. All ayes.

Respectfully Submitted,

Margaret Riggio, RMC
Borough Clerk

Approved by Hightstown Borough Council: _____

Ordinances & Resolutions Hightstown Borough Council Meeting July 5, 2023

Ordinance 2023-11

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

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

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

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

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

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

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

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

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

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

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

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

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

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

in need of constant medical care or supervision and providing common dining and recreational facilities.

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

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

DWELLING, APARTMENT – See Multifamily dwelling.

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

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

FAMILY – See Housekeeping Unit.

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

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

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

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

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

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

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

dwellings.

- (e) Home occupation in accordance with the requirements of §28-10-6 and in addition to the prohibited uses listed in subparagraph -c therein, no funeral home, private school or professional office shall be permitted as a home occupation on the premises.
 - (f) Off-street surface parking; car sheds and detached garages for private residential use, only.
 - (g) Fences, walls and street furniture.
 - (h) Signs in accordance with §29.
 - (i) Large satellite dish antenna when approved as part of an application for development for providing common service to the residents of a development in accordance with the standards of §28-10-18.
 - (j) Small satellite dish antennae in accordance with the standards of §28-10-18.
 - (k) Accessory uses on the same lot and customarily incidental to the principal use.
- (3) Conditional Uses. The following uses shall be permitted when the criteria have been met for the site listed.
- (a) Multifamily use with a sub-district designation of 18 (R-MF18) shall be permitted when the following criteria have been met:
 - [1] New multifamily dwellings shall be added to the site by additions to the existing building or by the demolition and construction of new buildings in lieu of the construction of additions.
 - [2] The design of the additions shall have at a minimum a base made of comparable materials to the exterior of the existing buildings but may differ in the field materials above the base, and shall have a similar roof pitch, and roof design as the existing buildings. Fenestration shall mimic the spacing and opening size, to the degree permissible by the Uniform Construction Code, of the existing window and doors architecture.
 - [3] At least twenty percent (20%) of all housing units shall be affordable to low, including very low, and moderate income households as those terms are defined in the Borough's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). Such units may be established in existing multifamily units as such dwellings become vacant in a schedule as approved by the Borough's Administrative Agent for affordable housing.
 - (b) Uses permitted in §28-3-15, the DTG Downtown Gateway district, listed as -A(1)(c), -A(1)d, -A(1)f, -A(1)g and -A(1)k meeting the following criteria:
 - [1] Any such use shall front on State Highway Route 33.
 - [2] Any such use shall be located on the first floor only of a building.

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

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

- (a) For R-MF zoning districts without any sub-district designation, the maximum gross density

shall be twelve (12) dwelling units per acre.

- (b) For R-MF zoning districts with designated sub-district 14 (R-MF14), the maximum gross density shall not exceed fourteen (14) units per acre.
- (c) For R-MF zoning districts with designated sub-district 18 (R-MF18), the maximum gross density shall not exceed eighteen (18) units per acre.

(2) Maximum building coverage.

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

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

(4) Maximum building height.

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

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

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

Use	Townhouse	Community Building
Minimum lot size	1,800 sf.	4,000 sf.

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

N.P. = Not a permitted location

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

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

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

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

- (8) Minimum landscaped buffer adjacent to existing public streets and property lines - Ten (10) feet.
- D. Required Affordable Housing. In any R-MF district, at least twenty percent (20%) of the total number of dwellings shall be affordable to very low, low and moderate income households for for-sale development and at least fifteen percent (15%) for rental development. Affordable units shall be restricted, regulated and administered consistent with the Borough's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), including the Fair Housing Act's definition of very low-income households and all other provisions of Article XII, the Affordable Housing of this ordinance.
- E. Design Standards.
1. Multi-family buildings. The following standards shall be used in the design of multi-family buildings:
 - a. A minimum of one hundred twenty (120) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.
 - b. Access to dwellings shall be designed to provide a sense of safety and security for the residents, particularly in internal stairwells.
 - c. All stairs shall be enclosed in the building.
 - d. The exterior of the building shall be designed to visually break up any facade in excess of one hundred (100) lineal feet through the use of, but not limited to, changes in materials, fenestration, porticos and porches.
 - e. The design should distinguish between the base, middle, and top of the building.
 - f. Where an outdoor living space is proposed, adequate visual screening from all other neighboring dwellings, outdoor living spaces, parking areas and roadways shall be provided. Screening may be accomplished with plant materials, masonry structures or wood fencing a minimum of five (5) feet in height. Architectural elements, such as masonry walls and fences, shall be similar in both style and materials with the dwelling.
 - g. All utility meters or boxes, air compressors, heat pumps, or other exterior equipment shall be located at the side or rear of buildings and shall be screened by architectural elements or landscape plantings.
 2. Townhouses. The following standards shall be used in the design of townhouse and stacked townhouse buildings:
 - a. A minimum of one hundred fifty (150) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.
 - b. The exterior of the building shall be designed to visually break up any facade in excess of one hundred (100) lineal feet through the use of, but not limited to, changes in materials, fenestration, porticos and porches.
 - c. Chimneys, skylights, dormers, and other roof structures are encouraged, but not required, to vary the elevation and provide additional light into the upper story or half story of dwellings.
 - d. Where an outdoor living space is included for a unit, it shall be provided with adequate visual screening from all other neighboring dwellings, outdoor living spaces, parking areas and roadways. Screening may be accomplished with plant materials, masonry structures or wood fencing a minimum of five (5) feet in height. Architectural elements, such as masonry walls and

fences, shall be compatible in both style and materials with the dwelling unit.

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

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

R-MF	Block 11; Lots 17.01, 17.02 and 19.01 (Broad and Monmouth) Block 40, Lot 20 (216-222 Academy St.) Block 61.01; part Lots 44 and 45 (Rt. 33, as depicted on the Affordable Housing Sites Map)
R-MF14	Block 24, Lot 9 (278 Monmouth St.) Block 24, Lots 5, 6 and 24 (115 Manlove Ave., and 315 Franklin St.) Block 24, Lot 7 (265 Franklin St.) Block 24, Lot 15 (Franklin St.) Block 61.01, Lot 25 (319 Mercer St.)
R-MF18	Block 55, Lot 74 (25 Westerlea Ave.)

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

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

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

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

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

Introduction:

Adoption:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Ordinance 2023-12

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$428,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$407,600 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$428,000, and further including the aggregate sum of \$20,400 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$407,600 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

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

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

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

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

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.97 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$407,600, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$9,600 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

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

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

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

Introduction:

Adoption:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Ordinance 2023-13

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS WATER- SEWER UTILITY IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$130,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,800 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$130,000, and further including the aggregate sum of \$6,200 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by the Water-Sewer Utility Capital Account.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$123,800 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

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

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

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$123,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

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

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

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

Introduction:

Adoption:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Draft
Minutes

Resolution 2023-137

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

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

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

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

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

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

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

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

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

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

2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds;
5. A schedule for the expenditure of all affordable housing trust funds;
6. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public-sector or nonprofit construction of housing;
7. A plan to spend the trust fund balance in accordance with the implementation schedule within the Spending Plan and approved by a settlement agreement;
8. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan; and
9. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

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

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

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

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

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

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

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

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

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

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

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

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

CERTIFICATION

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



Margaret Riggio
Borough Clerk

Resolution 2023-138

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

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

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

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

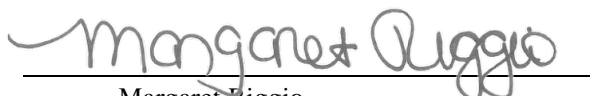
WHEREAS, the amendment to the current contract includes the establishment and administration a Municipal Affordability Assistance Program; the establishment and administration of a Municipal Housing Rehabilitation Program and additional services when needed, as detailed in Amendment No. 1 attached hereto;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

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

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

CERTIFICATION

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



Margaret Riggio
Borough Clerk

Resolution 2023-139

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

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

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

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

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

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

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

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

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

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

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

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

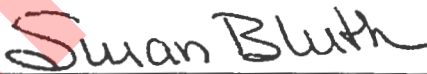
BE IT FURTHER RESOLVED, that the Mayor and Council accepts the recommendation of the Planning Board and hereby designates the properties identified as Block 28, Lots 51-53 on the official tax maps of the Borough (hereinafter, the "Redevelopment Area") as an non-condemnation area in need of redevelopment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

