

AGENDA
Hightstown Borough Council
October 21, 2024 | 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 October 7, 2024 – Public Session
October 7, 2024 – Executive Session

Presentation Swearing in of New Officer

Review of the 2024 Master Plan Reexamination by the
Planning Board

Budget 2024 **Public Hearing for the 2024 Budget**

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.

Resolutions **2024-184** Authorizing Payment of Bills

2024-185 Making Application to the Local Finance Board Pursuant
to N.J.S.A. 40A:45-4.3dd

Consent Agenda
Chemical Contracts 2025 **2024-186** Awarding Contract for Removal, Transportation,
Delivery and Disposal of Sludge Cake – Synagro Technologies,
Inc./Epic

2024-187 Awarding Contract for Removal, Transportation,
Delivery and Disposal of Grit and Screening – Synagro
Technologies/Epic

2024-188 Awarding Contract for Fluorosilicic Acid (Fluoride) – Geroge S. Coyne Chemical Co., Inc.

2024-189 Awarding Contract for Calcium Hydroxide (Hydrated Lime) – George S. Coyne Chemical Co., Inc.

2024-190 Awarding Contract for Magnesium Hydroxide – Premier Magnesia, LLC

2024-191 Awarding Contract for Sodium Bicarbonate – Park Pumps and Controls

2024-192 Awarding Contract for Calcium Hypochlorite – George S. Coyne Chemical, Co., Inc.

2024-193 Awarding a Contract for Liquid Chlorine – George S. Coyne Chemical Co., Inc.

Consent Agenda

2024-194 A Resolution Approving Light up the Lake 2024 Organized by the Hightstown Borough Cultural Arts Commission

2024-195 Amending Resolution 2024-27 Authorizing Depositories and Signatures for Borough Accounts

2024-196 Authorizing the Release of Escrow Funds to the Hightstown East Windsor Historical Society – Hightstown Family Fair

Discussion

Cannabis Ordinance

Subcommittee Reports

Mayor/Council/Administrative Updates

Executive Session **Resolution 2024-197** Authorizing a Meeting that Excludes the Public Personnel – Former Employee

Adjournment



Review of the 2024 Master Plan Reexamination by the Hightstown Planning Board

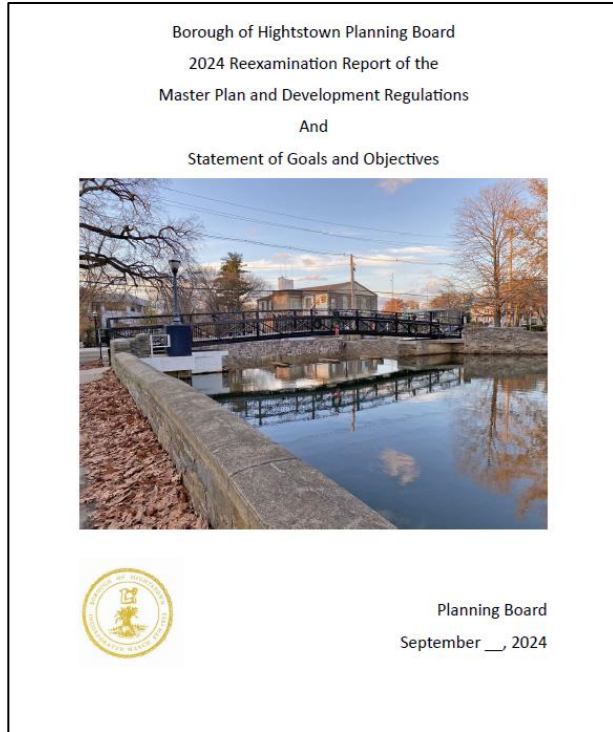


Presentation to Hightstown Borough Council
Monday, October 21, 2024

2024 Reexamination Report of the Master Plan and Development Regulations and Statement of Goals and Objectives

Hightstown Borough Council
October 21, 2024 Meeting

4



Tonight's Agenda

- Planning Board's goals and work process
- Our findings
- Recommendations



Goals and work process



Goals

- Complete required reexamination under the law
- Support the implementation of the 3rd round affordable housing plan by including the previously discussed zoning changes
- Assess the relevance of the 26+ year old master plan in our current environment and identify necessary changes and gaps



New Jersey Municipal Land Use Law

Requires each municipality to provide for “Periodic Examination” of its Master Plan, as described under N.J.S.A. 40:55D-89:

The governing body shall, at least every 10 years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board. A notice that the report and resolution have been prepared shall be sent to the municipal clerk of each adjoining municipality, who may, on behalf of the governing body of the municipality, request a copy of the report and resolution. A reexamination shall be completed at least once every 10 years from the previous reexamination.

The reexamination report is required to include some specific content, including:

- *Changes in major problems and objectives relating to land development since the last reexamination report;*
- *Significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, particularly for density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives;*
- *Specific changes recommended for the master plan or development regulations, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared; and*
- *Recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*
- *Recommendations of the Planning Board concerning locations appropriate for the development of public electric vehicle infrastructure.*

See Chapter 1



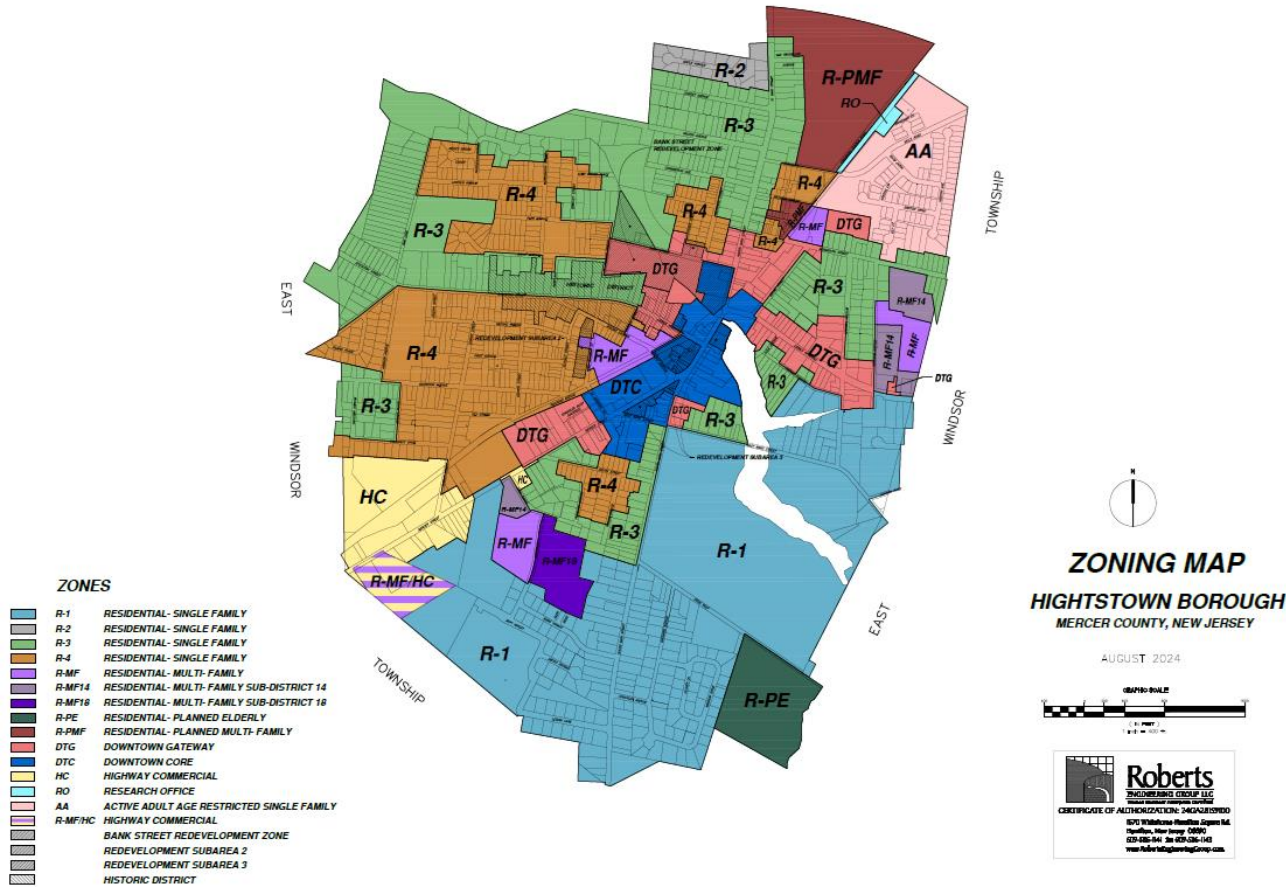
Third Round Housing Element and Fair Share Plan

- The final plan was adopted as part of the Borough Master Plan in April 2023.
- Action items are required to implement the Plan and fully comply with the law. The following have been completed:
 - Calculation of units required for compliance,
 - Identification of strategies for achieving the units required,
 - Review of land-use provisions to identify unnecessary cost-generating standards and procedures for development applications where affordable housing is included,
 - Implemented an Affordable Housing Ordinance to define rules and standards,
 - Appointed a Municipal Housing Liaison,
 - Contracted for a qualified Affordable Housing Administrative Agent,
 - Prepared an Affirmative Marketing Plan,
 - Developed and amended a Development Fee Ordinance,
 - Established an Affordable Housing Trust Fund, and
 - Adopted a Spending Plan
- One outstanding action item remains:
 - Zoning changes and overlay zones have been identified to provide incentives to develop affordable housing; but have not yet been adopted by Council.



Zoning Changes

The Master Plan Reexamination report recommends these zoning changes be implemented and the Planning Board is providing the recommendation to Council that they take action to move forward with adoption of the new zoning map and associated ordinance changes.



Assessment of the Master Plan and it's relevance today

- What constitutes the Borough master plan today?
 - 18 separate documents, including the core 1998 Master Plan, a range of single-topic amendments added organically over time and a series of reexaminations from 2002, 2004 and 2014
 - Approximately 1,480 pages of content
 - Six elements – Historic, Housing, Circulation, Open Space/Recreation, Land Use, Stormwater Management
 - Elements that do not exist today – Recycling (referenced, but missing), Community Facilities, Utilities, Conservation, Economic Development
- Accessibility to residents, developers, volunteers, staff and elected officials
- The extent to which it conveys a current profile of the community with relevant demographic and economic data
- The extent to which the existing elements reflect current needs, as determined through a detailed review, Planning Board assessment and feedback gathered



Our work process

- Established a Committee in 2023 to drive the Master Planning process with \$0 funding in 2023 and an original budget request of \$33,500 for 2024 (reduced to \$19,500)
- Established goal: Rewrite vs re-examination
 - Due to lack of funding, the volunteer Master Plan Committee was responsible for most heavy lifting – rather than utilizing the Planning Board’s professionals.
- Conducted outreach to Boards, Commissions, Committees within the Borough Government
- Reached out to independent organizations to gain feedback
- Hosted tables at numerous of community events
 - Engaged residents in conversations around the Borough and things that should be prioritized for improvement and dedication of resources



Reflection on what worked and what didn't work

- Lack of funding limited our effort to reexamination only, not a full Master Plan update. Several Elements are significantly out of date.
- Lack of funding limited our ability to develop quality graphics and exhibits (e.g., updated mapping) that would better illustrate current conditions and recommendations.
- Limited bandwidth among volunteers for outreach and engagement of important population segments:
 - Independent organizations were difficult to reach: Unresponsive or lacked capacity to engage
 - No effective means of engagement with Spanish-speaking residents and business owners.
 - Further efforts should be made in the future.
- Lack of awareness of the Master Plan and the role it plays in the Borough hindered our ability to gather specific recommendations, even from many volunteers on Borough Boards, Commissions and Committees.

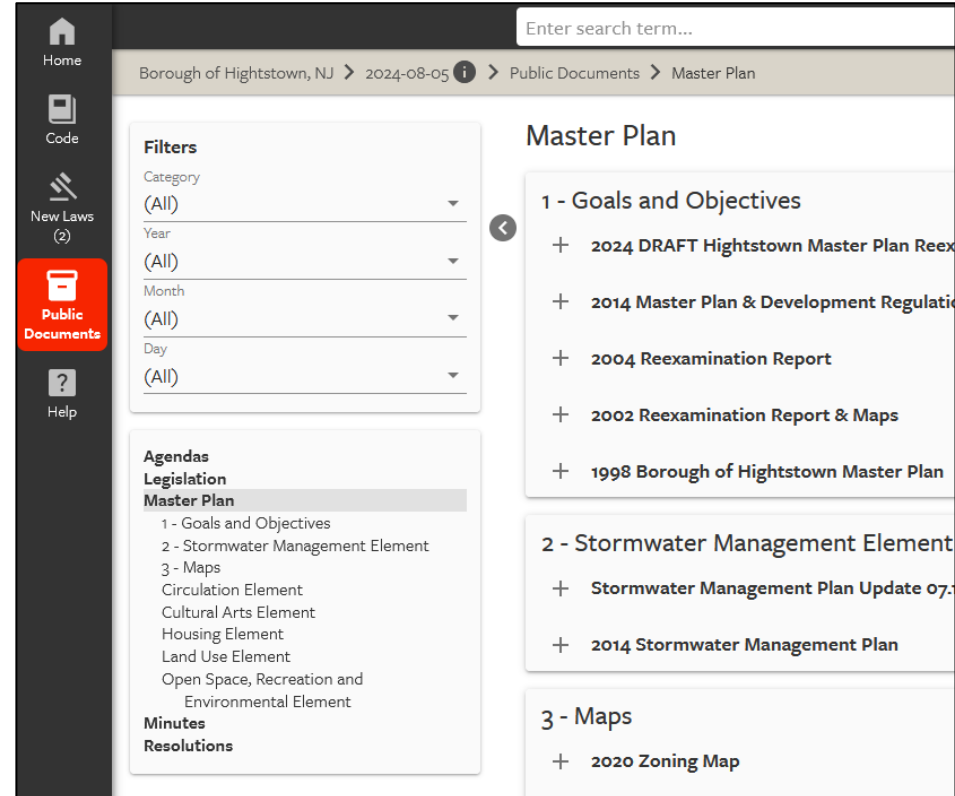


Our findings



Accessibility

- The master plan documents themselves were poorly organized:
 - Not logically named
 - Appendices and references missing
 - Difficult to navigate to via Borough's website
- A significant effort was made to locate missing items.
- All documents were renamed, then reposted in a structured manner on the eCode platform.



Thank you Jane Davis and Peggy Riggio!!!



Why Invest in a Master Plan?

The Master Plan is a blueprint for your municipality. It outlines policy direction across numerous areas: land uses, community facilities, circulation, growth, and conservation – just to name a few.

The Good:

A strong Master Plan provides a cohesive vision for a municipality, in the form of goals and objectives that local government should strive to accomplish. It is thorough and encompasses the needs of all residents. It provides clear direction for the business community, instilling confidence in potential future economic development.

The Bad:

A weak Master Plan leaves a municipality with vague objectives that do not serve its residents well. Economic development stalls, as the municipality's intent becomes unclear. Ordinances become difficult to enforce (and subject to expensive legal challenges) when developers see them as inconsistent with the Master Plan.



Assessment of the overall Master Plan

*A master plan is a dynamic long-term planning document that provides a conceptual layout to guide future growth and development. Master planning is about making the connection between buildings, social settings, and their surrounding environments. A master plan includes analysis, recommendations, and proposals for a site's population, economy, housing, transportation, community facilities, and land use. It is based on public input, surveys, planning initiatives, existing development, physical characteristics, and social and economic conditions.**

The Hightstown Borough Master Plan is a library of documents generated over more than a quarter century.

As a master plan typically focuses on a reasonable future timeframe of 15 to 25 years, the 1998 Hightstown Master Plan is at the end of its useful lifespan in its current form.

The Planning Board determined that despite lack of funding and professional resources, it was necessary to undertake an extensive analysis in this 2024 Reexamination Report in order to pave the way for follow-on planning efforts and priority setting, dependent on future funding.

See Chapter 1

* Amirtahmasebi, Rana; Orloff, Mariana; Wahba, Sameh; Altman, Andrew. 2016. Regenerating Urban Land: A Practitioner's Guide to Leveraging Private Investment. Urban Development;. © World Bank, Washington, DC. <http://hdl.handle.net/10986/24377> License: [CC BY 3.0 IGO](https://creativecommons.org/licenses/by/3.0/).



Vision Statement and SWOT

There was no overall vision statement for the Master Plan, so the Planning Board conducted an analysis of Hightstown's strengths, weaknesses, opportunities and threats (SWOT) and developed a vision statement.

Hightstown Borough is a historic small town in the Millstone River Watershed with a vibrant downtown, strong community organizations, and residential neighborhoods serving the needs of a diverse population and connected through a multi-modal network for users at all life stages. Hightstown Borough provides safe choices for walking, bicycling, public transit, and recreation, with growth and development guided by sustainable standards designed to achieve long-term preservation of our environmental assets.

See Chapter 3



SWOT Analysis

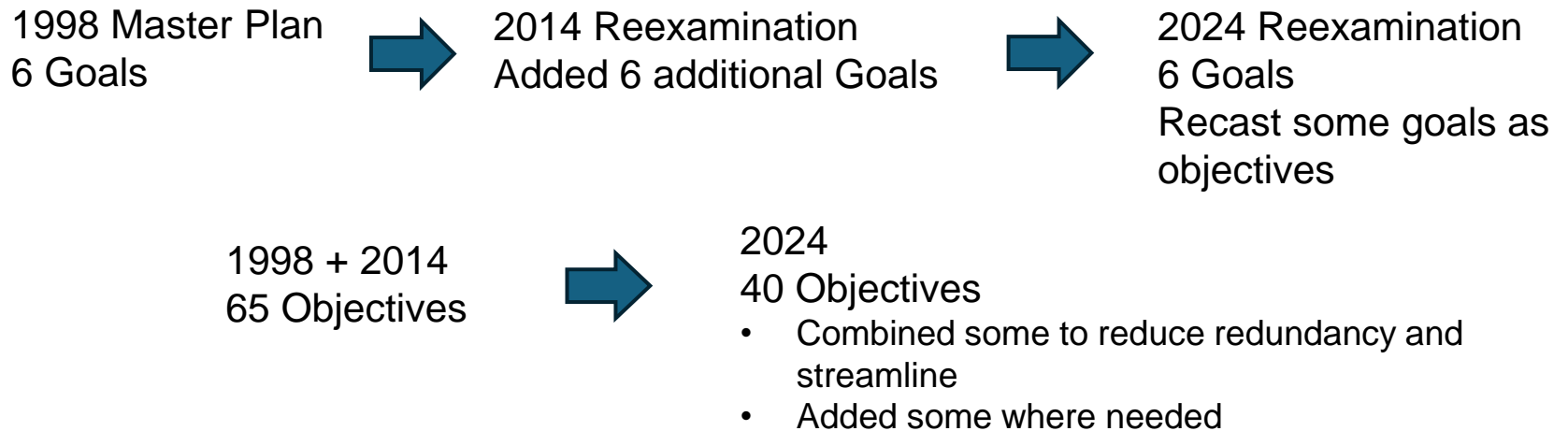
Strengths	Weaknesses
<ul style="list-style-type: none">• Historic• Compact• Attractive, centrally located downtown• Network of parks and trails• Shade tree program	<ul style="list-style-type: none">• Traffic• County and State Roads dividing the Borough and negatively impacting bicycle and pedestrian circulation• Constrained by lack of developable land• Isolated from public transit• Aging infrastructure and maintenance issues
Opportunities	Threats
<ul style="list-style-type: none">• Redevelopment of Rug Mill site• Redevelopment of former Wells Fargo Bank• Prevalence of locally owned small businesses• Cannabis revenue potential• County and regional planning to create connectivity to other areas• Diversity of residential population	<ul style="list-style-type: none">• Trucks on our roadways• Warehouse development driving traffic through town• Long-term impact of climate change; flooding and loss of mature trees



Goals and objectives

The master plan had overlapping goals and objectives, leading to a concern it was not easily absorbed and key points were buried in multiple locations. In addition, significant progress has been made on the original goals and objectives in the 1998 Plan and the 2014 Reexamination Report.

Therefore, a detailed revision was undertaken to streamline the messaging and elevate the most important issues for the immediate future. The new goals and objectives will be adopted with this reexamination.



See Appendix A for a detailed rationale of all revisions and Chapter 5 for a summary matrix by element.



Community Profile

- The 1998 Master Plan included only a small amount of demographic data:
 - Population counts by age band from 1980 to 1990
 - Household counts and average household size from 1970 to 1990
- Both the Mobility Plan and the Third Round Housing Element and Fair Share Plan included more extensive demographics and economic data
 - A primary source was the American Community Survey, produced by the U.S. Census Bureau (2017 for Mobility Plan and 2019 for Housing)
 - This produces 5-year estimates based on survey sampling, which results in larger sampling errors for a community the size of Hightstown and makes it difficult to draw some conclusions
- As a result, the Planning Board undertook a more detailed and long-range examination of trends and implications over several decades by leveraging publicly available sources
 - Decennial Census 1980 to 2020, U. S. Census Bureau
 - Mercer County At-A-Glance, prepared by the Mercer County Planning Department, July 2023.
 - Rutgers University Center for Government Services, New Jersey Data Book
 - 2022 Healthy Community Planning Report, Mercer County, Hightstown Borough, New Jersey Environmental Public Health Tracking
 - New Jersey Department of Education, NJ School Performance Reports, 2021-2022

See Chapter 2



- For each of the original five elements (Historic, Housing, Circulation, Open Space/Recreation and Land Use) we:
 - Summarized original content and any amendments
 - Identified any new information impacting current issues and accomplishments over time
 - Reported on challenges and feedback received in our outreach discussions
 - Developed recommendations
- For Stormwater Management we reviewed the development of Stormwater Management Plans over time, including work done in 2023 and 2024 to update the 2014 Plan and comply with NJ state law and NJ DEP regulations and permitting requirements.
 - Adopted the 2024 Stormwater Management Plan as an amendment to the Master Plan in September 2024.
- Additional narratives were developed for potential new elements: Community Facilities and Economic Development. It is recommended that future action be taken to develop new elements on these topics, to be adopted as part of the Master Plan.
 - Would be future action outside the scope of adopting the re-examination report and currently-proposed amendment to the Master Plan
 - Community Facilities narrative serves as a first draft of such an element. Economic Development narrative requires additional future work.

See Chapter 4



Feedback

The vast majority of feedback received from residents focused on traffic safety issues (particularly for pedestrians), followed by maintenance issues; but many comments also highlight to the need for more focused effort around economic development.

Tier 1	Pedestrian & Bicycle Safety Trucks/Traffic
Tier 2	Maintenance/Public Facilities Parks & Playgrounds, Trails Economic Development
Tier 3	Rug Mill
Tier 4	Lighting (streets) Housing Parking Noise

See Chapter 4



How our Master Plan compares to others in Mercer County

- Many municipalities are undergoing new planning work and expanding Master Plans to address developing issues, including affordable housing, stormwater management and green building standards.
- Nearly all municipalities include a Community Facilities Element, which Hightstown does not have.
- There is a trend towards creating more modular plans to facilitate updates on specific topics.
- Mercer County's Master Plan was created in 2010 and includes elements for Farmland Preservation, Mobility, Historic Preservation and Open Space.
 - Modular: Many elements have been updated independently since 1986, as needed.
 - Initial work to update the entire Master Plan began in 2023, including basic demographic data collection leveraged in our reexamination.
 - Foundational work was initiated this year for the revised Mobility Element in partnership with DVRPC through the Vision Zero Action Planning Project (funded by Federal Safe Streets 4 All program), including a county-wide Steering Committee with Municipal representatives.



How our Master Plan compares to others in Mercer County

Hopewell Borough

- 2007 Master Plan
- Reexamination report produced in 2023
- Elements include: Land Use, Housing, Circulation, Sidewalk and Curbs, Community Facilities, Historic District Preservation Plan, Visual Design Plan, Utilities Plan, Recycling Plan, Open Space and Recreation Plan, Economic Development Plan, Stormwater Management Plan
- The reexamination covered many issues also important to Hightstown:
 - Historic preservation
 - Economic development of the core service district
 - Traffic and protection for pedestrians and bicyclists
 - Recreational opportunities and buffer zones
 - Outside development of warehouses that impact the Borough
 - Cannabis
 - Affordable housing
 - Partnerships with Mercer County and Greater Mercer TMA



How our Master Plan compares to others in Mercer County

Pennington Borough

- 1998 Master Plan
- Reexamination report in 2023 recommended that the Master Plan be completely updated due to three deficiencies:
 - Lack of mention of current issues: conservation, renewable energy, greenhouse gas emissions reduction, climate change hazard vulnerability and mitigation, green buildings, environmental sustainability and economic development
 - Out-of-date data and assumptions
 - Multiple reexaminations over the years created an incoherent picture
- Work has started on a new 2025 Master Plan, which will include the following content:
 - Introduction, Vision, Assumptions, Guiding Principles
 - Plan elements: Land Use Plan, Housing Plan, Mobility Plan, Public Works Services Plan, Community Facilities and Services Plan, Open Space and Recreation Plan, Conservation of Natural Resources Plan, Economic Development Plan, Historic Preservation Plan, Green Buildings and Environmental Sustainability Plan
 - Appendices to be developed: Borough Open Space Map, Lawrenceville Hopewell Trail Map, Great Western Bikeway, Borough Bike Routes, Environmental Resource Inventory (ERI), Community Forestry Management Plan (CFMP) (Economic Development Plan Element
 - Cross-reference relationships across all Plan Elements



How our Master Plan compares to others in Mercer County

Summary of Other Municipalities

Municipality	Master Plan Date	Last Reexam	Elements
East Windsor	1993, amended	2022	Land Use, Housing, Circulation, Community Facilities, Utility, Conservation & Recreation, Historic Preservation, Recycling
Ewing	2006	2013	Land Use, Housing, Circulation, Community Facilities, Historic Preservation, Utilities
Hamilton	2011	2008	Green Buildings & Sustainability, Conservation, Open Space & Recreation, Economic Development, Circulation, Land Use
Hopewell Township	2002 – 2019, Modular	2021	Circulation, Community Facilities, Farmland Preservation, Historic Preservation, Housing, Land Use, Open Space & Recreation, Utilities
Lawrence	1995 (2024 Update in process)	2023	Conservation & Open Space, Historic Preservation, Community Facilities & Recreation, Recycling, Housing, Circulation, Land Use, Utilities
Princeton	2023 Modular	2023	Land Use, Mobility, Utilities, Community Facilities, Conservation Open Space & Recreation, Economic Development, Historic Preservation, Housing, Green Building & Sustainability
Robbinsville	2000, 2020	2020	Land Use, Housing, Farmland Preservation, Open Space, Conservation, Park & Recreation Facilities, Circulation, Historic Preservation, Utilities, Community Facilities
West Windsor	2002, rev 2024, Modular	2018	Land Use, Housing, Circulation, Utilities, Community Facilities, Open Space & Recreation, Conservation, Farmland Preservation, Stormwater Management, Sustainability, Historic Preservation



Recommendations



Overview of Recommendation Categories

Planning Strategies

Should be adopted as part of the Master Plan, against which future proposals will be assessed by the Planning Board as it makes decisions and provides feedback to the governing body.

Policies

Made by the Planning Board to Council that the Board believes should be adopted as a formal policy for the Borough in order to achieve the goals and objectives in the Master Plan. In some cases these items may have been endorsed by Council in the past, but may not be a current focus or be formalized as a Borough policy.

Code Changes

Addresses adjustments to the Borough Code to clarify or strengthen specific sections of the code in order to better align with the Master Plan goals and objectives. The Planning Board will document these changes in a mark-up and submit to Council for consideration and for approval, if they agree.

Additional Planning Work Required

Tasks for the Planning Board in the next 12 to 36 months in order to update and enhance the Master Plan to meet the needs of Hightstown over the coming decades, including partnerships with other Boards, Commissions and Committees with specific areas.

Share the load! Boards and commissions can be engaged to draft action plans and ordinances.