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

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

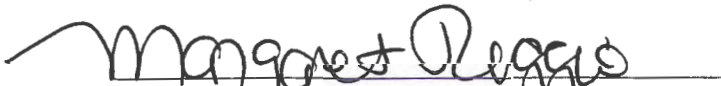
BE IT FURTHER RESOLVED, that the Borough Clerk, or her designee, is hereby directed to serve within ten (10) days a copy of this Resolution upon all record owners of property located within the Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person, if any,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

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



HON. SUSAN BLUTH, MAYOR

ATTEST:


MARGARET RIGGIO, BOROUGH CLERK

CERTIFICATION

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

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

Resolution 2023-140

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

AUTHORIZING PAYMENT OF BILLS

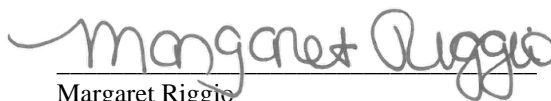
WHEREAS, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the bills be paid on audit and approval of the Borough Administrator, the appropriate Department Head and the Treasurer in the amount of \$1,339,567.20 from the following accounts:

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

CERTIFICATION

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


Margaret Riggio
Borough Clerk

Resolution 2023-141

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

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

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

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

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

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

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

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


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

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

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

CERTIFICATION

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



Margaret Riggio
Borough Clerk

Draft
Minutes

Resolution 2023-142

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

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


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

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

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

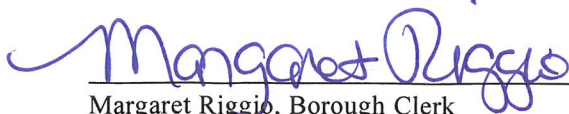
CERTIFICATION

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


Margaret Riggio
Borough Clerk

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

ATTEST and AFFIX SEAL


Margaret Riggio, Borough Clerk


Susan Bluth, Mayor

Resolution 2023-143

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

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

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

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

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

CERTIFICATION

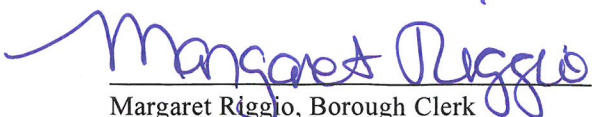
I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 5, 2023



Margaret Riggio
Borough Clerk

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

ATTEST and AFFIX SEAL



Margaret Riggio, Borough Clerk



Susan Bluth, Mayor

Resolution 2023-144

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS PRIOR TO ADOPTION OF THE 2023 BUDGET

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

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

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

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

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

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

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

CERTIFICATION

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


Margaret Riggio

Borough Clerk

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

SCHEDULE "A"

Current Fund

Mayor and Council	Other Expenses	1,100.00
Tax Collector	Salaries and Wages	6,000.00
Tax Assessor	Salaries and Wages	1,000.00
Engineer	Other Expenses	6,000.00
Police	Salaries and Wages	40,000.00
Emergency Mgt	Salaries and Wages	500.00
Board of Health	Salaries and Wages	5,000.00
Buildings and Grounds	Salaries and Wages	3,000.00
Enviromental Commission	Other Expenses	600.00
Maintenance of Parks	Salaries and Wages	3,000.00
Telephone	Other Expenses	4,000.00
Construction Code	Salaries and Wages	12,000.00
Housing	Salaries and Wages	4,000.00
EMS Services - Robbinsville	Other Expenses	8,000.00
EMS Dispatch - County	Other Expenses	4,810.00
		<hr/>
		99,010.00
Water-Sewer Utility Fund		
Salaries and Wages		20,000.00
Other Expenses		<hr/>
		50,000.00
		<hr/>
		70,000.00

Resolution 2023-145

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

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

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

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

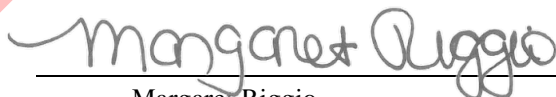
Attorney Client Privilege

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public October 5, 2023, or when the need for confidentiality no longer exists.

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

CERTIFICATION

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



Margaret Riggio
Borough Clerk

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

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

The flag salute followed Roll Call.

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

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

The Flag Salute followed roll call.

APPROVAL OF AGENDA

Moved by Councilmember Montferrat; Seconded by Councilmember Jackson.

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

Agenda approved.

BUDGET 2023 – PUBLIC HEARING

The CFO explained that the public hearing for the budget is postponed to August 7th meeting. The introduced budget has not been approved by the State. He is still in the process of submitting additional documents. He believes we will be able to adopt at the next meeting. The

Borough Clerk stated that once the approved introduced budget is received from the State, it will be posted on the website.

PUBLIC COMMENT

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

Scott Caster, 12 Clover Lane – Thank you for addressing the budget adoption. Asked for a more vigorous attempt at lowering taxes. We need to address the budget assertively. Why are property values being lowered? What is the town assessed at? Why are values going up or down? We need to address this.

Matt Morgan, 123 Orchard Ave – Commented on last week's budget discussion. Sitting at the budget workshop meetings he feels that Council did the best they could with what was presented to them. He understands that people will be upset with the tax increase. Asked if there was a long-term plan in place to address tax increases.

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

ORDINANCES

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

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

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

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

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

Ordinance adopted 4-0.

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

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

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

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

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

Ordinance adopted 4-0.

RESOLUTIONS

Resolution 2023-146 Authorizing Payment of Bills

Moved by Councilmember Fowler; Seconded by Councilmember Frantz.

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

Resolution adopted 4-0.

CONSENT AGENDA

Councilmember Jackson moved Resolutions 2023-147; 2023-148; 2023-149; 2023-150 and 2023-151 as a Consent Agenda; Councilmember Frantz seconded.

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

Resolutions adopted 4-0.

DISCUSSION

Observation of Juneteenth 2024

Mayor Bluth stated that many towns are adding Juneteenth to their official holidays. She thinks this is an important holiday and that Hightstown should start celebrating this. She proposes celebrating this and that we follow the State observation which will be the 3rd Friday in June. Discussion ensued. Council unanimously agreed to add Juneteenth to the Borough holiday schedule starting in 2024.

MAYOR/COUNCIL/ADMINISTRATIVE REPORTS

Councilmember Fowler

Downtown Hightstown and the Historical Society have brought back the walking tour. Tickets are on sale now. Visit Downtown Hightstown's Facebook page for more information.

Councilmember Frantz

Environmental Commission meeting was cancelled last month.

Councilmember Jackson

HPC will meet this Thursday at 6:30 via zoom. Information is on the Borough website.

Construction on the Stockton Street sidewalks starts this week. The road will be closed during work hours until about Labor Day.

Mayor Bluth

Thanked Council for adding Juneteenth to the Borough holiday calendar. She feels this is an important day.

The FEMA Water Plant project from Hurricane Irene is almost closed. The Borough Administrator has been working to get this finalized. She thanked Mr. Musing for his hard work and diligence in closing out this project.

She will be looking into the property values in the Borough.

PRC recently completed a minor subdivision that was needed for approval from Planning Board.

ADJOURNMENT

Councilmember Montferrat moved to adjourn at 6:51 p.m.; Councilmember Fowler seconded. All ayes.