See Chapter 5



Recommendations: Key Planning Strategies

- Continue to implement recommendations of the Mobility Plan at every opportunity
 - Create a new medium-term planning process for infrastructure projects
 - Create a new checklist to ensure alignment
 - Create structured maintenance plans (e.g., crosswalks, signage, etc.)
- Seek grant funding for planning technical assistance and implementation support
- Support expansion of the Roger C. Cook Greenway and connectivity to broader County network
- Engage Environmental Commission on sustainability issues
- Engage Historic Preservation Commission to explore new historic districts as a strategy to maintain design consistency and foster economic development



Recommendations: Key Policies

- Fully implement the Housing Element and Fair Share Plan adopted in April 2023
- Waive site plan approval for small-scale development
- Develop Spanish-language versions of communications, instructions and forms
- Develop structured maintenance plans for all Borough assets
- Address regional traffic issues through partnerships and ongoing advocacy
- Define Parks Department roles and responsibilities
- Consider stormwater utility, redevelopment agency, and lake management committee
- Pursue funding to hire a dedicated economic development director



Recommendations: Key Code Changes

- Address growing need for home occupation property use: detached garages, cottage food licenses, etc.
- Amend height restrictions and sign ordinances for downtown area
- Update timing for Zoning Permit turn-around
- Review code for accommodation of accessory dwelling units, flag lots, ECHO senior dwellings, etc.
- Review code for references to non-existent zoning districts (general clean-up)



Recommendations: Key Additional Planning Work Required ³²

- Study Borough's parking needs, and pros/cons to parking
- Support and participate in County Vision Zero initiative; stay engaged with ongoing County planning efforts around innovative strategies to improve mobility safety
- Refocus historic preservation efforts; leverage Historic Preservation Commission and grant opportunities to create new Historic Element
- Prepare for Fourth Round Affordable Housing requirements (2025 due dates)
- Update environmental resource inventory; partner with The Watershed Institute and other municipalities in the Millstone Watershed to create a Watershed Improvement Plan; consider adoption of additional Watershed Institute publications as amendments to the Master Plan



Recommendations: Key Additional Planning Work Required (continued)

- Engage Environmental Commission and Parks Department to develop new Open Space and Recreation Element
- Refine and enhance Community Facilities section in our report and adopt as an amendment to the Master Plan
- Leverage grant funding to develop an Economic Development Element
- Continue to review Borough code and make recommendations as needed
- Planning Board should ensure ongoing accessibility of Master Plan documents, conduct an annual review of Master Plan to assess progress and identify obstacles, develop ongoing communications on the Master Plan content to all Boards/Commissions, staff and elected officials



Moving Forward

- Everyone needs to “own” the Master Plan. It must be easily located and understood.
- Planning should be a **continuous process**: an “every year” activity, not once “every 25 or 30 years”
- **Modular approach** allows for cost-efficient incremental updates.
 - Updates to individual elements can be adopted as amendments by the Planning Board through the normal public notice and hearing process as they are developed.
 - Focus on specific topic areas increases range of **grant opportunities** available to fund professional support.
- Robust Master Plan will allow Hightstown to be competitive with other municipalities in our region, as we work to attract economic development and new residents.
 - Goals and objectives are now timely and relevant to 2024
 - We have a better understanding of long-term demographic trends, and our position compared to other municipalities in Mercer County.



Resolution 2024-184

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 \$1,039,923.40 from the following accounts:

Current		\$964,728.54
W/S Operating		62,254.85
General Capital		1,200.00
Water/Sewer Capital		10,000.00
Grant		65.63
Trust		1,624.88
Unemployment Trust		0.00
Animal Control		0.00
Law Enforcement Trust		0.00
Tax Lien Trust		0.00
Housing Trust		0.00
Public Defender Trust		0.00
Escrow		<u>49.50</u>
Total		<u>\$1,039,923.40</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 21, 2024.

Margaret Riggio
Borough Clerk

Ranges	Item Status	Purchase Types	Misc
<p><i>Range: First to Last</i> <i>Rcvd Batch Id Range: First to Last</i></p>	<p><i>Open: N</i> <i>Void: N</i> <i>Paid: N</i> <i>Held: Y</i> <i>Aprv: N</i> <i>Rcvd: Y</i></p>	<p><i>Bid: Y</i> <i>State: Y</i> <i>Other: Y</i> <i>Exempt: Y</i></p>	<p><i>P.O. Type: All</i> <i>Include Project Line Items: Yes</i> <i>Format: Detail without Line Item Notes</i> <i>Include Non-Budgeted: Y</i> <i>Vendors: All</i></p>

Vendor #	Name	Contract	PO Type							
P.O. #	PO Date	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099	Excl	
Item Description	Amount	Charge Account	Acct Description	Type						
S0081	231 STUDIOS									
24-01120	10/01/24	INV 0001224 WEBSITE MAINT &								
1 INV 0001224 WEBSITE MAINT	1,800.00	4-01-20-140-001-060	B	Internet Services and Web Services	R	10/01/24	10/17/24	0001224	N	
2 NEWSLETTER	300.00	4-01-20-140-001-060	B	Internet Services and Web Services	R	10/01/24	10/17/24	0001224	N	
	2,100.00									
	Vendor Total:	2,100.00								
C0058	CINTAS CORPORATION #061									
24-01143	10/11/24	UNIFORM ADVANTAGE SEPT 2024								
1 INV 4204458913 9/6/24	59.21	4-09-55-501-002-507	B	Uniforms & Safety Equipment	R	10/11/24	10/17/24	4204458913	N	
2 INV 4205141915 9/13/24	59.21	4-09-55-501-002-507	B	Uniforms & Safety Equipment	R	10/11/24	10/17/24	4205141915	N	
3 INV 4205857621 9/20/24	59.21	4-09-55-501-002-507	B	Uniforms & Safety Equipment	R	10/11/24	10/17/24	4205857621	N	
4 INV 4206583465 9/27/24	59.21	4-09-55-501-002-507	B	Uniforms & Safety Equipment	R	10/11/24	10/17/24	4206583465	N	
	236.84									
	Vendor Total:	236.84								
COREM005	CORE & MAIN LP									
23-01362	10/26/23	SENSUS ANALYTIC SET UP FEE								
6 SENSUS RNI ON-SITE TRAINING	5,000.00	C-08-55-976-001-541	B	WATER METERS AND RELATED SOFR		04/08/24	10/16/24	V758396	N	
	5,000.00									
	Vendor Total:	5,000.00								
C0087	CUSTOM BANDAG, INC									
24-01149	10/11/24	TIRE REPLACEMENT/LABOR TRK#800								
1 TIRE REPLACEMENT/LABOR TRK#800	480.00	4-01-26-315-001-132	B	Vehicle Maint. - Public Works	R	10/11/24	10/17/24	80242955	N	
	480.00									
	Vendor Total:	480.00								
DANIE015	DANIELLE KORTE									
24-01177	10/16/24	DIRECTOR HTIP SUMMER 2024 2/2								
1 DIRECTOR HTIP SUMMER 2024 2/2	624.88	T-12-56-286-000-885	B	CULTURAL ARTS/SHAKESPEARE IN R		10/16/24	10/17/24	SUMMER 2024 2/2	N	
	624.88									
	Vendor Total:	624.88								

Vendor #	Name	Description		Contract	PO Type			Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	
Item Description				Type					
G0038	GOLD TYPE BUSINESS MACHINE		Account Continued						
HO122	HECTOR J. ORTIZ								
24-01105	10/01/24	REIMBURSEMENT EDUCATION DPW							
1 REIMBURSEMENT EDUCATION DPW		1,405.00	4-01-26-310-001-042	B	Education & Training	R	10/01/24	10/17/24	PW-1304-FA24-2 N
Vendor Total:		1,405.00							
H0126	HIGHTS ELECTRIC MOTOR, INC.								
24-01164	10/16/24	SUBMERSIBLE PUMP							
1 INV 0959706IN-SUBMERSIBLE PUMP		568.88	4-09-55-501-001-503	B	Water Plant Maintenance	R	10/16/24	10/17/24	0959706-IN N
Vendor Total:		568.88							
H0048	HIGHTS REALTY LLC								
24-01017	09/06/24	SEPTEMBER 2024 HPD RENT							
1 SEPTEMBER 2024 HPD RENT		5,101.61	4-01-26-310-001-025	B	Building Rental	R	09/06/24	10/17/24	SEPT 2024 N
24-01131	10/10/24	OCTOBER 2024 HPD RENT							
1 OCTOBER 2024 HPD RENT		5,101.61	4-01-26-310-001-025	B	Building Rental	R	10/10/24	10/17/24	OCTOBER 2024 N
Vendor Total:		10,203.22							
HILLW005	HILL-WALLACK, LLP								
24-01163	10/16/24	LEGAL INVOICES THRU 9/30/24							
1 INV 777302 GENERAL MATTERS		3,696.00	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777302 N
2 INV 777303 ENGINEERING MATTERS		264.00	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777303 N
3 INV 777304 RESOLUTIONS		45.00	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777304 N
4 INV 777305 ORDINANCES		94.50	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777305 N
5 INV 777306 AFF HOUSING MATTERS		16.50	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777306 N
6 INV 777307 LITIGATION MATTERS		99.00	4-01-20-155-001-033	B	Litigation	R	10/16/24	10/17/24	777307 N
7 INV 777308 SHARED SERVICES		148.50	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777308 N
8 INV 777309 CANNABIS ORDINANCE		180.00	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777309 N
9 INV 777310 CTY TAX BOARD &		49.50	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777310 N
10 INV 777311 QUAL PRIVATE COMM		198.00	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777311 N
11 INV 777312 SHANGLES ALLEY ROW		811.40	4-01-20-155-001-027	B	General Matters	R	10/16/24	10/17/24	777312 N
		5,602.40							
24-01179	10/16/24	Prof. services through 9/30/24							
1 Correspondence/teleconference		49.50	133MONMOUT	P	Easement Agreement	R	10/16/24	10/17/24	777313 N
Vendor Total:		5,651.90							
INDUS005	INDUSTRIAL CONTAINER SERVICES								

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
Item Description											
INDUS005	INDUSTRIAL CONTAINER SERVICE:	Account Continued									
24-01136	10/11/24	55 GALLON POLY SCRAP DRUM									
1 55 GALLON POLY SCRAP DRUM/		530.00	4-09-55-501-002-503	B	Sewer Plant Maintenance	R	10/11/24	10/17/24		90689531	N
	Vendor Total:	530.00									
J0010	JAMMER DOORS										
24-01060	09/20/24	SERVICE- FURNISH & INSTALL									
1 FURNISH & INSTALL ON SL-585		1,150.00	4-09-55-501-002-503	B	Sewer Plant Maintenance	R	09/20/24	10/17/24		49125	N
	Vendor Total:	1,150.00									
JERSE015	JERSEY AUTO SUPPLY INC.										
24-01142	10/11/24	SEPTEMBER 2024 INVOICES									
1 INV 282601-OIL FILTER		27.12	4-01-28-369-001-139	B	Mower Repairs	R	10/11/24	10/17/24		282601	N
2 INV 282633-RED-TACKY GRS		99.90	4-01-26-290-001-050	B	DPW Work Equipment	R	10/11/24	10/17/24		282633	N
4 INV 283080-FUEL CAP (TRK #22)		44.08	4-01-26-290-001-034	B	Motor Vehicle Parts & Access.	R	10/11/24	10/17/24		283080	N
		171.10									
	Vendor Total:	171.10									
J0069	JERSEY ELEVATOR LLC										
24-01151	10/11/24	OCTOBER 2024 MAINTENANCE									
1 OCTOBER 2024 MAINTENANCE		203.95	4-01-26-310-001-029	B	Maintenance Contracts	R	10/11/24	10/17/24		170086-T6R0	N
	Vendor Total:	203.95									
LINDS005	LINDSEY STEFAN										
24-01178	10/16/24	EXECUTIVE DIRECTOR HTIP 2024									
1 EXECUTIVE DIRECTOR HTIP 2024		1,000.00	T-12-56-286-000-885	B	CULTURAL ARTS/SHAKESPEARE IN T		10/16/24	10/17/24		SUMMBER 2024 1/N	
	Vendor Total:	1,000.00									
R0058	MARGARET M. RIGGIO										
24-01165	10/16/24	MILEAGE JAN - JUNE 2-24									
1 MILEAGE JAN - JUNE 2-24		181.97	4-01-20-120-001-045	B	CLERK'S OFFICE MILEAGE	R	10/16/24	10/17/24		JAN-JUNE 2024	N
	Vendor Total:	181.97									
M1076	MCMANIMON, SCOTLAND & BAUMANN										
24-01111	10/01/24	BOND ORDINANCES INV 229462									
1 BOND ORDINANCE AWWTP CAMERA		600.00	4-09-55-501-002-521	B	Legal	R	10/01/24	10/17/24		229462	N
2 BOND ORDINANCE HPD		300.00	C-04-55-904-001-447	B	POLICE LOCKERS, OFFICE PANELS,	R	10/01/24	10/17/24		229462	N
3 BOND ORDINANCE HFD		300.00	C-04-55-904-002-447	B	FIRE DEPT SCBA,TURNOUT,DRY SUIR		10/01/24	10/17/24		229462	N
4 BOND ORDINANCE DAWES PARK IMP		600.00	C-04-55-906-001-447	B	2024-16 DAWES PARK IMPROVEMENR		10/01/24	10/17/24		229462	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
M1076	MCMANIMON, SCOTLAND & BAUM/	Account Continued									
		1,800.00									
	Vendor Total:	1,800.00									
N0169	NEW JERSEY WATER ASSOCIATION										
24-01148	10/11/24	YEARLY MEMBERSHIP RENEWAL									
1 YEARLY MEMBERSHIP RENEWAL		30.00	4-09-55-501-001-519	B	Professional Assoc. Dues	R	10/11/24	10/17/24		3174	N
2 YEARLY MEMBERSHIP RENEWAL		30.00	4-09-55-501-001-519	B	Professional Assoc. Dues	R	10/11/24	10/17/24		3167	N
		60.00									
	Vendor Total:	60.00									
NJADV005	NJ Advance Media										
24-01166	10/16/24	LEGAL ADS SEPT 2024									
1 ORD 2024-16 INTRO		35.10	4-01-20-120-001-021	B	Advertisements	R	10/16/24	10/17/24		0010909172	N
2 ORD 2024-14 INTRO		25.48	4-01-20-120-001-021	B	Advertisements	R	10/16/24	10/17/24		0010909589	N
3 ORD 2024-15		21.84	4-01-20-120-001-021	B	Advertisements	R	10/16/24	10/17/24		0010909594	N
4 NOTICE TO BIDDERS		60.84	4-09-55-501-002-510	B	Advertisements	R	10/16/24	10/17/24		0010913517	N
5 ORD 202-16 ADOPT		28.60	4-09-55-501-002-510	B	Advertisements	R	10/16/24	10/17/24		0010914946	N
6 LEGAL ADS ORDINANCE NOTICE		30.68	4-09-55-501-002-510	B	Advertisements	R	10/16/24	10/17/24		0010914948	N
7 ORD 2024-14		15.60	4-09-55-501-002-510	B	Advertisements	R	10/16/24	10/17/24		0010914950	N
8 ORD 2024-15		10.40	4-09-55-501-002-510	B	Advertisements	R	10/16/24	10/17/24		0010914951	N
9 2024 MUNICIPAL BUDGET		129.84	4-09-55-501-002-510	B	Advertisements	R	10/16/24	10/17/24		9/18/2024	N
		358.38									
	Vendor Total:	358.38									
N0275	NJ LEAGUE OF MUNICIPALITIES										
24-01167	10/16/24	NJLM CONVENTION									
1 P. RIGGIO		60.00	4-01-20-120-001-042	B	Education & Training	R	10/16/24	10/17/24		1031488297	N
	Vendor Total:	60.00									
N1001	NJWEA										
24-01106	10/01/24	MEMBERSHIP RENEWAL									
1 PRE-REGISTRATION FOR BIOSOLIDS		150.00	4-09-55-501-002-513	B	Education & Training	R	10/01/24	10/17/24		E13634	N
24-01141	10/11/24	E. TORRES TRAINING COLLECTIONS									
1 COLLECTION O&M WEDNESDAY 10/23		150.00	4-09-55-501-002-527	B	Conferences & Meetings	R	10/11/24	10/17/24		E13755	N
	Vendor Total:	300.00									
NUOVE005	NUOVE ENERGIE USA INC										