Respectfully Submitted,

Margaret Riggio, RMC
Borough Clerk

Approved by Hightstown Borough Council: _____

Ordinances & Resolutions Hightstown Borough Council Meeting July 17, 2023

Ordinance 2023-12

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$428,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$407,600 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$428,000, and further including the aggregate sum of \$20,400 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$407,600 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

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

1) The acquisition of firearms and holsters, including all related costs and expenditures incidental thereto.			
2) The acquisition of a sport utility vehicle, including all related costs and expenditures incidental thereto.	\$86,000	\$81,902	5 years
3) The acquisition and installation of speed signs, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$20,500	\$19,522	10 years

b) Administration Department

The acquisition of a copier/printer, including all related costs and expenditures incidental thereto.	\$15,500	\$14,760	5 years
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c) Fire Department

1) Upgrades to radios, defibrillator replacements, self-contained breathing apparatus upgrades/replacements and the acquisition of turnout gear and iPads and mounts for trucks, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$97,400	\$92,760	5 years
2) The acquisition and installation of a hydrant and standpipe connection interface, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$6,200	\$5,902	15 years

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

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

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.97 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$407,600, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$9,600 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

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

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

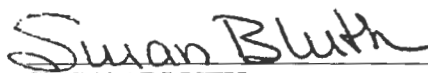
Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: July 5, 2023

Adoption: July 17, 2023

ATTEST:


MARGARET RIGGIO
MUNICIPAL CLERK


SUSAN BLUTH
MAYOR

Ordinance 2023-13

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

BOND ORDINANCE PROVIDING FOR VARIOUS WATER- SEWER UTILITY IMPROVEMENTS IN AND BY THE BOROUGH OF HIGHTSTOWN, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$130,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$123,800 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Hightstown, in the County of Mercer, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$130,000, and further including the aggregate sum of \$6,200 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by the Water-Sewer Utility Capital Account.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$123,800 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

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

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

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

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

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

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

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

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$123,800, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

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

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

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


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


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

Introduction: July 5, 2023

Adoption: July 17, 2023

ATTEST:


MARGARET RIGGIO
MUNICIPAL CLERK


SUSAN BLUTH
MAYOR

Draft
Minutes

Resolution 2023-146

*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 \$92,836.93 from the following accounts:

Current	\$80,626.65
W/S Operating	9,639.87
General Capital	0.00
Water/Sewer Capital	0.00
Grant	0.00
Trust	0.00
Unemployment Trust	4.91
Animal Control	0.00
Law Enforcement Trust	0.00
Tax Lien Trust	0.00
Housing Trust	42.50
Public Defender Trust	0.00
Escrow	<u>2,523.00</u>
Total	<u>\$92,836.93</u>

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 17, 2023.


Margaret Riggio
Borough Clerk

Resolution 2023-147

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

**AUTHORIZING PAYMENT NO. 1– BLACK ROCK ENTERPRISES,
LLC. - IMPROVEMENTS TO HAUSSEY AVENUE, BENNETT PLACE,
AND PROSPECT DRIVE**

WHEREAS, on March 20, 2023, the Borough Council awarded a contract for the Improvements to Haussey 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. 1 in the amount of \$222,322.15, for partial payment through June 22, 2023; and

WHEREAS, the Borough Engineer has recommended approval of Payment Request No. 1 to the contractor in the amount of \$222,322.15.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request No. 1 to Black Rock Enterprises, LLC, of Old Bridge, New Jersey for \$222,322.15 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 July 17, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-148

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

**AUTHORIZING PAYMENT #2 – FINAL AND CHANGE ORDER #2– S.
BROTHERS – IMPROVEMENTS RAILROAD AVENUE, DEY
STREET, CENTER STREET AND SOUTH ACADEMY STREET**

WHEREAS, on November 21, 2021, the Borough Council awarded a contract for the Improvements Railroad Avenue, Dey Street, Center Street and South Academy Street to S. Brothers, Inc., of South River, New Jersey at the price of \$573,798.00; and

WHEREAS, the contractor has submitted Change Order No. 2 which includes replacement of existing galvanized water services pursuant to Resolution 2022-218 in the amount of \$54,430.48; and

WHEREAS, the contractor has submitted a request for payment No. 2 in the amount of \$128,638.41, for final payment; and

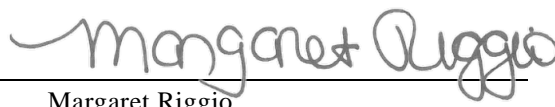
WHEREAS, the Borough Engineer has recommended approval of Change Order No.2; and

WHEREAS, the Borough Engineer has recommended the contract be accepted, closed out and final payment be made to S. Brothers, Inc. in the amount of \$128,638.41 subject to the approval of the closeout documents by the Borough Attorney.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Change Order No. 2 and Payment Request No. 2- Final to S. Brothers, Inc., of South River, New Jersey for \$128,638.41, 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 July 17, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-149

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

A RESOLUTION NATIONAL SUPPORTING NIGHT OUT

WHEREAS, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live;

WHEREAS and National Night Out enhances the relationship between neighbors and law enforcement while bringing back a true sense of community; and

WHEREAS, this year's National Night out will take place, Tuesday, August 1, 2023, from 6:00 p.m. – 8:30 p.m. at Association Park.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown support National Night Out in Hightstown Borough and look forward continuing the tradition of celebrating our police officers and the community.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 17, 2023.



Margaret Riggio
Borough Clerk

Resolution 2023-150

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

RESOLUTION AUTHORIZING EMERGENCY PURCHASE PURSUANT TO NJSA 40A:11-6

WHEREAS, an emergency had arisen at the Advanced Waste Water Treatment Plant (AWWTP) regarding disposal of sludge; and

WHEREAS, the rotary fan press, which processes liquid sludge into a cake form has broke down and is non operational forcing a contract for removal of liquid sludge; and

WHEREAS, a certification of an imminent hazard was received from the Borough Engineer; and

WHEREAS, the Superintendent of the AWWTP secured the services of Spectraserv of South Kearny, New Jersey to transport and dispose of liquid sludge at a cost of \$0.18 per gallon; and

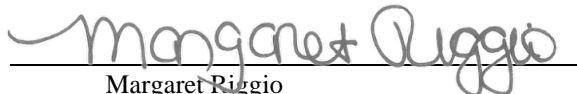
WHEREAS, N.J.S.A. 40A:11-6 authorizes that any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the CFO has certified availability of funds for this contract.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that an emergency contract is hereby awarded to Spectraserve of South Kearny, New Jersey for the emergency services as detailed herein.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 17, 2023.


Margaret Riggio
Borough Clerk

CERTIFICATION OF FUNDS

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

Account #	Appropriation Title	Amount
3-09-55-501-002-538	Sludge Removal	\$0.18/gallon


George Lang

George Lang, CFO

07/14/2023
DATE

Resolution 2023-151

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>THIS RESOLUTION</i>	<i>PREVIOUS TOTAL</i>	<i>CUMULATIVE TOTAL</i>
Current	447,219.00	2,348,855.00	2,796,074.00
Capital Outlay – Current	0.00	0.00	0.00
Debt Service - Current	0.00	0.00	0.00
Water/Sewer	216,981.00	914,500.00	1,131,481.00
Capital Outlay – W/S	0.00	0.00	0.00
Debt Service - W/S	0.00	0.00	0.00
TOTAL	664,200.00	3,263,355.00	3,927,555.00

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

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on July 17, 2023.

**Borough of Hightstown
Emergency Temporary
July 17, 2023**

"SCHEDULE A"

Current Fund

Administration	Salaries and Wages	15,000.00
Mayor and Council	Other Expenses	300.00
Municipal Clerk	Salaries and Wages	12,000.00
Office Supplies	Other Expenses	2,000.00
Financial Administration	Salaries and Wages	5,000.00
Data Processing	Other Expenses	10,000.00
Tax Collector	Salaries and Wages	8,000.00
Tax Collector	Other Expenses	1,000.00
Tax Assessor	Salaries and Wages	1,000.00
Tax Assessor	Other Expenses	500.00
Planning	Other Expenses	4,000.00
General Liability	Other Expenses	11,000.00
Workers Compensation	Other Expenses	22,169.00
Police	Salaries and Wages	120,000.00
Police	Other Expenses	40,000.00
Fire	Other Expenses	5,000.00
Board of Health	Salaries and Wages	5,000.00
Buildings and Grounds	Salaries and Wages	4,000.00
Buildings and Grounds	Other Expenses	40,000.00
Recycling	Salaries and Wages	20,000.00
Recycling	Other Expenses	15,000.00
Maintenance of Parks	Salaries and Wages	3,000.00
Maintenance of Parks	Other Expenses	1,000.00
Recreation and Open Space	Salaries and Wages	10,000.00
Recreation and Open Space	Other Expenses	10,000.00
Celebration of Public Events	Other Expenses	3,000.00
Telephone	Other Expenses	2,000.00
Landfill	Other Expenses	40,000.00
Construction Code	Salaries and Wages	10,000.00
Housing	Salaries and Wages	6,000.00
Social Security	Other Expenses	8,000.00
Animal Control-Manalapan	Other Expenses	2,250.00
Landfill Disposal-Roosevelt	Other Expenses	6,000.00
Vehicle Maintenance-Robbinsville	Other Expenses	5,000.00

447,219.00

Water-Sewer Utility Fund

Salaries and Wages	30,000.00
Other Expenses	60,000.00
Social Security	5,000.00
NJEIT Loan Payments	121,981.00

216,981.00

Ordinance 2023-17

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

**AN ORDINANCE FURTHER 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, on September 25, 2023, the Mayor and Council of the Borough adopted Ordinance 2023-16 in order to revise Section 25 of the Borough Code, so as to comply with the new regulations; and

WHEREAS, since that time, the Mayor and Council have determined that certain limited additional revisions are needed, as set forth in the within Ordinance.

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 further amended and supplemented in the following respects (additions shown with underline were approved via Ordinance 2023-16; deletions shown with ~~striketrough~~ were also approved via Ordinance 2023-16; additions and/or deletions shown with underline or ~~striketrough~~ and also with **highlight** are proposed via the within Ordinance):

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, and also to establish maintenance and repair requirements for existing Stormwater Management BMP's, as also 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.~~ This chapter shall also be applicable to all existing Stormwater Management BMP's

- (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}~~ **September 5, 2023**, shall be subject to the stormwater management requirements in effect on ~~{1 day prior to the adoption date of this ordinance}~~ **September 4, 2023**.

- (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 § **25-1-4O**, 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 § **25-1-4O**, P, Q and R to the maximum extent practicable;
 - (3) The applicant demonstrates that, in order to meet the requirements of § **25-1-4O**, 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 § **25-1-4O**, 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 § **25-1-4O**, 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://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.

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

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)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

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

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	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~~[F](#)eet or ~~L~~[L](#)atitude and ~~L~~[L](#)ongitude 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.

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

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

- (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 ~~two2-~~, ~~ten10-~~, 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 ~~two2-~~, ~~ten10-~~, 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~~²-, ~~ten~~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://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, 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/gsreport/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; 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 <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://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

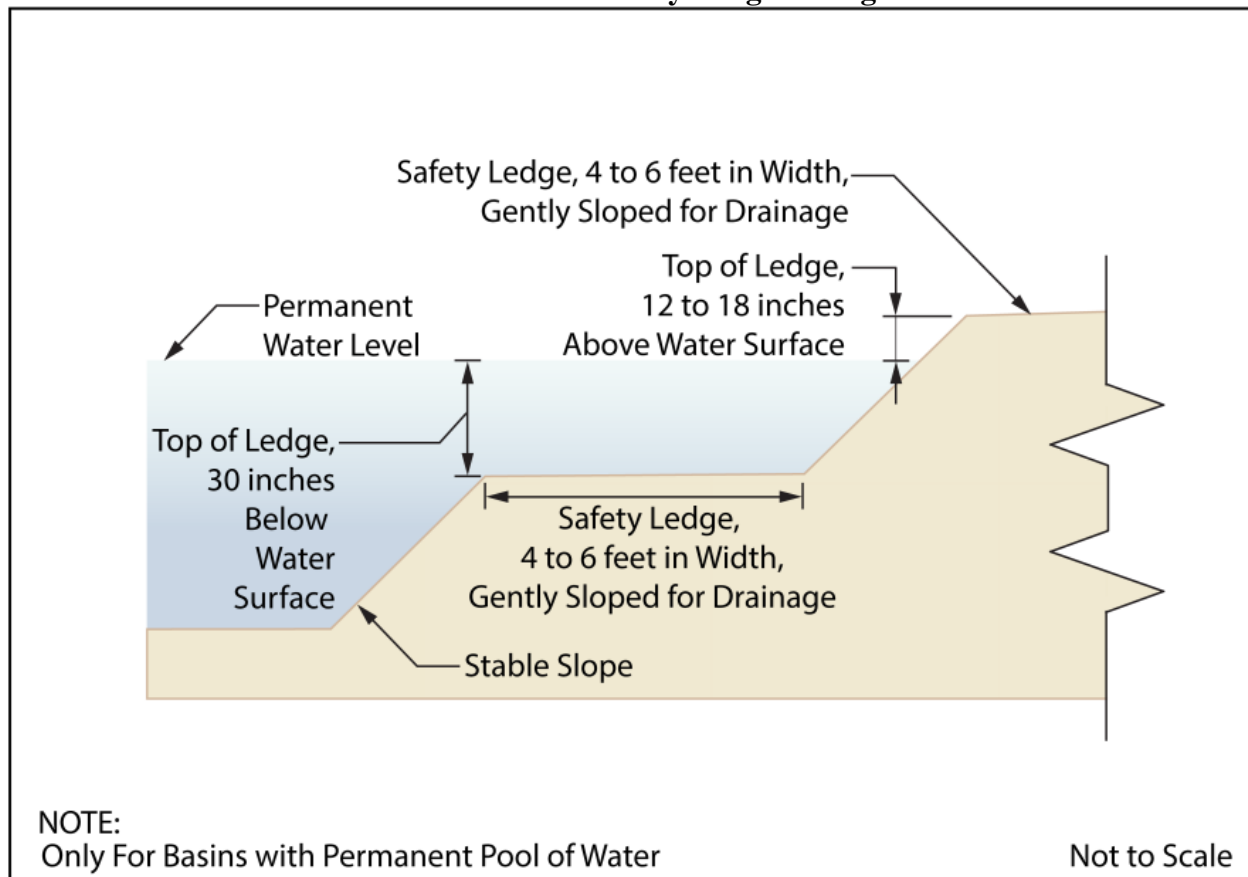
stormwater management BMPs to be retrofitted to meet one or more of the safety standards in § 25-1-8C(1), (2) and (3) for trash racks, overflow grates, and escape provisions at outlet structures.

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 ~~46~~ 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. For existing Stormwater Management BMP's, a professional engineer shall prepare an operation and maintenance plan for the stormwater management measures incorporated into the existing stormwater management facilities.
- (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. **;**
 - (d) Obtain a stormwater maintenance permit from the Borough Engineer by June 30th of each year; and**
 - (e) On an annual basis submit to the Borough Engineer a maintenance and inspection report and certification on a form approved by the Borough Engineer with all required maintenance logs.**
- (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.*~~

[A 2 \(two\) year maintenance guarantee in accordance with N.J.S.A. 40:55D-53 is required for all stormwater management facilities incorporated 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. The person responsible for maintenance identified under § 25-1-10B above shall submit an annual inspection report prepared by a professional engineer licensed in New Jersey or a New Jersey certified stormwater inspector to the Borough Engineer by June 30th of each year. The inspection report and log shall include and not be limited to:**

- (a) Detention basin outflow structures, escape provisions as outlined in N.J.A.C. 7:8-6.2 and all components;
- (b) Vegetation;
- (c) Trash racks and overflow grates;
- (d) Embankment erosion; and
- (e) Sediment removal and pond maintenance.

~~(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.~~

(10) Copies of checklist requirements for various Stormwater Management BMP's shall be available from the Borough Clerk.

- C. Nothing in this subsection shall preclude the municipality in which the major development or existing Stormwater Management BMP 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.

A. Any person(s) who erects, constructs, alters, repairs, converts, maintains, fails to maintain or uses any building, structure or land in violation of this chapter, or who otherwise has not complied in any respect with the requirements of this chapter, shall be subject to the following penalties for each offense: Any and all penalties as set forth in Chapter 1, Article 1-5, of the Revised General Ordinances of the Borough of Hightstown.

B. Each act or violation, and every day upon which any violation shall occur or continues to occur, shall constitute a separate offense.

C. In addition to the penalties prescribed by § 25-1-11A and B above, in the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the Borough engineer or his or her 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 may immediately proceed to do so and shall bill the cost thereof, along with any professional fees or other costs incurred by the municipality associated with maintenance and repair activities, to the responsible person. Nonpayment of such bill(s) may result in the imposition of a lien against the property.

§ 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.

Introduced:

Adopted:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Resolution 2023-195

*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 \$481,362.85 from the following accounts:

Current		\$238,963.41	
W/S Operating		20,479.59	
General Capital		201,836.86	
Water/Sewer Capital		16,880.00	
Grant		79.50	
Trust		0.00	
Unemployment Trust		0.00	
Animal Control		0.00	
Law Enforcement Trust		0.00	
Tax Lien Trust		1,425.99	
Housing Trust		0.00	
Public Defender Trust		0.00	
Escrow		<u>1,697.50</u>	
Total		<u>\$481,362.85</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 October 16, 2023.