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
Item Description											
NUOVE005	NUOVE ENERGIE USA INC	<i>Account Continued</i>									
24-00417	04/09/24					B					
6 ONSITE SERVICE FOR ULTRASCREEN		5,000.00	C-08-55-963-000-541	B	MONORAIL LIFT SYSTEM	2020-16	R	04/09/24	10/17/24	53	N
Vendor Total:		5,000.00									
O0050	ONE CALL CONCEPT INC										
24-01133	10/11/24										
1 SEPTEMBER 2024 ONE CALL MSGS		68.64	4-09-55-501-001-535	B	Hydrants and Line Repair		R	10/11/24	10/17/24	4095088	N
Vendor Total:		68.64									
PACEA005	PACE ANALYTICAL SERVICES, LLC										
24-01169	10/16/24										
1 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247118961	N
2 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247118961	N
3 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247118961	N
4 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247118961	N
5 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247118863	N
6 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247118863	N
7 NITRATE_IC		28.60	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247117429	N
8 SUB OIL & GREASE		55.10	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247117429	N
		350.70									
24-01170	10/16/24										
1 SUB-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247115537	N
2 NITRATE_IC		28.60	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247115537	N
3 SUB-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247115537	N
4 SUB OIL & GREASE		55.10	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247115537	N
		172.70									
24-01171	10/16/24										
1 PHOSPHORUS TOTAL		42.90	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247114292	N
2 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
3 AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
4 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
5 PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
6 AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
7 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
8 PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113778	N
9 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing		R	10/16/24	10/17/24	247113781	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
Item Description											
PACEA005		PACE ANALYTICAL SERVICES, LLC		Account Continued							
10 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247114660	N
11 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247114660	N
12 PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247114660	N
13 SL3A		360.10	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247115963	N
		882.60									
24-01172	10/16/24	OUTSIDE LAB TESTING									
1 EW-CBOD5		50.80	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247111098	N
2 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247111098	N
3 PHOSPORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247111098	N
4 AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247110689	N
5 PHOSPHORUS TOTAL		35.75	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247110689	N
6 AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247110689	N
7 PHOSPHORUS TOTAL		35.75	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247110689	N
		290.70									
24-01173	10/16/24	OUTSIDE LAB TESTING									
1 SUB- AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247107024	N
2 EW-PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247107024	N
3 SUB-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247107024	N
4 SL3A		360.10	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247107024	N
		477.70									
24-01174	10/16/24	OUTSIDE LAB TESTING									
1 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
2 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
3 EW-PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
4 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
5 EW-PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
6 EW-AMMONIA		44.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
7 EW- PHOSPHORUS TOTAL		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
8 NITRATE		28.60	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
9 OIL & GREASE		55.10	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
10 ECOLI		63.50	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247103157	N
		411.00									
24-01175	10/16/24	OUTSIDE LAB TESTING									
1 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247104983	N
2 EW-CBOD-5		50.80	4-09-55-501-002-532	B	Outside Lab Testing	R	10/16/24	10/17/24		247104987	N

Vendor #	Name	Description		Contract	PO Type	First Enc Rcvd		Chk/Void	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Stat/Chk	Date	Date	Date		
Item Description				Type						
PACEA005	PACE ANALYTICAL SERVICES, LLC	Account Continued								
		101.60								
	Vendor Total:	2,687.00								
P0557	PACKET MEDIA, LLC									
24-01117	10/01/24	LEGAL ADS AUG-SEPT 2024								
1 HYDRANT FLUSHING FALL 2024		25.50	4-09-55-501-001-510	B	Advertisements	R	10/01/24	10/17/24	IN47568	N
2 NOTICE TO BIDDERS - CHEMICALS		68.26	4-01-20-120-001-021	B	Advertisements	R	10/01/24	10/17/24	IN48926	N
3 PUBLIC NOTICE G&O+REEXAM RPT		22.51	4-01-21-180-001-021	B	Advertisements	R	10/01/24	10/17/24	IN47874	N
		116.27								
	Vendor Total:	116.27								
PEOPL005	PEOPLES PLUMBING LLC									
24-01107	10/01/24	INV #114671								
1 QUARTERLY BACK FLOW PREVENTOF		500.00	4-09-55-501-002-503	B	Sewer Plant Maintenance	R	10/01/24	10/17/24	114671	N
	Vendor Total:	500.00								
P0063	PREMIER MAGNESIA, LLC									
24-00068	01/25/24	RES 2023-213 MAGNESIUM HYDROX B								
5 THIOPURIN INV 640493		11,989.47	4-09-55-501-002-541	B	Magnesium Hydroxide (Flomag H)	R	06/14/24	10/17/24	640493	N
	Vendor Total:	11,989.47								
RAPID010	RAPID RECOVERY SERVICES, LLC									
24-00871	08/01/24	INV 24014 DEMO AFTER WTP LEAK								
1 PROJECT MANAGER		1,000.00	4-09-55-501-001-503	B	Water Plant Maintenance	R	08/01/24	10/17/24	24014	N
2 BULDO CARTING		985.04	4-09-55-501-001-503	B	Water Plant Maintenance	R	08/01/24	10/17/24	24014	N
3 SITE FOREMAN 6/10/24		961.60	4-09-55-501-001-503	B	Water Plant Maintenance	R	08/01/24	10/17/24	24014	N
4 WATER TECHNICIAN		1,776.16	4-09-55-501-001-503	B	Water Plant Maintenance	R	08/01/24	10/17/24	24014	N
		4,722.80								
	Vendor Total:	4,722.80								
S0061	SEA BOX									
24-01155	10/11/24	CONTAINER RENTAL								
1 INV R1124649-CONTAINER RENTAL		75.00	4-01-26-310-001-024	B	Building Maintenance	R	10/11/24	10/17/24	R1124649	N
	Vendor Total:	75.00								
TELCO005	TELCO BILL CENTER INC.									
24-01147	10/11/24	POTSOLVE RECURRING CHGS OCT24								

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
TELCO005	TELCO BILL CENTER INC.	Account Continued									
1	POTSOLVE RECURRING CHGS OCT24	401.25	4-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSR		10/11/24	10/17/24		5002	N
Vendor Total:		401.25									
T0130	TRIANGLE COPY										
24-01144	10/11/24	LIGHT UP LAKE POSTER & FLYERS									
1	LIGHT UP THE LAKE POSTER	30.00	4-01-28-373-002-199	B	MISCELLANEOUS-CULTURAL ARTS	R	10/11/24	10/17/24		28532EW	N
2	LIGHT UP THE LAKE FLYERS	69.00	4-01-28-373-002-199	B	MISCELLANEOUS-CULTURAL ARTS	R	10/11/24	10/17/24		28532EW	N
		99.00									
Vendor Total:		99.00									
R0112	UNITED SITE SERVICES										
24-00675	06/10/24	RESTROOM BUNDLE 6/20-10/21/24									
5	STD RESTROOM 9/1/24-9/30/24	65.63	G-02-41-761-000-000	B	Mercer County Local Arts Grant	R	06/10/24	10/17/24		INV-4824832	N
Vendor Total:		65.63									

Total Purchase Orders: 46 Total P.O. Line Items: 127 Total List Amount: 68,700.94 Total Void Amount: 0.00

Totals by Year-Fund								
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	
CURRENT FUND	4-01	29,168.66	0.00	29,168.66	0.00	0.00	0.00	0.00
	4-09	26,592.27	0.00	26,592.27	0.00	0.00	0.00	0.00
	4-21	0.00	0.00	0.00	0.00	0.00	0.00	49.50
	Year Total:	55,760.93	0.00	55,760.93	0.00	0.00	0.00	49.50
GENERAL CAPITAL	C-04	1,200.00	0.00	1,200.00	0.00	0.00	0.00	0.00
WATER/SEWER CAPITAL	C-08	10,000.00	0.00	10,000.00	0.00	0.00	0.00	0.00
	Year Total:	11,200.00	0.00	11,200.00	0.00	0.00	0.00	0.00
	G-02	65.63	0.00	65.63	0.00	0.00	0.00	0.00
TRUST OTHER - FUND #12	T-12	1,624.88	0.00	1,624.88	0.00	0.00	0.00	0.00
Total Of All Funds:		68,651.44	0.00	68,651.44	0.00	0.00	0.00	49.50

Project Description	Project No.	Rcvd Total
Easement Agreement	133MONMOUT	49.50
Total Of All Projects:		<u>49.50</u>

**Hightstown Borough Council
October 21, 2024 Meeting**

Date: October 21, 2024

To: Mayor and Council
From: Finance Office
Re: Manual Bill List for 10/21/2024

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
AT&T MOBILITY	10/3/2024	24-01123	37488	\$ 936.79
COMCAST BUSINESS	10/3/2024	24-01080	37489	\$ 175.35
COMCAST	10/3/2024	24-01081	37490	\$ 195.34
JCP&L	10/3/2024	24-01090	37491	\$ 1,441.85
PSE&G	10/3/2024	24-01083	37492	\$ 90.28
PSE&G	10/3/2024	24-01125	37492	\$ 91.42
STATE OF NEW JERSEY	10/3/2024	24-01086	37493	\$ 490.00
VERIZON WIRELESS	10/3/2024	24-01079	37495	\$ 266.09
VERIZON FIOS	10/3/2024	24-01078	37496	\$ 194.06
STATE OF N.J.-DEPT OF TREASURY	10/15/2024	24-01162	1622	\$ 52,170.70
EAST WINDSOR REGIONAL SCHOOL	10/15/2024	24-01161	1623	\$ 879,508.00
TOTAL				<u><u>\$ 935,559.88</u></u>
 <u>WATER AND SEWER OPERATING</u>				
AT&T MOBILITY	10/3/2024	24-01123	37488	\$ 81.98
COMCAST BUSINESS	10/3/2024	24-01080	37489	\$ 121.37
JCP&L	10/3/2024	24-01124	37491	\$ 14,793.11
PSE&G	10/3/2024	24-01083	37492	\$ 75.31
PSE&G	10/3/2024	24-01125	37492	\$ 836.99
VERIZON	10/3/2024	24-01082	37494	\$ 189.00
STATE OF N.J.-DEPT OF TREASURY	10/15/2024	24-01162	1424	\$ 19,564.82
TOTAL				<u><u>\$ 35,662.58</u></u>
 <u>ESCROW</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>GRANT</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>TRUST- OTHER</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>ANIMAL CONTROL TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>LAW ENFORCEMENT TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>UNEMPLOYMENT TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>PUBLIC DEFENDER TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>TAX LIEN TRUST</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>GENERAL CAPITAL</u>				
TOTAL				<u><u>\$ -</u></u>
 <u>WATER AND SEWER CAPITAL</u>				
TOTAL				<u><u>\$ -</u></u>
TOTAL				<u><u>\$ -</u></u>
MANUAL TOTAL				<u><u>\$ 971,222.46</u></u>

Resolution 2024-185

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A.40A:45 – 4.3dd

WHEREAS, the Mayor and Council of the Borough of Hightstown, in the County of Mercer, desires to make application to the Local Finance Board for its approval of a proposed asset sale waiver pursuant to N.J.S.A.40:45 – 4.3dd; and

WHEREAS, the Borough of Hightstown believes that:

- a) it is in the public interest to accomplish such purpose; and,
- b) the asset sale waiver is for the health, wealth, convenience or betterment of the inhabitants of the Borough of Hightstown; and
- c. the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough of Hightstown and will not create an undue financial burden to be placed upon the Borough of Hightstown.

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

Section 1. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the Borough of Hightstown, are hereby authorized to prepare such application and to represent the Borough of Hightstown in matters pertaining thereto.

Section 2. The Municipal Clerk of the Borough of Hightstown is hereby directed to file a copy of the proposed asset sale waiver with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Approved:

Voted Recorded as Follows:

	Move	2 nd	Yes	No	Abstain	Absent
Mr. Cicalese						
Ms. Fowler						
Mr. Frantz						
Mr. Gulati						
Mr. Jackson						
Mr. Montferrat						

CERTIFICATION

I, Margaret Riggio, Clerk of the Borough of Hightstown, Mercer County, do hereby certify that the foregoing is a true copy of resolution adopted by the Mayor and Council of the Borough of Hightstown at a meeting held on the 21st of October, 2024.