Margaret Riggio
Borough Clerk

Date: October 16, 2023

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 10/16/23

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
PSE&G	9/27/2023	23-01185	36052	\$ 166.04
EAST WINDSOR TOWNSHIP	9/28/2023	23-01222	36053	\$ 144,582.02
J.P.MORGAN CHASE BANK	10/2/2023	23-01232	1585	\$ 57,600.00
JANINE KRUPA	10/3/2023	23-01239	36101	\$ 2,364.82

TOTAL	<u>\$ 204,712.88</u>
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WATER AND SEWER OPERATING

PSE&G	9/27/2023	23-01185	36052	\$ 20.23
J.P.MORGAN CHASE BANK	10/2/2023	23-01232	1404	\$ 9,187.50
STATE OF NJ-SFWTR	10/3/2023	23-01238	36100	\$ 472.38
ZEP SALES	10/4/2023	23-00924	36102	\$ 1,052.73

TOTAL	<u>\$ 10,732.84</u>
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ESCROW

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

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

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

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

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

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

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

PRO CAP 8, LLC	10/11/2023	23-01280	\$ 1,425.99
TOTAL			<u>\$ 1,425.99</u>

GENERAL CAPITAL

SEACOAST CONSTRUCTION	10/4/2023	23-01212	6561	\$ 201,836.86
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TOTAL	<u>\$ 201,836.86</u>
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WATER AND SEWER CAPITAL

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

<u>\$ 418,708.57</u>

P.O. Type: All		Include Project Line Items: Yes				Open: N	Paid: N	Void: N			
Range: First		to Last				Rcvd: Y	Held: Y	Aprv: N			
Format: Detail without Line Item Notes						Bid: Y	State: Y	Other: Y	Exempt: Y		
Vendors: All		Include Non-Budgeted: Y									
Rcvd Batch Id Range: First		to Last									
Vendor #	Name										
PO #	PO Date	Description	Contract	PO Type			First	Rcvd	Chk/Void		1099
Item Description		Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
ACTIO010 ACTION UNIFORM CO, LLC											
23-00209 02/16/23 UNIFORM ALLOWANCE - MILLER											
1	UNIFORM ALLOWANCE - MILLER	258.99	3-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	02/16/23	10/11/23		51847	N
2	CLASS A HAT NAVY INV 54624	138.00	3-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	10/10/23	10/11/23		54624	N
		396.99									
23-00424 04/04/23 CLOTHING ALLOWANCE - NEW HIRE											
1	CLOTHING ALLOWANCE - NEW HIRE	2,724.93	3-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	04/04/23	10/11/23		53019	N
23-01016 08/09/23 CLOTHING ALLOWANCE - JIMENEZ											
1	CLOTHING ALLOWANCE - JIMENEZ	452.00	3-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R	08/09/23	10/11/23		54558	N
Vendor Total:		3,573.92									
A0025 AT&T MOBILITY											
23-01249 10/04/23 INV 287298218043X09282023											
1	INV 287298218043X09282023 WTP	89.40	3-09-55-501-003-545	B	Telephone-W/S-VERIZON	R	10/04/23	10/11/23		X09282023	N
2	INV 287298218043X09282023 HPD	389.38	3-01-31-440-001-079	B	Telephone-VERIZON WIRELESS	R	10/04/23	10/11/23		X09282023	N
3	INV 287298218043X09282023 DPW	188.88	3-01-31-440-001-079	B	Telephone-VERIZON WIRELESS	R	10/04/23	10/11/23		X09282023	N
4	INV 287298218043X09282023 FIRE	82.94	3-01-25-256-002-094	B	Computer Service,Support & Software	R	10/04/23	10/11/23		X09282023	N
5	INV 287298218043X09282023 FIRE	114.72	3-01-25-252-002-029	B	Computer Software/Mntc/Equip	R	10/04/23	10/11/23		X09282023	N
6	INV 287298218043X09282023	36.92	3-09-55-501-003-545	B	Telephone-W/S-VERIZON	R	10/04/23	10/11/23		X09282023	N
		902.24									
Vendor Total:		902.24									
CGPH0005 CGP&H											
23-01189 09/25/23 AFFORDABLE HOUSING JULY/AUG											
1	AFFORDABLE HOUSING JULY/AUG	468.60	3-01-21-180-001-108	B	COAH Planning	R	09/25/23	10/11/23		48165	N
Vendor Total:		468.60									

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First	Rcvd	Chk/Void	1099	
Item	Description	Amount	Charge Account	Acct Type Description				Enc Date	Date	Date	Invoice	Exc
C0058 CINTAS CORPORATION #061												
23-01174 09/15/23 UNIFORM ADVANTAGE AUGUST 2023												
1	INV 4163687458 8/4/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		09/15/23	10/11/23			4163687458	N
2	INV 4164404127 8/11/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		09/15/23	10/11/23			4164404127	N
3	INV 4165085158 8/18/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		09/15/23	10/11/23			4165085158	N
4	INV 4165812485 8/25/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		09/15/23	10/11/23			4165812485	N
5	INV 4166429573 8/31/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		09/15/23	10/11/23			4166429573	N
		284.95										
23-01246 10/04/23 UNIFORM ADVANTAGE SEPT 2023												
1	INV 4167158670 9/8/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		10/04/23	10/11/23			4167158670	N
2	INV 4167914385 9/15/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		10/04/23	10/11/23			4167914385	N
3	INV 4168666436 9/22/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		10/04/23	10/11/23			4168666436	N
4	INV 4169347939 9/29/23	56.99	3-09-55-501-002-507	B Uniforms & Safety Equipment	R		10/04/23	10/11/23			4169347939	N
		227.96										
Vendor Total:		512.91										
CLARK005 CLARKE CATON HINTZ												
23-01223 09/28/23 Zoning Ordinance Amendments												
1	Prepare/Revise Exhibit/Plan	72.00	3-01-21-180-001-105	B General Planning-Consulting	R		09/28/23	10/11/23			87258	N
23-01235 09/29/23 Prof. services through 7/28/23												
1	Review & appear at Council Mtg	552.50	3-01-21-180-001-108	B COAH Planning	R		09/29/23	10/11/23			87624	N
2	Review & appear at Council Mtg	913.85	3-01-21-180-001-108	B COAH Planning	R		09/29/23	10/11/23			87466	N
3	Review & appear at Council Mtg	913.85	3-01-21-180-001-108	B COAH Planning	R		09/29/23	10/11/23			87466	N
		552.50										
23-01243 10/03/23 Prof. sevices through 7/28/23												
2	Prep & Appear at PB Mtg 5/8/23	855.04	2022-07	P Bulk Variance	R		10/03/23	10/11/23			86752	N
3	Prep & Appear at PB Mtg 5/8/23	855.04	2022-07	P Bulk Variance	R		10/03/23	10/11/23			86752	N
4	Prep & Appear at PB Mtg 5/8/23	685.04	2022-07	P Bulk Variance	R		10/03/23	10/11/23			87468	N
5	Prep & Appear at PB Mtg 5/8/23	685.04	2022-07	P Bulk Variance	R		10/03/23	10/11/23			87468	N
6	Prep & Appear at PB Mtg 5/8/23	649.50	2022-07	P Bulk Variance	R		10/03/23	10/11/23			87468	N
		649.50										
Vendor Total:		1,274.00										

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First	Rcvd	Chk/Void	1099
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Excl
CONCE005 CONCENTRA MEDICAL CENTERS											
23-01182	09/19/23 FOLLOW UP N. MITCHELL	9/20/23									
1	FOLLOW UP N. MITCHELL	9/20/23	93.00	3-01-26-290-001-093	B Employee Physicals/Drug Tests	R	09/19/23	10/11/23		515903303	N
Vendor Total:		93.00									
COREM005 CORE & MAIN LP											
23-01226	09/29/23 ANNUAL LOGIC & SENSUS FEE										
1	ANNUAL LOGIC & SENSUS FEE	16,880.00	C-08-55-976-001-541	B	WATER METERS AND RELATED SOFTWARE	R	09/29/23	10/11/23		T654981	N
2	ANNUAL LOGIC & SENSUS FEE	16,880.00	C-08-55-976-001-541	B	WATER METERS AND RELATED SOFTWARE	R	09/29/23	10/11/23		T526404	N
3	SENSUS S50 ANNUAL MAINT FEE	3,517.00	C-08-55-976-001-541	B	WATER METERS AND RELATED SOFTWARE	R	09/29/23	10/11/23		T526404	N
4	ANNUAL LOGIC & SENSUS FEE	16,880.00	C-08-55-976-001-541	B	WATER METERS AND RELATED SOFTWARE	R	09/29/23	10/11/23		T654910	N
5	SENSUS S50 ANNUAL MAINT FEE	3,517.00	C-08-55-976-001-541	B	WATER METERS AND RELATED SOFTWARE	R	09/29/23	10/11/23		T654910	N
		16,880.00									
Vendor Total:		16,880.00									
C0087 CUSTOM BANDAG, INC											
23-01230	09/29/23 TIRE REPAIR-KABOTA END LOADER										
1	TIRE REPAIR KABOTA FRONT END	6.00	3-09-55-501-002-502	B	Vehicle Maintenance	R	09/29/23	10/11/23		80225693	N
2	TIRE REPAIR KABOTA FRONT END	48.00	3-09-55-501-002-502	B	Vehicle Maintenance	R	09/29/23	10/11/23		80225693	N
		54.00									
Vendor Total:		54.00									
Q0176 EUROFINS QC, LLC											
23-01218	09/27/23 WATER ANALYSIS										
1	INV 6300048520-WATER ANALYSIS	44.50	3-09-55-501-001-532	B	Outside Testing/Labs	R	09/27/23	10/11/23		6300048520	N
2	INV 6300048505-WATER ANALYSIS	247.50	3-09-55-501-001-532	B	Outside Testing/Labs	R	09/27/23	10/11/23		6300048505	N
		292.00									
Vendor Total:		292.00									
FNAME005 FN AMERICA, INC											
23-00204	02/14/23 TRAINING - ARMORER COURSE										
1	TRAINING - ARMORER COURSE	750.00	3-01-25-240-001-042	B	Education & Training	R	02/14/23	10/11/23		21493	N
Vendor Total:		750.00									

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/chk	First	Rcvd	Chk/Void	1099	
Item	Description	Amount	Charge	Account	Acct Type	Description	Enc	Date	Date	Date	Invoice	Excl
M0714	GENSERVE, INC.											
23-01187	09/25/23	B	GENERATOR SERVICE	PD/FH/WT								
1 INV	0376610-B	GENERATOR SERVC	200.00	3-01-26-310-001-040	B	Generator-Municipal Bldg	R	09/25/23	10/11/23		0376610	N
2 INV	0376590-B	GENERATOR SERVC	200.00	3-01-26-310-001-040	B	Generator-Municipal Bldg	R	09/25/23	10/11/23		0376590	N
3 INV	0376749-B	GENERATOR SERVC	200.00	3-09-55-501-001-511	B	Generator/Engine Maintenance (B)	R	09/25/23	10/11/23		0376749	N
			600.00									
	Vendor Total:	600.00										
G0038	GOLD TYPE BUSINESS MACHINE											
23-01258	10/04/23	QUARTERLY E-TICKET										
1	QUARTERLY E-TICKET	2,566.90	3-01-25-240-001-130	B	Police E-Ticket		R	10/04/23	10/11/23		0000042060	N
	Vendor Total:	2,566.90										
G0185	GRAINGER, INC.											
23-01168	09/15/23	SYNTHETIC GEAR OIL/ROTARY FAN										
1	SYNTHETIC GEAR OIL FOR	924.18	3-09-55-501-002-535	B	Chemicals Miscellaneous		R	09/15/23	10/11/23		9833109177	N
	Vendor Total:	924.18										
H0048	HIGHTS REALTY LLC											
23-01240	10/03/23	OCTOBER 2023 HPD RENT										
1	OCTOBER 2023 HPD RENT	4,953.03	3-01-26-310-001-025	B	Building Rental		R	10/03/23	10/11/23		OCTOBER 2023	N
	Vendor Total:	4,953.03										
H1100	HOME DEPOT CREDIT SERVICES											
23-01219	09/27/23	INFLATABLE PRY BAR										
1 INV	1045237-INFLATABLE PRY BAR	53.91	3-01-25-240-001-116	B	Traffic Bureau		R	09/27/23	10/11/23		1045237	N
23-01229	09/29/23	RENTAL/SUPPLIES										
1 INV	8902011-RENTAL REMAINING	10.95	3-01-26-310-001-024	B	Building Maintenance		R	09/29/23	10/11/23		8902011	N
2 INV	1610832-TIES H8	16.52	3-01-26-310-001-024	B	Building Maintenance		R	09/29/23	10/11/23		1610832	N
		27.47										
	Vendor Total:	81.38										

Vendor # Name												
PO #	PO Date	Description	Amount	Contract	PO Type	Stat/Chk	First	Rcvd	Chk/Void	1099		
Item	Description			Charge Account	Acct Type Description		Enc Date	Date	Date	Invoice	Excl	
INTER015 INTERSTATE WASTE SERVICES OF												
23-00006	01/17/23	MUNICIPAL RECYCLING		B								
12	MUNICIPAL RECYCLING INV9196036	12,125.58	3-01-26-311-001-029	B Recycling Contract co-mingle-paper/cdbd	R	08/28/23	10/11/23			9196036		N
Vendor Total:		12,125.58										
J1067 J. VINCH & SONS, INC.												
23-01059	08/17/23	DUMPSTER RENTAL AND DISPOSAL										
1	DUMPSTER RENTAL	250.00	3-01-26-310-001-198	B Building Demolition	R	08/17/23	10/11/23			27381		N
2	DISPOSAL OF ROOFING MATERIAL	621.00	3-01-26-310-001-198	B Building Demolition	R	08/17/23	10/11/23			27381		N
3	EXTRA WEEK OF DUMPSTER RENTAL	75.00	3-01-26-310-001-198	B Building Demolition	R	10/11/23	10/11/23			27381		N
		946.00										
Vendor Total:		946.00										
JERRY010 JERRY MECCA												
23-01268	10/06/23	REIMBURSEMENT - MECCA										
1	REIMBURSEMENT - MECCA	15.00	3-01-25-240-001-042	B Education & Training	R	10/06/23	10/11/23			TICKET 5196095		N
Vendor Total:		15.00										
J0069 JERSEY ELEVATOR LLC												
23-01274	10/06/23	SEPTEMEBER 2023 MAINTENANCE										
1	INV 429017SEPT2023 MAINTENANCE	198.01	3-01-26-310-001-029	B Maintenance Contracts	R	10/06/23	10/11/23			429017		N
Vendor Total:		198.01										
M0180 MCMASTER-CARR												
23-01271	10/06/23	RIVET NUT TOOL										
1	INV 15235275-RIVET NUT TOOL	62.43	3-01-26-290-001-127	B Street Repair & Maintenance	R	10/06/23	10/11/23			15235275		N
2	CREDIT 15340996-RIVET NUT TOOL	62.43	3-01-26-290-001-127	B Street Repair & Maintenance	R	10/06/23	10/11/23			15340996		N
3	INV 15312447-RIVET NUT TOOL	62.43	3-01-26-290-001-127	B Street Repair & Maintenance	R	10/06/23	10/11/23			15312447		N
		62.43										
Vendor Total:		62.43										