Margaret Riggio, Borough Clerk

Resolution 2024-186

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

**AWARDING CONTRACT FOR REMOVAL, TRANSPORTATION,
DELIVERY AND DISPOSAL OF SLUDGE CAKE – SYNAGRO
TECHNOLOGIES, INC./EPIC**

WHEREAS, three (3) bids were received on October 11, 2024, for the removal, transportation, delivery and disposal of sludge cake for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two (2) year contract for the removal, transportation, delivery and disposal of sludge cake be awarded to the low bidder, Synagro Technologies, Inc./Epic of Baltimore, Maryland at a per unit price of \$151.13 per wet ton with a total contract price not to exceed \$217,627.00.00; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by Synagro Technologies, Inc./Epic is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 and 2026 budgets for said expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for removal, transportation, delivery and disposal of sludge cake is hereby awarded to Synagro Technologies, Inc./Epic of Baltimore, Maryland, effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-187

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

**AWARDING CONTRACT FOR REMOVAL, TRANSPORTATION,
DELIVERY AND DISPOSAL OF GRIT AND SCREENINGS –
SYNAGRO TECHNOLOGIES/EPIC**

WHEREAS, two (2) bids were received on October 11, 2024, for the removal, transportation, delivery and disposal of grit and screenings for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a two (2) year contract, for the transportation, delivery and disposal of grit and screenings be awarded to the low bidder Synagro Technologies/Epic, of Baltimore, Maryland, at a per unit price of \$169.13 per ton with a total contract price not to exceed \$13,530.40; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by Synagro Technologies, Inc./Epic is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 and 2026 budgets for said expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for removal, transportation, delivery and disposal of grit and screenings is hereby awarded to Synagro Technologies/Epic, of Baltimore, Maryland, effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-188

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

**AWARDING CONTRACT FOR FLUOROSILICIC ACID (FLUORIDE)
– GEORGE S. COYNE CHEMICAL CO., INC**

WHEREAS, one (1) bid was received on October 11, 2024, for Fluorosilicic Acid (Fluoride) for the Water Treatment Plant in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one (1) year contract for the Fluorosilicic Acid (Fluoride) be awarded to the low bidder, George S. Coyne Chemical Co. of Croydon, Pennsylvania, at a per unit price of \$9.5745 per gallon with a total contract price not to exceed \$15,510.69; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by George S. Coyne Chemical Co., Inc. is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Fluorosilicic Acid (Fluoride) is hereby awarded to George S. Coyne Chemical Co. of Croydon, Pennsylvania effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-189

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

AWARDING CONTRACT FOR CALCIUM HYDROXIDE (HYDRATED LIME) – GEORGE S. COYNE CHEMICAL CO., INC.

WHEREAS, two (2) bids were received on October 11, 2024, for Calcium Hydroxide (Hydrated Lime) for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, while reviewing the bids received, it was determined that Univar Solutions USA, LLC, the low bidder, included an exception that did not meet the specifications resulting in their bid being rejected; and

WHEREAS, the remaining bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one (1) year contract for the Calcium Hydroxide (Hydrated Lime) be awarded to the next lowest bidder, George S. Chemical Co., Inc., of Croydon, Pennsylvania at a per unit price of \$0.3811 per pound with a total contract price not to exceed \$62,881.50; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by George S. Coyne Chemical Co., Inc. is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Calcium Hydroxide (Hydrated Lime) is hereby awarded to George S. Chemical Co., Inc. effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-190

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

AWARDING CONTRACT FOR MAGNESIUM HYDROXIDE – PREMIER MAGNESIA, LLC

WHEREAS, two (2) bids were received on October 11, 2024, for Magnesium Hydroxide for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for the Magnesium Hydroxide be awarded to the low bidder, Premier Magnesia, LLC of Wayne, PA at a per unit price of \$962.55.00 per ton with a total contract price not to exceed \$57,753.00; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by Premier Magnesia is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Magnesium Hydroxide is hereby awarded to, Premier Magnesia, LLC of Wayne, PA effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-191

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

AWARDING CONTRACT FOR SODIUM BICARBONATE – PARK PUMPS AND CONTROLS

WHEREAS, three (3) bids were received on October 21, 2024, for Sodium Bicarbonate for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, while reviewing the bids received, it was determined that Univar Solutions USA, LLC, the low bidder, included an exception that did not meet the specifications resulting in their bid being rejected; and

WHEREAS, the remaining bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for Sodium Bicarbonate be awarded to the low bidder, Park Pumps and Controls of Edgewater Park, New Jersey at a per unit price of \$0.52 per pound with a total contract price not to exceed \$17,160.00; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by Park Pumps and Controls is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Sodium Bicarbonate is hereby awarded Park Pumps and Controls of Edgewater Park, New Jersey, effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-192

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

AWARDING CONTRACT FOR CALCIUM HYPOCHLORITE – GEORGE S. COYNE CHEMICAL, CO., INC.

WHEREAS, two (2) bids were received on October 11, 2024, for Calcium Hypochlorite for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, while reviewing the bids received, it was determined that Univar Solutions USA, LLC, the low bidder, included an exception that did not meet the specifications resulting in their bid being rejected; and

WHEREAS, the bids have been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for the Calcium Hypochlorite be awarded to the low bidder, George S. Coyne Chemical, Co., Inc. of Croydon, Pennsylvania at a per unit price of \$4.6357 per pound with a total contract price not to exceed \$1,854.28; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by George S. Coyne Chemical Co., Inc. is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available in the 2025 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Calcium Hypochlorite is hereby awarded to George S. Coyne Chemical, Co., Inc. of Croydon, Pennsylvania effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-193

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

AWARDING A CONTRACT FOR LIQUID CHLORINE – GEORGE S. COYNE CHEMICAL CO., INC.

WHEREAS, one (1) bid was received on October 11, 2024, for Liquid Chlorine for the Advanced Wastewater Treatment Plant (AWWTP) in Hightstown Borough; and

WHEREAS, the bid has been reviewed by the Borough Engineer and it is the Engineer's recommendation that a one year contract for Liquid Chlorine be awarded to the low bidder, George S. Coyne Chemical Company, Inc. of Croydon, PA, at a per unit price of \$2.7396 per pound with a total contract price not to exceed \$16,437.60; and

WHEREAS, said contract shall be effective January 1, 2025; and

WHEREAS, a review by the Borough Attorney to determine that the bid submitted by George S. Coyne Chemical Co., Inc. is in order with respect to legal compliance is pending; and

WHEREAS, funds will be made available 2025 budget for said expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the contract for Liquid Chlorine is hereby awarded to George S. Coyne Chemical Company, Inc. of Croydon, PA, effective January 1, 2025.

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 21, 2024.

Margaret Riggio
Borough Clerk



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified

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

October 16, 2024

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

Re: Receipt of Bids
Sludge Cake Removal, Transportation and Delivery and
Grit and Screenings Removal, Transportation and Delivery and
Chemical Purchases for the AWWTP and WTP
Borough of Hightstown, Mercer County, New Jersey
Our File No.: H1665

Dear Dimitri:

Bids were received for Sludge Cake Removal, Transportation and Delivery and Chemical Purchases for the Advanced Wastewater Treatment Plant (AWWTP) and the Water Treatment Plant (WTP) on Friday, October 11, 2024. All bids are for a period of either one (1) or two (2) years. I have reviewed the bids and offer the following comments:

1. **Removal, Transportation, Delivery and Disposal of Sludge Cake** – Bids were received for Removal, Transportation, Delivery and Disposal of Sludge Cake for one (1) and two (2) year periods as follows:

(1) One (1) Year Period

▪ Synagro Technologies, Inc./Epic Baltimore, Maryland	\$161.13/Wet Ton	\$116,013.60
▪ Waste Management of New Jersey, Inc. Trenton, New Jersey	\$192.23/ Wet Ton	\$138,405.60
▪ Spectraserv, Inc. South Kearny, New Jersey	\$201.00/ Wet Ton	\$144,720.00

As the one (1) year price is more than the two (2) year price, I recommend no contract be awarded for the one (1) year time frame.

(2) Two (2) Year Period

▪ Synagro Technologies, Inc./Epic Baltimore, Maryland	\$151.13/ Wet Ton	\$217,627.00
▪ Waste Management of New Jersey, Inc. Trenton, New Jersey	\$198.00/ Wet Ton	\$285,120.00
▪ Spectraserv, Inc. South Kearny, New Jersey	\$201.00/ Wet Ton	\$289,440.00

The low bid documents were reviewed and found to be in order. Therefore, I recommend the award of a two (2) year contract for Removal, Transportation, Delivery and Disposal of

Receipt of Bids
Removal, Transportation, Delivery and Disposal of Sludge Cake
Removal, Transportation, Delivery and Disposal of Grit and Screenings, and
Chemical Purchases for the AWWTP and WTP
Borough of Hightstown, Mercer County, New Jersey
Our File No.: H1665
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Sludge Cake to Synagro Technologies, Inc./Epic of Baltimore, Maryland at a unit price of \$151.13/Wet Ton for a total amount of \$217,627.00.

2. **Removal, Transportation, Delivery and Disposal of Grit and Screenings** – Bids were received for Removal, Transportation, Delivery and Disposal of Grit and Screenings for one (1) and two (2) year periods as follows:

(1) One (1) Year Period

▪ Synagro Technologies, Inc./Epic Baltimore, Maryland	\$179.13/Ton	\$7,165.20
▪ Spectraserv, Inc. South Kearny, New Jersey	\$201.00/Ton	\$8,040.00

As the one (1) year price is more than the two (2) year price, I recommend no contract be awarded for the one (1) year time frame.

(2) Two (2) Year Period

▪ Synagro Technologies, Inc./Epic Baltimore, Maryland	\$169.13/Ton	\$13,530.40
▪ Spectraserv, Inc. South Kearny, New Jersey	\$201.00/Ton	\$16,080.00

The low bid documents were reviewed and found to be in order. Therefore, I recommend the award of a two (2) year contract for Removal, Transportation, Delivery and Disposal of Grit and Screenings to Synagro Technologies, Inc./Epic of Baltimore, Maryland at a unit price of \$169.13/Ton for a total amount of \$13,530.40.

3. **Liquid Chlorine** – One (1) bid was received for Liquid Chlorine for a one (1) year period as follows:

(1) One (1) Year Period

▪ George S. Coyne Chemical Co., Inc. Croydon, Pennsylvania	\$2.7396/Lb.	\$16,437.60
---	--------------	-------------

The low bid documents have been reviewed and found to be in order. Therefore, I recommend the award of a one (1) year contract for Liquid Chlorine to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania, at a unit price of \$2.7396/Lb. for a total amount of \$16,437.60.

(2) Two (2) Year Period

- No bids received.

Receipt of Bids
Removal, Transportation, Delivery and Disposal of Sludge Cake
Removal, Transportation, Delivery and Disposal of Grit and Screenings, and
Chemical Purchases for the AWWTP and WTP
Borough of Hightstown, Mercer County, New Jersey
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4. **Hydrofluorosilicic Acid** – Bids were received for Hydrofluorosilicic Acid for one (1) and two (2) year periods as follows:

(1) One (1) Year Period

- | | | |
|---|---------------|-------------|
| ▪ George S. Coyne Chemical Co., Inc.
Croydon, Pennsylvania | \$9.5745/Gal. | \$15,510.69 |
| ▪ Univar Solutions USA, LLC
Richboro, Pennsylvania | \$10.40/Gal. | \$16,848.00 |

The low bid documents were reviewed and found to be in order. Therefore, I recommend the award of a one (1) year contract for Hydrofluorosilicic Acid to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania, at a unit price of \$9.5745/Gal. for a total amount of \$15,510.69.

(2) Two (2) Year Period

- | | | |
|---|---------------|-------------|
| ▪ George S. Coyne Chemical Co., Inc.
Croydon, Pennsylvania | \$9.8561/Gal. | \$31,933.76 |
|---|---------------|-------------|

As the two (2) year price is higher than the one (1) year price, I recommend no contract be awarded for the two (2) year time frame.

5. **Calcium Hydroxide (Hydrated Lime)** – Bids were received for Calcium Hydroxide (Hydrated Lime) for one (1) and two (2) year periods as follows:

(1) One (1) Year Period

- | | | |
|---|--------------|-------------|
| ▪ Univar Solutions USA, LLC
Richboro, Pennsylvania | \$0.2865/Lb. | \$47,272.50 |
| ▪ George S. Coyne Chemical Co., Inc.
Croydon, Pennsylvania | \$0.3811/Lb. | \$62,881.50 |

Univar was the low bidder for this item; however, they included an exception that does not meet the specifications, and as a result their bid is rejected. Therefore, I recommend the award of a one (1) year contract for Calcium Hydroxide (Hydrated Lime) to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania, at a unit price of \$0.3811/Lb. for a total amount of \$62,881.50.

(2) Two (2) Year Period

- | | | |
|---|--------------|--------------|
| ▪ George S. Coyne Chemical Co., Inc.
Croydon, Pennsylvania | \$0.3858/Lb. | \$127,314.00 |
|---|--------------|--------------|

As the two (2) year price is higher than the one (1) year price, I recommend no contract be awarded for the two (2) year time frame.

Receipt of Bids
Removal, Transportation, Delivery and Disposal of Sludge Cake
Removal, Transportation, Delivery and Disposal of Grit and Screenings, and
Chemical Purchases for the AWWTP and WTP
Borough of Hightstown, Mercer County, New Jersey
Our File No.: H1665
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6. **Magnesium Hydroxide** – Two (2) bids were received for Magnesium Hydroxide for a one (1) period as follows:

(1) **One (1) Year Period**

▪ Premier Magnesia Norristown, Pennsylvania	\$962.55/Ton	\$57,753.00
▪ Univar Solutions USA, LLC Richboro, Pennsylvania	\$1,180.00/Ton	\$70,800.00

The low bid documents have been reviewed and found to be in order. Therefore, I recommend the award of a one (1) year contract for Magnesium Hydroxide to Premier Magnesia of Norristown, Pennsylvania, at a unit price of \$962.55/Ton for a total amount of \$57,753.00.

(2) **Two (2) Year Period**

- No bids received.

7. **Sodium Bicarbonate** – Bids were received for Sodium Bicarbonate for one (1) year and two (2) year periods as follows:

(1) **One (1) Year Period**

▪ Univar Solutions USA, LLC Richboro, Pennsylvania	\$0.505/Lb.	\$16,665.00
▪ Park Pumps & Controls, Inc. Edgewater Park, New Jersey	\$0.52/Lb.	\$17,160.00
▪ George S. Coyne Chemical Co., Inc. Croydon, Pennsylvania	\$0.6569/Lb.	\$21,677.70

Univar was the low bidder for this item; however, they included an exception that does not meet the bid specifications, and as a result their bid is rejected. Therefore, I recommend the award of a one (1) year contract for Sodium Bicarbonate to Park Pumps & Controls, Inc. of Edgewater Park, New Jersey, at a unit price of \$0.52/Lb. for a total amount of \$17,160.00.

(2) **Two (2) Year Period**

▪ George S. Coyne Chemical Co., Inc. Croydon Pennsylvania	\$0.6746/Lb.	\$44,523.60
--	--------------	-------------

As the two (2) year price is higher than the one (1) year price, I recommend no contract be awarded for the two (2) year time frame.