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
NICH0005	NICHOLAS MITCHELL	23-01221	09/27/23	REIMBURSEMENT FOR CLOTHING									
		1		REIMBURSEMENT FOR CLOTHING	94.48	3-09-55-501-001-507	B Uniforms & Safety Equipment	R	09/27/23	10/11/23		WALMART RCPT	N
	Vendor Total:				94.48								
00050	ONE CALL CONCEPT INC	23-01270	10/06/23	SEPTEMBER 2023 ONE CALL MES.									
		1	INV	3095089 SEPTEMBER 2023	41.82	3-09-55-501-001-535	B Hydrants and Line Repair	R	10/06/23	10/11/23		3095089	N
	Vendor Total:				41.82								
PANTA005	PANTANO NURSERY	23-01202	09/25/23	PARTS									
		1	INV	43339-CHAIN AND BOLT	10.51	3-01-28-369-001-139	B Mower Repairs	R	09/25/23	10/11/23		43339	N
	Vendor Total:				10.51								
PARKP005	PARK PUMPS AND CONTROLS, INC	23-00226	02/22/23	RES 2022-211 SODIUM BICARB		B							
		5	INV	3583 SODIUM BICARBONATE	2,744.00	3-09-55-501-002-552	B Sodium Bicarbonate	R	02/22/23	10/11/23		3583	N
	Vendor Total:				2,744.00								
P0088	PARKER MCCAY, P.A.	23-01263	10/05/23	Billing through 8/31/23									
		1		Prep/attend hearing & followup	504.00	2022-04	P 424 Stockton Street	R	10/05/23	10/11/23		3165490	N
		2		Follow-up with attorney	144.00	2022-04	P 424 Stockton Street	R	10/05/23	10/11/23		3168747	N
					648.00								
	Vendor Total:				648.00								
P0089	PARKSON CORPORATION	23-01109	09/05/23	FINE SCREEN PARTS									
		1		FINE SCREEN REPLACEMENT	600.00	3-09-55-501-002-503	B Sewer Plant Maintenance	R	09/05/23	10/11/23		AR1/51038173	N
		2		FINE SCREEN SIDE PLATES	725.00	3-09-55-501-002-503	B Sewer Plant Maintenance	R	09/05/23	10/11/23		AR1/51038173	N
		3		FINE SCREEN SPARE SNAP RINGS	16.50	3-09-55-501-002-503	B Sewer Plant Maintenance	R	09/05/23	10/11/23		AR1/51038173	N
		4		FINE SCREEN ROLLER WASHERS	20.00	3-09-55-501-002-503	B Sewer Plant Maintenance	R	09/05/23	10/11/23		AR1/51038173	N

Vendor #	Name												
PO #	PO Date	Description	Contract	PO Type			First	Rcvd	Chk/Void		1099		
Item	Description	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Date	Date	Invoice	Exc		
P0089	PARKSON CORPORATION	Continued											
23-01109	09/05/23 FINE SCREEN PARTS		Continued										
5	PACKAGE & HANDLING	25.00	3-09-55-501-002-503	B	Sewer Plant Maintenance	R	09/27/23	10/11/23		AR1/51038173	N		
6	FREIGHT - FOB ORIGIN	20.72	3-09-55-501-002-503	B	Sewer Plant Maintenance	R	09/27/23	10/11/23		AR1/51038173	N		
		1,407.22											
Vendor Total:		1,407.22											
PEOPL005	PEOPLES PLUMBING LLC												
23-01215	09/27/23 QTRLY BACKFLOW PREVENTER INSP												
1	QTRLY BACKFLOW PREVENTER INSP	500.00	3-09-55-501-002-503	B	Sewer Plant Maintenance	R	09/27/23	10/11/23		I12452	N		
Vendor Total:		500.00											
P0275	POWER DMS INC												
23-01275	10/06/23 NJSACOP LE ACCREDITATION												
1	NJSACOP LE ACCREDITATION	439.62	3-01-25-240-001-199	B	Miscellaneous	R	10/06/23	10/11/23		Q-227853	N		
Vendor Total:		439.62											
P0016	PRINCETON ONE THIRTY SUPPLY												
23-01254	10/04/23 PAPER PRODUCTS												
1	CASE OF TOILET TISSUE	79.98	3-09-55-501-002-523	B	Paper Products/Janitorial	R	10/04/23	10/11/23		058721	N		
2	CASES OF PAPER TOWEL	78.00	3-09-55-501-002-523	B	Paper Products/Janitorial	R	10/04/23	10/11/23		058721	N		
		157.98											
Vendor Total:		157.98											
REDAR005	RED ARROW TECHNOLOGIES, LLC												
23-01214	09/27/23 MONTHLY SUPPORT OCTOBER 2023												
1	TECH SUPPORT & SERVICES	1,749.63	3-01-20-140-001-094	B	Computer Service & Support	R	09/27/23	10/11/23		13938	N		
2	INTERNET & WEB	1,408.50	3-01-20-140-001-060	B	Internet Services and Web Services	R	09/27/23	10/11/23		13938	N		
3	TECH SUPPORT/INTERNET/WEB	653.89	3-09-55-501-002-530	B	Computer Software/Maint/Equip	R	09/27/23	10/11/23		13938	N		
4	TELEPHONE SUPPORT	700.00	3-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSI	R	09/27/23	10/11/23		13938	N		

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First	Rcvd	Chk/Void	1099	
Item	Description	Amount	Charge	Account	Acct	Type	Description	Enc	Date	Date	Invoice	Exc
REDAR005 RED ARROW TECHNOLOGIES, LLC Continued												
23-01214	09/27/23 MONTHLY SUPPORT OCTOBER 2023	Continued										
5	TECH SUPPORT/INTERNET/WEB	287.95	3-09-55-501-001-530	B	Computer Software/Maint/Equip	R	09/27/23	10/11/23		13938	N	
		4,799.97										
	Vendor Total:	4,799.97										
R0077 ROBERTS ENGINEERING GRP LLC												
23-01262	10/05/23 Billing through 6/17/2023											
1	Prep & attend PB Mtg 6/12/23	400.00	2022-04	P	424 Stockton Street	R	10/05/23	10/11/23		7464	N	
	Vendor Total:	400.00										
S0061 SEA BOX												
23-01040	08/15/23 BICON RENTAL											
1	INV RI101045-BICON RENTAL	75.00	3-01-26-310-001-025	B	Building Rental	R	08/15/23	10/11/23		RI101045	N	
23-01217	09/27/23 BICON RENTAL											
1	INV RI103038-BICON RENTAL	75.00	3-01-26-310-001-025	B	Building Rental	R	09/27/23	10/11/23		RI103038	N	
	Vendor Total:	150.00										
S1023 SUMMIT CONTRACTING, INC												
23-00676	06/05/23 PROPOSAL FOR GUTTER WORK											
1	PROPOSAL FOR GUTTER WORK AND	465.00	3-01-26-310-001-024	B	Building Maintenance	R	06/05/23	10/11/23		9093	N	
	Vendor Total:	465.00										
TELCO005 TELCO BILL CENTER INC.												
23-01255	10/04/23 POTSOLVE RECURRING CHARGES											
1	POTSOLVE RECURRING CHARGES	401.25	3-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSI	R	10/04/23	10/11/23		2411	N	
2	POTSOLVE RECURRING CHARGES	88.97	3-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSI	R	10/04/23	10/11/23		2411	N	
		312.28										
	Vendor Total:	312.28										

[illegible]

Totals by Year-Fund								
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total
CURRENT FUND	3-01	34,250.53	0.00	34,250.53	0.00	0.00	0.00	34,250.53
	3-09	9,746.75	0.00	9,746.75	0.00	0.00	0.00	9,746.75
	3-21	0.00	0.00	0.00	0.00	0.00	1,697.50	1,697.50
Year Total:		43,997.28	0.00	43,997.28	0.00	0.00	1,697.50	45,694.78
WATER/SEWER CAPITAL	C-08	16,880.00	0.00	16,880.00	0.00	0.00	0.00	16,880.00
	G-02	79.50	0.00	79.50	0.00	0.00	0.00	79.50
Total of All Funds:		60,956.78	0.00	60,956.78	0.00	0.00	1,697.50	62,654.28

Project Description	Project No.	Rcvd Total	Held Total	Project Total
424 Stockton Street	2022-04	1,048.00	0.00	1,048.00
Bulk Variance	2022-07	649.50	0.00	649.50
Total of All Projects:		1,697.50	0.00	1,697.50

Resolution 2023-196

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

**AUTHORIZING PAYMENT NO. 3– 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. 3 in the amount of \$142,028.63, for partial payment through September 20, 2023; and

WHEREAS, the Borough Engineer has recommended approval of Payment Request No. 2 to the contractor in the amount of \$142,028.63.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown Payment Request No. 3 to Black Rock Enterprises, LLC, of Old Bridge, New Jersey for \$142,028.63 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 October 16, 2023.

Margaret Riggio
Borough Clerk



MEMORANDUM

TO: Mayor and Council
Borough of Hightstown

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

DATE: October 2, 2023

RE: Improvements to Hausser Avenue, Bennett Place,
And Prospect Drive
Payment No. 3
Our File No.: H1802

Attached please find the following in reference to Payment No. 3 which is a partial payment through September 20, 2023 for site clearing, traffic control, milling and paving, pavement repair, signage, traffic markings, and asphalt and fuel price adjustments:

1. Payment No. 3
2. Invoice No. 3
3. Certified Payrolls
4. Monthly Project Workforce Reports

I recommend payment be made to Black Rock Enterprises, LLC in the amount of \$142,028.63.