Receipt of Bids
Removal, Transportation, Delivery and Disposal of Sludge Cake
Removal, Transportation, Delivery and Disposal of Grit and Screenings, and
Chemical Purchases for the AWWTP and WTP
Borough of Hightstown, Mercer County, New Jersey
Our File No.: H1665
Page 5 of 5

8. **Calcium Hypochlorite** – Bids were received for Calcium Hypochlorite for one (1) year and two (2) year periods as follows:

(1) **One (1) Year Period**

▪ Univar Solutions USA, LLC Richboro, Pennsylvania	\$4.58/Lb.	\$1,832.00
▪ George S. Coyne Chemical Co., Inc. Croydon, Pennsylvania	\$4.6357/Lb.	\$1,854.28

Univar was the low bidder for this item; however, they included an exception that does not meet the specifications, and as a result their bid is rejected. Therefore, I recommend the award of a one (1) year contract for Calcium Hypochlorite to George S. Coyne Chemical Co., Inc. of Croydon, Pennsylvania, at a unit price of \$4.6357/Lb. for a total amount of \$1,854.28.

(2) **Two (2) Year Period**

▪ George S. Coyne Chemical Co., Inc. Croydon, Pennsylvania	\$4.9214/Lb.	\$3,937.12
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As the two (2) year price is higher than the one (1) year price, I recommend no contract be awarded for the two (2) year time frame.

The bid documents are subject to review by the Borough Attorney.

By way of this letter, I am returning the original bid documents to the Borough Clerk.

Should you have questions or require additional information, please feel free to contact me.

Very truly yours,



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

cc: Mayor and Council
Peggy Riggio, RMC, CMR, Borough Clerk
Frederick C. Raffetto, Esq., Borough Attorney
George Lang, Borough CFO
Mickie O'Connor, Borough Deputy CFO
Steve White, AWWTP Superintendent
Richard Lewis, Borough Senior Water Operator
Cameron Corini, P.E., C.M.E., C.P.W.M., Roberts Engineering Group, LLC
Justin Streleckis, P.E., Roberts Engineering Group, LLC
Kelly Pham, E.I.T., Roberts Engineering Group, LLC



Hightstown Borough Council
October 21, 2024 Meeting

Friday, October 11, 2024 @ 11:00 am

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

Summary of Bids Our File No.: H1665				George S. Coyne Chemical Co., Inc. 3015 State Road Croydon, Pennsylvania 19021 Phone: (215) 785-3000 Fax: (215) 785-1585		Hermans Trucking 181 Jacobstown-Cookstown Road Wrightstown, New Jersey 08562 Phone: (609) 960-4917 Fax: N/A		Park Pumps & Controls, Inc. 950 Mt. Holly Road Edgewater Park, New Jersey 08010 Phone: (609) 871-0944 Fax: (609) 871-2987		Premier Magnesia, LLC 75 Gilkes Place Waynesville, North Carolina 28786 Phone: (828) 452-4784 Fax: N/A		Spectraserv, Inc. 75 Jacobus Avenue South Kearny, New Jersey 07032 Phone: (973) 589-0277 Fax: (973) 589-0415	
Item No.	Description	Quantity	Units	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1 Removal, Transportation, Delivery and Disposal of Sludge Cake													
1A(1)	Removal, Transportation, Delivery and Disposal of Sludge Cake - One (1) Year Period	720	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	\$201.00	\$144,720.00
1A(2)	Removal, Transportation, Delivery and Disposal of Sludge Cake - Two (2) Year Period	1,440	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	\$201.00	\$289,440.00
2 Removal, Transportation, Delivery and Disposal of Grit and Screenings													
2A(1)	Removal, Transportation, Delivery and Disposal of Grit and Screenings - One (1) Year Period	40	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	\$201.00	\$8,040.00
2A(2)	Removal, Transportation, Delivery and Disposal of Grit and Screenings - Two (2) Year Period	80	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	\$201.00	\$16,080.00
3 Liquid Chlorine													
3A(1)	Liquid Chlorine - One (1) Year Period	6,000	LBS.	\$2.7396	\$16,437.60	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
3A(2)	Liquid Chlorine - Two (2) Year Period	12,000	LBS.	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
4 Hydrofluorosilicic Acid													
4A(1)	Hydrofluorosilicic Acid - One (1) year period	1,620	GAL	\$9.5745	\$15,510.69	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
4A(2)	Hydrofluorosilicic Acid - Two (2) year period	3,240	GAL	\$9.8561	\$31,933.76	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
5 Calcium Hydroxide (Hydrated Lime)													
5A(1)	Calcium Hydroxide (Hydrated Lime) - One (1) Year Period	165,000	LBS.	\$0.3811	\$62,881.50	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
5A(2)	Calcium Hydroxide (Hydrated Lime) - Two (2) Year Period	330,000	LBS.	\$0.3858	\$127,314.00	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
6 Magnesium Hydroxide													
6A(1)	Magnesium Hydroxide - One (1) Year Period	60	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	\$962.55	\$57,753.00	No Bid Received	No Bid Received
6A(2)	Magnesium Hydroxide - Two (2) Year Period	120	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
7 Sodium Bicarbonate													
7A(1)	Sodium Bicarbonate - One (1) Year Period	33,000	LBS.	\$0.6569	\$21,677.70	No Bid Received	No Bid Received	\$0.52	\$17,160.00	No Bid Received	No Bid Received	No Bid Received	No Bid Received
7A(2)	Sodium Bicarbonate - Two (2) Year Period	66,000	LBS.	\$0.6746	\$44,523.60	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
8 Calcium Hypochlorite													
8A(1)	Calcium Hypochlorite - One (1) Year Period	400	LBS.	\$4.6357	\$1,854.28	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
8A(2)	Calcium Hypochlorite - Two (2) Year Period	800	LBS.	\$4.9214	\$3,937.12	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received

Summary of Bids Our File No.: H1665				Synagro Technologies, Inc./Epic 435 Williams Court, Suite 100 Baltimore, Maryland 21220 Phone: (832) 630-7027 Fax: (410) 779-3558		Univar Solutions USA, LLC 68 Shelbourne Road Richboro, Pennsylvania 18954 Phone: (267) 397-4074 Fax: N/A		Waste Management of NJ, Inc. 100 Brandywine Boulevard, Suite 300 Newtown, Pennsylvania 18940 Phone: (609) 352-8362 Fax: N/A		Wind River Environmental 99 Maple Grange Road Vernon, New Jersey 07462 Phone: (570) 579-5300 Fax: N/A	
Item No.	Description	Quantity	Units	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1 Removal, Transportation, Delivery and Disposal of Sludge Cake											
1A(1)	Removal, Transportation, Delivery and Disposal of Sludge Cake - One (1) Year Period	720	TONS	\$161.13	\$116,013.60	No Bid Received	No Bid Received	\$192.23	\$138,405.60	No Bid Received	No Bid Received
1A(2)	Removal, Transportation, Delivery and Disposal of Sludge Cake - Two (2) Year Period	1,440	TONS	\$151.13	\$217,627.20	No Bid Received	No Bid Received	\$198.00	\$285,120.00	No Bid Received	No Bid Received
2 Removal, Transportation, Delivery and Disposal of Grit and Screenings											
2A(1)	Removal, Transportation, Delivery and Disposal of Grit and Screenings - One (1) Year Period	40	TONS	\$179.13	\$7,165.20	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
2A(2)	Removal, Transportation, Delivery and Disposal of Grit and Screenings - Two (2) Year Period	80	TONS	\$169.13	\$13,530.40	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
3 Liquid Chlorine											
3A(1)	Liquid Chlorine - One (1) Year Period	6,000	LBS.	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
3A(2)	Liquid Chlorine - Two (2) Year Period	12,000	LBS.	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
4 Hydrofluorosilicic Acid											
4A(1)	Hydrofluorosilicic Acid - One (1) year period	1,620	GAL	No Bid Received	No Bid Received	\$10.40	\$16,848.00	No Bid Received	No Bid Received	No Bid Received	No Bid Received
4A(2)	Hydrofluorosilicic Acid - Two (2) year period	3,240	GAL	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
5 Calcium Hydroxide (Hydrated Lime)											
5A(1)	Calcium Hydroxide (Hydrated Lime) - One (1) Year Period	165,000	LBS.	No Bid Received	No Bid Received	\$0.2865	\$47,272.50	No Bid Received	No Bid Received	No Bid Received	No Bid Received
5A(2)	Calcium Hydroxide (Hydrated Lime) - Two (2) Year Period	330,000	LBS.	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
6 Magnesium Hydroxide											
6A(1)	Magnesium Hydroxide - One (1) Year Period	60	TONS	No Bid Received	No Bid Received	\$1,180.00	\$70,800.00	No Bid Received	No Bid Received	No Bid Received	No Bid Received
6A(2)	Magnesium Hydroxide - Two (2) Year Period	120	TONS	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
7 Sodium Bicarbonate											
7A(1)	Sodium Bicarbonate - One (1) Year Period	33,000	LBS.	No Bid Received	No Bid Received	\$0.505	\$16,665.00	No Bid Received	No Bid Received	No Bid Received	No Bid Received
7A(2)	Sodium Bicarbonate - Two (2) Year Period	66,000	LBS.	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received
8 Calcium Hypochlorite											
8A(1)	Calcium Hypochlorite - One (1) Year Period	400	LBS.	No Bid Received	No Bid Received	\$4.58	\$1,832.00	No Bid Received	No Bid Received	No Bid Received	No Bid Received
8A(2)	Calcium Hypochlorite - Two (2) Year Period	800	LBS.	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received	No Bid Received

Carmela Roberts

Carmela Roberts, P.E., C.M.E., C.P.W.M.
 NJ License No. 34419

Resolution 2024-194

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

**A RESOLUTION APPROVING LIGHT UP THE LAKE 2024
ORGANIZED BY THE HIGHTSTOWN BOROUGH
CULTURAL ARTS COMMISSION**

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

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

WHEREAS, one such activity sponsored by the Cultural Arts Commission is entitled “Light up the Lake” in which individuals paint or carve their own pumpkin to be displayed along Peddie Lake; and

WHEREAS, this year’s Light Up the took place on October 20, 2024, at Memorial Park, 123 North Main Street, Hightstown.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown approve Light of the Lake 2024 as a sponsored and covered event and are grateful to the Cultural Arts Commission for their work in providing community events to the residents of Hightstown Borough.

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 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-195

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

AMENDING RESOLUTION 2024-27 AUTHORIZING DEPOSITORIES AND SIGNATURES FOR BOROUGH ACCOUNTS

WHEREAS, Resolution 2024-27 authorized officers of the Borough of Hightstown to sign for the payment of money from the accounts of the Borough of Hightstown; and

WHEREAS, it is necessary to amend resolution 2024-27 by removing the name of George J. Lang, Chief Financial Officer, as a designated officer who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown; and

WHEREAS, it is necessary to further amend resolution 2024-27 by adding the name Donna Condo, Chief Financial Officer, as a designated officer who is authorized to sign checks for the payment of money from the accounts of the Borough of Hightstown.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that Resolution 2024-27 shall be amended by removing George J. Lang and adding Donna Condo, as an officer who is authorized to sign checks for the payment of money from the accounts of 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 October 21, 2024.

Margaret Riggio
Borough Clerk

Resolution 2024-196

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

AUTHORIZING RELEASE OF ESCROW FUNDS TO THE HIGHTSTOWN EAST WINDSOR HISTORICAL SOCIETY – HIGHTSTOWN FAMILY FAIR

WHEREAS, on September 18, 2024, The Hightstown East Windsor Historical Society deposited \$6,500.00 in escrow funds to cover costs associated with the provision of employees from the Department of Public Works (DPW) needed to assist with the Hightstown Family Fair; and

WHEREAS, the total cost for DPW employees totaled \$2,322.10; and

WHEREAS, pursuant to Use and License Agreement entered into on September 16, 2024, the Borough of Hightstown shall refund the Hightstown East Windsor Historical Society the remainder of the funds held in escrow.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hightstown that the Deputy CFO is authorized and directed to release \$4,177.90, which represents the remaining escrow funds on deposit with the Borough of Hightstown, to the Hightstown East Windsor Historical Society, 164 North Main Street, Hightstown NJ 08520.

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 21, 2024.

Margaret Riggio
Borough Clerk

DRAFT
Ordinance 2024-__

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF
“THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN”
RELATING TO CANNABIS LICENSING.**

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, the Hon. Philip Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, Section 31(a) of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in Section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, the Borough Council of the Borough of Hightstown (the “Borough”), in the County of Mercer and State of New Jersey, previously decided that additional study of cannabis business was warranted and thus initially voted to opt out of permitting any cannabis businesses, excepting the delivery of cannabis products as allowed by the Act, through the enactment of Ordinance 2021-06; and

WHEREAS, having further studied the issues at hand, including the receipt of input from the Planning Board, the Borough Council subsequently found it necessary and appropriate, and in the best interests of the health, safety and welfare of the Borough’s residents and members of the public, to opt in with regard to cannabis licensing in certain limited respects, and to permit certain classes of cannabis-related businesses, land use and development within the geographic boundaries of the Borough, pursuant to the terms and conditions set forth in Ordinance 2023-20, as adopted on December 18, 2023; and

WHEREAS, upon further review, the Borough Council has determined to expand its cannabis licensing to include Class 5 Cannabis Retailer Licenses as set forth in the Act, and to revise the cannabis licensing requirements of “The Revised General Ordinances of the Borough of

Hightstown” (also referenced as the “Borough Code”) as set forth herein.

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

Section 1. Article 4-13, entitled “Cannabis Licensing,” of “Part 1, “Business Licensing,” of Chapter “4, “General Licensing,” of the Borough Code is hereby amended and supplemented in the following respects (additions are show with underline; deletions are shown with ~~strikethrough~~):

Chapter 4. General Licensing

Part 1. Business Licensing

Article 4-13. Cannabis Licensing

§ 4-13-1 Definitions.

[Added 12-18-2023 by Ord. No. 2023-20]

- A. As used in this article, the following terms shall have the meanings as defined in the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act,"^[1] also referenced herein as the "Act" or "P.L. 2021, c. 16," as it may be amended or superseded, and are included herein for purposes of general acknowledgment and ease of use:

CLASS 1 CANNABIS CULTIVATOR LICENSE

A license for facilities involved in growing and cultivating cannabis.

CLASS 2 CANNABIS MANUFACTURER LICENSE

A license for facilities involved in the manufacturing, preparation, and packaging of cannabis items.

CLASS 3 CANNABIS WHOLESALER LICENSE

A license for facilities involved in obtaining and selling cannabis items for later resale by other licensees.

CLASS 4 CANNABIS DISTRIBUTOR LICENSE

A license for businesses involved in transporting cannabis plants in bulk from a licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another.

CLASS 5 CANNABIS RETAILER LICENSE

A license for locations at which cannabis items and related supplies are sold to consumers.

CLASS 6 CANNABIS DELIVERY LICENSE

A license for businesses providing courier services for consumer purchases that are

fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

[1] *Editor's Note: See N.J.S.A. 24:6I-31 et seq.*

- B. All other terms as defined in the Act are hereby incorporated herein by reference and shall have the meanings set forth in the Act, as may be amended or superseded.
- C. In addition, the following terms shall have the meanings indicated:

GIFTING

The sale of any object containing cannabis or a cannabis product wherein the cannabis itself is assigned no or a below-market-price sales price.

§ 4-13-2 Nonlicensed cannabis businesses and individual proprietors and gifting prohibited.

[Added 12-18-2023 by Ord. No. 2023-20]

The cultivation, manufacturing, preparation, packaging, wholesaling, distributing, retailing, delivery and other related enterprise consisting in whole or in part of cannabis growing, harvesting, drying, producing, marketing and selling by nonlicensed businesses or individuals is hereby prohibited throughout the Borough of Hightstown. No licensed cannabis enterprise and no nonlicensed business or individual may undertake the gifting of cannabis in the Borough of Hightstown. In addition to any criminal penalties which may be applicable, the Borough shall impose a civil penalty for the violation of any of the provisions of this section in accordance with § 4-13-5.

§ 4-13-3 Licensed use applicability.

[Added 12-18-2023 by Ord. No. 2023-20]

The use of any cannabis license shall only be in strict accordance with the land use and location requirements of Chapter 28 of the Revised General Ordinances of the Borough of Hightstown. Consequently, the Borough of Hightstown may or may not establish locations for the use and operation of the six types of cannabis business licenses and operations as set forth in the Act. Should the Borough of Hightstown establish more than one type of cannabis license, nothing herein shall prohibit a single owner from owning more than one such license, provided such ownership is not prohibited by state statute or rule.

§ 4-13-4 Local licensing authority.

[Added 12-18-2023 by Ord. No. 2023-20]

- A. The Borough Council is hereby designated to act as the local licensing authority for the Borough of Hightstown for all cannabis businesses within the Borough. The Borough Administrator shall act as the receiver of any communications from the State Cannabis Regulatory Commission and shall promptly convey any item of information with regard to the licensing of cannabis businesses by the state or in which state law requires any review or

approval by the Borough of any action to the Borough Council.

- B. Under no circumstances shall a local license for a cannabis business issued by the Borough Council be effective until or unless the state has issued the requisite licenses to operate such a facility. It is the intent of this article that no cannabis business may lawfully operate in the Borough of Hightstown without the issuance of a state license and full regulatory oversight of the cannabis business by the Cannabis Regulatory Commission or other state licensing authority as required by law as well as oversight and issuance of a license by the Borough.
- C. Municipal licensing for cannabis businesses shall follow the nomenclature of the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act"^[1] as indicated in the definitions in this article.
 [1] *Editor's Note: See N.J.S.A. 24:6I-31 et seq.*
- D. Maximum number of licenses and fees. Subject to the provisions of Chapter 28, the Borough may issue up to and including the following number of licenses, which shall require the associated license application and annual renewal fee:

Borough of Hightstown Cannabis License and Fee Schedule					
License	Class	Maximum Number of Licenses to be Issued	Nonrefundable Application Fee	Annual License Renewal	
Cannabis cultivator	1	1	\$10,000	\$25,000	
Cannabis manufacturer	2	1	\$10,000	\$25,000	
Cannabis wholesaler	3	1	\$10,000	\$25,000	
Cannabis distributor	4	1	\$10,000	\$25,000	
Cannabis retailer	5	0 <u>2</u>	N/A <u>\$10,000</u>	N/A <u>\$25,000</u>	
Cannabis delivery	6	0	N/A	N/A	

NOTE:

For any class of cannabis license referenced in the schedule above in which the number "0" is specified under the column entitled "Maximum Number of Licenses to be Issued," the Borough hereby continues to opt out relating to that class of cannabis license under the Act, as originally declared in Ordinance No. 2021-06.

- E. A resolution of support issued by the Borough Council pursuant to N.J.A.C. 17:30-5.1(g)1 to a cannabis business shall expire within 18 months unless the business has secured at least one of the annual state-issued cannabis licenses for operation of a Class 1 through 4 business within the Borough of Hightstown. The Borough Council may extend the resolution of support at its discretion for up to two additional periods of six months each for good cause, including but not limited to delays in the processing of approvals required from state, county or other local agencies. There shall be a fee of \$2,500 for each extension request.
- F. Additional licensing regulations.

- (1) Hours of operation.
 - (a) The hours of operation of vehicles on the premises of a cannabis business with a gross vehicle weight rating of 25,000 pounds or greater for Classes 2 through 4 5 licensees shall be limited from 7:00 a.m. to 7:00 p.m., inclusive, unless, as part of a site plan application and for good cause shown and mitigation of noise, appropriate access and site layout, an extended period, not to exceed 14 hours total in any day, is approved by the Planning Board.
 - (b) Such hours shall be construed to mean Eastern Standard Time or Eastern Daylight Savings Time, whichever time shall be in effect within the Borough of Hightstown.
- (2) Prohibited consumption. The consumption of cannabis items through smoking, vaping, aerosolizing or other means (e.g., edibles) is prohibited within or on the grounds of any licensed cannabis establishments, distributors, or delivery service of any class of license within the Borough of Hightstown.
- (3) Security. All structures shall be designed, using safety and security barriers, to prevent the unlawful and unauthorized entry into the structures as prescribed by state law.
 - (a) There shall be controlled access to the site, with 24/7 on-site video monitoring of the exterior and interior of the facility. Video records shall be retained and stored for the period prescribed by state law, but in no case shall such video be retained and stored for less than 30 days.
 - (b) Any site plans, construction plan, reports and similar documents depicting or describing access and security details information concerning the facility shall be deemed and protected as confidential security documents and exempt from disclosure as public records.
- (4) Emergency power. All licensed cannabis establishments, distributors, or delivery services shall have a backup generator capable of maintaining, at a minimum, all electronic security systems and odor control systems in the event of a power failure for a period of at least 48 hours.
- (5) Enclosed building. All cultivation, manufacturing, storage, ~~and~~ distribution and retail activities, as may be permitted within the Borough, shall take place within an enclosed building. Any facility that is not the sole occupant of its building shall have no internal doorways, windows, or utility chases in common with other spaces in the building and shall have a separate HVAC system (which incorporates odor control) solely for the cannabis business.

- (6) Pollen and seed control. Any cannabis business shall implement measures to prevent cross-pollination and to prevent cannabis pollen and seeds from leaving the premises, which may include, but is not limited to, use of pollen screens, ultraviolet light and other methods, to ensure that employees, customers, vendors and other persons on site do not leave the premises while carrying any cannabis pollen or seeds knowingly or unknowingly.
- (7) Fencing. All fencing or walls installed for security purposes shall be at least six feet in height. Such security structure may be extended in height as approved on a site plan by the Planning Board.
- (8) Site management. Any cannabis business shall properly store and dispose of all waste generated on the site, including chemical and organic waste, in accordance with all applicable laws and regulations. No cannabis business shall dispose of cannabis or cannabis products unless they have been made unusable and unrecognizable.
- (9) Noise. All cannabis business facilities shall operate in compliance with state, county, and local noise laws and regulations, except in emergency situations requiring the use of a backup generator.
- (10) Odor. All cannabis business facilities shall utilize available technology to filter and recirculate air so that odors are not discernible by a reasonable person beyond the property line. Such determination shall be supported by such exhibits, submissions and expert testimony in a development application before the Planning Board for site plan approval to which the approving authority may attach reasonable conditions. The Planning Board may engage such experts as needed to evaluate the submissions made by the applicant in accordance with the procedures set forth in N.J.S.A. 40:55D-1 et seq.
- (11) Site plan and other necessary land use approvals. All applicants for a license to operate a cannabis business within the Borough shall be required to apply for and obtain site plan approval and any other necessary land use approvals from the Planning Board.
- (12) Host community benefits agreement. Following the receipt of all necessary approvals, any applicant for a license to operate a cannabis business within the Borough shall be required to enter into a host community benefits agreement with the Borough to:
 - (a) Address on- or off-site impacts reasonably anticipated because of the nature of the business and/or the property on which such business is proposed to be located as a condition of local land use approval; and/or
 - (b) Memorialize an applicant's commitment to the Borough.
- (13) Sales restricted to persons over age 21. No sales of cannabis items shall be permitted

to persons who are under the age of 21 years.

G. Application for local license. Persons wishing to obtain any permitted classification of cannabis license within the Borough shall file a license application with the Borough Clerk on a standardized form established by the Borough and available in the Borough Clerk's office or other suitable locations as determined by the Borough. An application shall be deemed incomplete, and shall not be processed by the Borough, until all documents and application fees are submitted. To be deemed complete, all applications shall be submitted to the Borough Clerk's Office and shall be accompanied by the items referenced below. The following regulations shall apply:

- (1) The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.
- (2) The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, antidiscrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status in any of its activities or operations.
- (3) The applicant shall submit all required nonrefundable fees for the application and conditional license in accordance with the Borough of Hightstown Cannabis License and Fee Schedule.
- (4) The applicant and the application shall otherwise comply with any and all qualification standards set forth in the state and Borough laws or regulations.
- (5) Completed applications shall include a business plan outlining the proposed operations of the cannabis business.
- (6) All applications shall be evaluated by the Hightstown Cannabis Committee. The Committee shall consist of the Borough Administrator and the Chief of Police, or their respective designees, and another Borough employee or non-governing-body official to be designated by the Borough Administrator. The Committee shall evaluate all applications and issue to the Borough Council a recommendation as to the issuance of a resolution of support, a resolution of support with conditions or a rejection of the application. The recommendation shall be made after consideration and evaluation of the following criteria:
 - (a) The applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, health care, pharmaceutical manufacturing, or retail pharmacies, with preference to

experience operating such businesses within the State of New Jersey and where the value of the owners' experience shall outweigh the experience of nonowner principals.

- (b) The applicant's qualifications and experience related to public safety and security, including any of the applicant's owners' or principals' experience in securing controlled substances or valuable items. The applicant shall submit a summary of the applicant's plans for storage of products and currency, physical security, video surveillance, security personnel, and visitor management as well as training plans.
 - (c) The status of the applicant's control over the premises at the proposed location, and specifically whether the applicant owns or has executed an agreement to lease or purchase the site.
 - (d) The extent of the applicant's ties to the community as measured by residency in Hightstown by employees, managers and/or shareholders, historical operation of a local business, historical ties to Hightstown or area civic organizations and/or charities.
 - (e) Any other information that the applicant may wish to highlight and bring to the Borough's attention regarding the proposed cannabis business operation and/or the owners, principals or employees of the business.
- (7) The Borough Council shall act on the recommendations made by the Hightstown Cannabis Committee within 45 days of the Committee issuing its recommendations to issue a resolution of support, resolution of support with conditions, or to not issue a resolution of support of a municipal cannabis license under the terms of Subsection H hereinbelow. The Borough Council shall not issue resolutions of support in excess of the number of local cannabis licenses permitted in accordance with the Borough of Hightstown Cannabis License and Fee Schedule. The Borough Administrator shall engage with an applicant granted a resolution of support or a resolution of support with conditions for a host community benefits agreement which must be approved by the Borough Council.
- (8) Notwithstanding the foregoing competitive application process, a notification of a resolution of support shall entitle the recipient applicant to pursue a state license in the appropriate cannabis class for up to 18 months, which may be extended at the Borough Council's discretion for up to two additional periods of six months each for good cause. No license to operate shall issue until the applicant has received a state annual license and satisfied other prerequisites of municipal licensure. If the recipient of a resolution of support has not received a state license within 18 months from issuance, unless extended for good cause, the Borough Administrator shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.

H. Terms of local cannabis license and cannabis license renewals.

- (1) Before the occupancy of a building or buildings where the local cannabis license will be used to operate the cannabis business, the license holder shall obtain site plan approval, along with any and all other land use approvals deemed necessary, from the Hightstown Planning Board, along with any additional outside governmental agency approval(s) which may be necessary.
- (2) Any local license issued pursuant to this article shall be valid for a period of one year from the date of issuance and shall be renewed in accordance with the provisions of this article.
- (3) The Borough Administrator may, at the official's discretion, adjust the renewal date of the local license to correlate with an applicant's state licensing and renewal schedule.
- (4) Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed.
- (5) Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premises shall be subject to joint Borough Council and Planning Board review and approval as well as a new license application.
- (6) Except where the Borough Clerk has received a complete renewal application along with the requisite fees, and the Borough has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any licensee after the expiration date recorded on the face of the license, except for the closure of the business.

§ 4-13-5 Enforcement and penalties.

[Added 12-18-2023 by Ord. No. 2023-20]

- A. This article shall be enforced by the Code Enforcement Officer and/or their designee.
- B. Jurisdiction. Violations of this article shall be adjudicated in the Hightstown Municipal Court. This article shall not affect the judicial proceedings of any other aspect of cannabis use in the Borough of Hightstown.
- C. Penalties. Convictions shall result in the following penalties:
 - (1) First offense and subsequent offenses. A mandatory fine shall be imposed in an amount not to exceed \$2,000 per day per violation. In addition to the mandatory fine, the following penalties may be imposed in the discretion of the Municipal Court Judge:

- (a) Imprisonment in the Mercer County Jail for any term not exceeding 90 days; or
 - (b) Imposition of a period of community service for a period not exceeding 90 days.
- (2) Each and every day of the violation shall be construed as a single and separate offense.
- (3) Summary suspension. Notwithstanding the foregoing, when the Borough Administrator has been notified of a third conviction by a licensee or has reasonable grounds to believe that a licensee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires immediate action, or in circumstances where the licensee has failed to reimburse the municipality for outside third-party financial consultant fees in a timely manner as set forth in § 31-1-5A of the Borough Code, the Borough Administrator, in consultation with the Hightstown Cannabis Committee, may enter a summary suspension order which immediately suspends the licensee's license to operate and schedule a hearing as follows:
- (a) The summary suspension order shall be in writing, shall state the reasons therefor, and shall schedule a hearing not less than 10 nor more than 30 days from the date of the order. The order shall be served upon the licensee immediately.
 - (b) The Borough Administrator shall convene the Hightstown Cannabis Committee to conduct the hearing. The licensee shall be permitted to appear at the hearing, along with counsel, if so desired. The licensee must notify the Borough Administrator at least five days' prior to the hearing if the licensee plans to bring counsel to the hearing. At the conclusion of the hearing, the Hightstown Cannabis Committee may lift the suspension order and reinstate the license in cases where the licensee has taken sufficient immediate actions to rectify the violation(s) which were the cause of the summary suspension order. Alternatively, the Hightstown Cannabis Committee may impose any fines, conditions, restrictions, suspensions, revocations or combination thereof as warranted.
 - (c) Inactive licenses. Following the commencement of operations by a cannabis business, the Borough Council may suspend or revoke any license if the licensed premises has been inactive or unoccupied by the licensee for at least six months.
- (4) State license. The Borough Council may suspend or revoke any locally issued license if the corresponding state license for the subject location is expired, surrendered, suspended, or revoked.