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. 3

IMPROVEMENTS TO HAUSSER AVENUE, BENNETT PLACE, AND PROSPECT DRIVE

Borough of Hightstown, Mercer County, New Jersey

September 29, 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	1.00	0.25	\$10,000.00	\$10,000.00
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	HOURL	150.00	0.00	0.00	\$1.00	\$0.00
7	Uniform Traffic Director	HOURL	250.00	41.21	41.21	\$130.00	\$5,356.80
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	0.00	\$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	0.00	\$250.00	\$10,000.00
18	6" PVC Sanitary Lateral	LF	30.00	35.00	0.00	\$150.00	\$5,250.00
19	PVC Cleanout, Sanitary	UNIT	5.00	5.00	0.00	\$1,000.00	\$5,000.00
20	Transfer Existing Water Service	UNIT	15.00	23.00	0.00	\$1,250.00	\$28,750.00
21	1" Type K Copper Water Service	LF	239.00	230.00	0.00	\$30.00	\$6,900.00
22	1" Curb Valve and Box	UNIT	4.00	5.00	0.00	\$1,500.00	\$7,500.00
23	6" HDPE Water Main	LF	1,339.00	1,327.00	0.00	\$95.00	\$126,065.00
24	Fire Hydrant Assembly, Complete	UNIT	5.00	5.00	0.00	\$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	0.00	\$650.00	\$2,600.00
27	6" Gate Valve	UNIT	5.00	4.00	0.00	\$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	0.00	\$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	6,325.00	6,325.00	\$3.75	\$23,718.75
38	Hot Mix Asphalt 9.5M64 Surface Course, 2" Thick	TON	1,050.00	1,011.49	1,011.49	\$96.00	\$97,103.04
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	355.00	355.00	\$4.00	\$1,420.00
41	HMA Pavement Repair	SY	143.00	61.00	61.00	\$30.00	\$1,830.00
42	Regulatory Sign, R1-1 'Stop'	UNIT	5.00	5.00	5.00	\$300.00	\$1,500.00
43	Warning Sign, W15-2 'Watch for Children'	UNIT	2.00	2.00	2.00	\$300.00	\$600.00
44	Warning Sign, 'Autistic Children'	UNIT	2.00	2.00	2.00	\$300.00	\$600.00
45	Warning Sign, 'Children at Play'	UNIT	3.00	2.00	2.00	\$300.00	\$600.00
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	7.00	7.00	\$385.00	\$2,695.00
50	Traffic Marking, 24" Wide White	LF	228.00	228.00	228.00	\$7.55	\$1,721.40
51	Traffic Marking, 8" Wide White	LF	345.00	273.00	273.00	\$2.55	\$696.15
52	Fertilizing and Seeding, Type A-3	SY	1,050.00	1,073.00	0.00	\$1.00	\$1,073.00
53	Topsoiling, 5" Thick	SY	1,050.00	1,073.00	0.00	\$5.00	\$5,365.00
54	Asphalt Price Adjustment	DOLLAR	6,500.00	4,832.03	4,832.03	\$1.00	\$4,832.03
55	Fuel Price Adjustment	DOLLAR	4,000.00	-246.00	-246.00	\$1.00	(\$246.00)
56	Excavation, Test Hole	CY	50.00	17.70	0.00	\$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" Diamter	UNIT	3.00	1.00	0.00	\$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
TOTAL WORK COMPLETED							\$635,059.51
LESS: RETAINAGE		2%					\$12,701.19
SUBTOTAL							\$622,358.32
LESS: PREVIOUS PAYMENTS							\$480,329.69
TOTAL AMOUNT DUE							\$142,028.63
AMOUNT OF ORIGINAL CONTRACT							\$755,759.40

Resolution 2023-197

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

EXTENDING THE GRACE PERIOD FOR PAYMENT OF 2023 THIRD AND FOURTH QUARTER TAXES

WHEREAS, 2023 Third Quarter Taxes were due on August 1, 2023, with a ten-day grace period; and

WHEREAS, due to the late receipt of the tax rate from the County, the mailing of the tax bills was delayed; and

WHEREAS, the Mayor and Borough Council finds it to be equitable and proper that the grace period for payment of the 2023 third quarter tax be extended until the 13th day of November, 2023; and

WHEREAS, if the 2023 third quarter tax payment is not received by November 13, 2023, late fees shall be effective from the due date of August 1, 2023, as is required.

WHEREAS, 2023 Fourth Quarter Taxes are due on November 1, 2023, with a ten-day grace period; and

WHEREAS, due to the late receipt of the tax rate from the County, the mailing of the tax bills was delayed; and

WHEREAS, the Mayor and Borough Council finds it to be equitable and proper that the grace period for payment of the 2023 fourth quarter tax be extended until the 30th day of November, 2023; and

WHEREAS, if the 2023 fourth quarter tax payment is not received by November 30, 2023, late fees shall be effective from the due date of November 1, 2023, as is required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the grace period for payment of the 2023 third and fourth quarter taxes be extended as detailed herein.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 16, 2023.

Margaret Riggio
Borough Clerk

Resolution 2023-198

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

AUTHORIZING FEE FOR DUPLICATE TAX SALE CERTIFICATE

WHEREAS, NJSA 54:5-52.1 authorizes municipalities to allow the tax collector to issue a duplicate tax sale certificate in the case of the destruction or loss of the original, and

WHEREAS, the rules and regulations promulgated requires the municipality to authorize the tax collector to issue these documents by Resolution of the Governing Body, and

WHEREAS, P.L. 1900 C.90 was amended and signed into law, allowing municipalities to issue duplicate tax sale certificates at a fee not to exceed \$100.00.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown that the tax collector is authorized to issue duplicate tax sale certificates, when necessary, and a fee of \$100 will be charged for each duplicate Tax Sale Certificate.

,

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 16, 2023.

Margaret Riggio
Borough Clerk

**Block Party Ordinance
Subcommittee Recommendations 10/16/2023**

1. File an application with the Borough Clerk 30 days prior to event. \$35 Fee
2. Hold harmless indemnification agreements must be received from more than 50% of property owners from the street in which the block party is proposed. Said agreement will also indicate consent to the proposed block party, consent to the proposed street closure and acknowledgement that residents and their invitees shall adhere to all applicable laws, regulations and ordinances, including, but not limited to noise ordinances. The agreements must be received at the time the application is submitted to the Borough Clerk.
3. The portion of the street to be closed is a ½ mile or less in length and intersected by no more than two other streets.
4. Total time the road can remain closed is 5 hours.
5. Roads must be reopened by 10:00 p.m.
6. Barricades will be delivered and picked up by the Department of Public Works.
7. Each block may only be approved for street closure only once per calendar year.
8. The street needs to be passible for emergency vehicles at all times.
9. Alcohol shall only be served on private property and no one under 21 years of age may be served.
10. No open flames are allowed on Borough property. All fire pits and BBQ's must be on private property.
11. No block party permit shall be issued if a previously issued permit was revoked by the Borough due to violations of any local ordinances, laws or regulations within the previous five years.
12. The coordinator of the block party is responsible for notifying, in writing, all residents living on the street the date and time of the block party.
13. Any outside vendors taking part in the block party, (including but not limited to: food trucks, food vendors, craft vendors, bounce houses, dunk tank, face painting, etc.) must provide a certificate of insurance naming Hightstown Borough as an additional insured providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000.
14. Any food truck or food vendor selling, providing or distributing any type of food, even prepackaged, must apply for a temporary food permit with the Borough Clerk at least 20 days prior to the event.
15. The applicant will be responsible for the clean up of the street immediately following the block party.

Resolution 2023-199

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

AUTHORIZING A MEETING WHICH EXCLUDES THE PUBLIC

BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that this body will hold a meeting on October 16, 2023, at the Hightstown Firehouse Hall, 140 North Main Street, Hightstown, that will be limited only to consideration of an item or items with respect to which the public may be excluded pursuant to section 7b of the Open Public Meetings Act.

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

Personnel – Construction/Zoning Official
Contract Negotiations – Sale of Sprincrest Pumpstation
Contract Negotiations – Shangles Alley & Liberty Street Vacating
Attorney Client Privilege – First Aid

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public January 16, 2024, or when the need for confidentiality no longer exists.

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

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council at a meeting held on October 16, 2023.

Margaret Riggio
Borough Clerk