Section 2. Section 28-3-13, entitled “DTC Downtown Core,” of Article 28-3, “Districts Established; Zoning Map,” of Chapter 28, “Zoning,” of the Borough Code is hereby amended and supplemented as follows (additions are show with underline; deletions are shown with ~~strikethrough~~):

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-13. DTC Downtown Core.

[1991 Code §§ 223-20, 223-21; Ord. No. 93-852; Ord. No. 860; Ord. No. 2013-13; Ord. No. 2019-13]

The purpose and intent is to eliminate the CC-1 Central Commercial District and the CC-2 Central Commercial District and to establish a new district known as the DTC Downtown Core.

- A. Permitted Uses. In the DTC Downtown Core, the following uses, and no others, shall be permitted:
- (1) Principal Uses:
 - (a) Retail sales and services within a completely enclosed building.
 - (b) Personal and business services within a completely enclosed building.
 - (c) Offices.
 - (d) Public facilities, including public parking facilities.
 - (e) Child care centers.
 - (f) Bars and taverns.
 - (g) Restaurants and other places to eat and drink, but not including establishments with drive-throughs.
 - (h) Banks and financial institutions.
 - (i) Newspaper and other publishing facilities.
 - (j) Apartment dwellings as upper floor use of buildings containing above permitted principal uses.
 - (k) Art galleries and artist studios.

- (2) Accessory Uses and Structures:
- (a) Signs in accordance with ~~Article~~ Chapter 29-18.
 - (b) Parking facilities.
 - (c) Fences, walls and landscaping.
 - (d) Amusement machines, subject to the licensing and regulation provisions of Chapter 4, General Licensing, Article ~~4-7~~, Amusement Machines, of the Code of the Borough of Hightstown.
 - (e) Satellite dishes, subject to the restrictions and requirements set forth in § ~~28-10-19~~.
 - (f) Accessory uses and structures customarily incidental and on the same lot as a principal or conditional use.
- (3) Conditional Uses. The following uses shall be permitted when authorized as a conditional use by the Planning Board when meeting their associated criteria:
- (a) Cannabis retail, subject to the following criteria:
 - [1] Such use shall operate fully within an enclosed building.
 - [3] Excepting emergency egress doors, each entrance and exit, including loading docks doors, shall be designed to prevent interior air from escaping out of doors unless properly treated as required under §~~4-13-4F(10)~~ through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
 - [4] All criteria set forth in the licensing regulations at §4-13-4F shall apply.

B. Other Restrictions. [*Editor's Note: For brevity, the language of the existing Code is not recited hereafter, as all existing language and subsections which are currently in effect under §28-3-13B are not being revised as part of the within Ordinance and shall remain unchanged.*]

Section 3. Section 28-3-14, entitled "H-C Highway Commercial District," of Article 28-3, "Districts Established; Zoning Map," of Chapter 28, "Zoning," of the Borough Code is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikethrough~~):

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-14. H-C Highway Commercial District.

[1991 Code §§ 233-24, 233-25; Ord. No. 93-852; Ord. No. 860; Ord. No. 2013-13; Ord. No. 2014-16; Renumbered - Ord. No. 2019-15]

A. Permitted Uses. In the H-C Highway Commercial District, the following uses, and no others, shall be permitted:

(1) Principal Uses.

- (a) Any principal use permitted in the DTC Downtown Core [District](#).
- (b) Retailing and service establishments with incidental outdoor operations.
- (c) Movie theater, bowling alley, gymnasiums, tennis centers, roller skating rinks and similar recreational and cultural facilities conducted within an enclosed building.
- (d) Lumber yards.
- (e) Heating oil distribution facilities.
- (f) Motor vehicle body and repair shops, subject to the conditions of § **28-10-13**.

(2) Accessory Uses and Structures.

[Amended 12-18-2023 by Ord. No. 2023-20]

- (a) Off-street parking and loading facilities.
- (b) Private garages and storage buildings.
- (c) Fences, walls and landscaping.
- (d) Amusement machines: as permitted in the DTC Downtown Core District.
- (e) Satellite dishes, subject to the restrictions and requirements set forth in **28-10-19**.
- (f) Signs in accordance with Chapter **29**.
- (g) Accessory uses and structures customarily incidental to and on the same lot as a principal or conditional use.

(3) Conditional Uses. The following uses shall be permitted when authorized as a

conditional use by the Planning Board when meeting their associated criteria:
[Added 12-18-2023 by Ord. No. 2023-20]

- (a) Cannabis cultivation, manufacturing, wholesaling, ~~or~~ distribution or retail, subject to the following criteria:
 - [1] With the exception of cannabis retail, ~~S~~such use or uses shall be located on a tract of land comprising at least 10 contiguous acres. The vertically integrated operation of cannabis cultivation and cannabis manufacturing shall be permitted on the same tract of land.
 - [2] Such use shall operate fully within an enclosed building.
 - [3] Excepting emergency egress doors, each entrance and exit, including loading docks doors, shall be designed to prevent interior air from escaping out of doors unless properly treated as required under § ~~4-13-4F~~(10) through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
 - [4] All criteria set forth in the licensing regulations at § ~~4-13-4F~~ shall apply.
- (b) Notwithstanding § ~~4-13-4D~~, and subject to approval of the State Cannabis Regulatory Commission, nothing herein shall prohibit multiple licensees within each permitted class from operating simultaneously on the same tract of land, provided that each licensee otherwise satisfies the conditional use criterion herein and any requirements of the state with respect to the co-location of cannabis businesses on the same tract of land or within the same building.

B. Other Restrictions. *[Editor's Note: For brevity, the language of the existing Code is not recited hereafter, as all existing language and subsections which are currently in effect under §28-3-14B are not being revised as part of the within Ordinance and shall remain unchanged.]*

Section 4. Section 28-3-15, entitled "DTG Downtown Gateway," of Article 28-3, "Districts Established; Zoning Map," of Chapter 28, "Zoning," of the Borough Code is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikethrough~~):

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-15. DTG Downtown Gateway.

[1991 Code §§ 233-22, 233-23; Ord. No. 93-852; Ord. No. 2003-25; Ord. No. 2019-14; Renumbered - Ord. No. 2019-15]

The purpose and intent is to eliminate the R-PO Residential Professional Office District and to establish a new district known as the DTG Downtown Gateway.

A. Permitted Uses. In the DTG Downtown Gateway, the following uses, and no others, shall be permitted:

(1) Principal Uses.

- (a) Detached single-family dwellings or duplex.
- (b) Restaurants and other places to eat and drink, but not including establishments with drive-throughs.
- (c) Retail sales and services within a completely enclosed building.
- (d) Personal and business services within a completely enclosed building.
- (e) Performing arts companies.
- (f) Offices.
- (g) Child care centers.
- (h) Tutoring centers.
- (i) Financial institutions.
- (j) Apartment dwellings as upper floor use or rear part of buildings containing adjacent and/or above principal uses.
- (k) Art galleries and artist studios.

(2) Accessory Uses and structures.

- (a) Carports, accessory garages and/or open parking spaces with necessary driveways for vehicles belonging to residents on the premises and their guests.
- (b) Noncommercial solariums and home swimming pools, provided that suitable protective fencing for swimming pools are in accordance with § **28-10-6**.
- (c) Signs in accordance with ~~Article~~ [Chapter 29-17](#).

- (d) Fences, walls and landscaping in accordance with § 28-10-5 as they pertain to Residential Districts.
 - (e) Subject to lot coverage requirements, no more than two storage sheds are permitted on a lot in accordance with § 28-10-5.
 - (f) Satellite dishes, subject to the restrictions and requirements set forth in § 28-10-19.
 - (g) Accessory uses and structures customarily incidental and on the same lot as a principal or conditional use.
- (3) Conditional Uses. The following uses shall be permitted when authorized as a conditional use by the Planning Board when meeting their associated criteria:
- (a) Cannabis retail, subject to the following criteria:
 - [1] Such use shall operate fully within an enclosed building.
 - [2] Excepting emergency egress doors, each entrance and exit, including loading docks doors, shall be designed to prevent interior air from escaping out of doors unless properly treated as required under §4-13-4F(10) through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
 - [3] All criteria set forth in the licensing regulations at §4-13-4F shall apply.
- B. Other Restrictions. *[Editor's Note: For brevity, the language of the existing Code is not recited hereafter, as all existing language and subsections which are currently in effect under §28-3-14B are not being revised as part of the within Ordinance and shall remain unchanged.]*

Section 5. Section 28-3-16, entitled "R-O Research Office District," of Article 28-3, "Districts Established; Zoning Map," of Chapter 28, "Zoning," of the Borough Code is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikethrough~~):

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-16. R-O Research Office District.

[Ord. No. 93-852; Ord. No. 2013-13; Renumbered - Ord. No. 2019-15]

A. Permitted Uses.

(1) Permitted Principal Uses.

- (a) Scientific and research laboratories.
- (b) Warehousing and storage of products within a completely enclosed building, but not to include toxic or hazardous materials.
- (c) Computer centers.
- (d) Pharmaceutical operations, non-manufacturing.
- (e) Business and professional offices.
- (f) Day care centers.

(2) Permitted Accessory Uses.

- (a) Off-street parking and loading facilities.
- (b) Cafeterias or other similar food service facilities located within a building and operated for the exclusive use of site occupants.
- (c) Recreational facilities.
- (d) Assembly rooms for meetings associated with the site business use.
- (e) Incidental motor freight operations such as deliveries, but not to include motor freight terminals.
- (f) Satellite dishes, subject to the restrictions and requirements set forth in § 28-10-19.

(g) Accessory uses and structures customarily incidental and on the same lot as a principal or conditional use.

(3) Conditional Uses. ~~No conditional uses shall be permitted.~~ The following uses shall be permitted when authorized as a conditional use by the Planning Board when meeting their associated criteria:

(a) Cannabis retail, subject to the following criteria:

[1] Such use shall operate fully within an enclosed building.

[2] Excepting emergency egress doors, each entrance and exit,

including loading docks doors, shall be designed to prevent interior air from escaping out of doors unless properly treated as required under §4-13-4F(10) through air locks, negative pressurization or other means of preventing untreated air from exiting the building.

[3] All criteria set forth in the licensing regulations at §4-13-4F shall apply.

B. Other Restrictions.

- (1) Lot Area. A lot area of not less than four acres shall be required.
- (2) Lot Width. A lot width of not less than 100 feet shall be required.
- (3) Front Yard Setback. No portion of any building shall be located nearer to any street line than 100 feet.
- (4) Side Yard Setback. There shall be two side yards, each with a width of at least 50 feet.
- (5) Rear Yard Setback. There shall be a rear yard not less than 50 feet deep. In the case of a lot extending through from street to street, the front yard requirement shall be observed on both streets.
- (6) Maximum Floor Area Ratio. Maximum floor area ratio shall be 30% for all uses, except that the portion of use devoted to storage and warehousing may be calculated at 40%.
- (7) Lot Coverage. 20% by buildings with a maximum total impervious coverage of 50%.
- (8) Building Height. Three stories, with a maximum height of 45 feet.
- (9) Landscaping and Buffers. All portions of lots not used for buildings or other site improvements shall be suitably landscaped with lawns, trees, shrubbery, etc. All preserved critical land areas shall be left in their natural state and suitably buffered. Portions of lots which adjoin any residential zone shall provide a fifty-foot landscaped buffer screen area, which is to be improved with a variety of landscaping to provide for a year-round screen visually separating the site from the adjacent residential zoned properties. The buffer area may contain landscaped berms and suitable fencing, but the fencing shall be only incorporated to supplement required landscaping.
- (10) Parking Requirements. As provided in § 28-10-11.
- (11) Off-street Loading Requirements. As required in § 28-10-11.

Section 6. Section 28-3-17, entitled “PED Planned Economic Development District,” of Article 28-3, “Districts Established; Zoning Map,” of Chapter 28, “Zoning,” of the Borough Code is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikethrough~~):

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-17. PED Planned Economic Development District.

[Ord. No. 93-852; Ord. No. 2003-25; Renumbered with Ord. No. 2008-17; Ord. No. 2013-13; Renumbered - Ord. No. 2019-15]

- A. Objectives. The Planned Economic Development District is a planned development district established to provide for the redevelopment of the former Hightstown Rug Mill/North American Phillips site. It is designed to facilitate a variety of land use development options, including the adaptive reuse of the site's existing structures, based on development and approval of an overall plan for the approximately six-acre site. The redevelopment plan is to be designed addressing several objectives, including: Compatible land use relationships with adjacent land uses; preservation and enhancement of natural features, particularly the Rocky Brook stream corridor; preservation and enhancement of any historic features of the site, including structures and mechanical equipment; and freedom from any substantial adverse detriment to neighbors of the property as relates to traffic, trucks, noise, smoke, vibrations or other environmental impacts.
- B. Permitted Uses.
- (1) Principal Uses.
 - (a) Adaptive reuse of the site's existing structures for residential use Residential dwelling units as part of a Planned Development shall not exceed 80 units which shall not be located on the first (ground) floor.
 - (b) Principal land uses permitted in the R-O District excluding, however, warehousing, industrial uses, storage of products and trucking as permitted uses.
 - (c) Studios for the visual and performing arts.
 - (d) All principal and accessory uses permitted in the DTC Downtown Core as part of a Planned Development, excluding, however, houses of worship and funeral parlors.
 - (e) Hotels, as part of a Planned Development.
 - (f) Planned development of the site shall incorporate two or more of the above

principal uses.

(2) Accessory Uses.

- (a) Off street parking, loading, signs as provided by Borough Ordinance.
- (b) Recreational and other common use facilities serving residents and employees of the PED site, including, but not limited to, swimming pools, tennis courts, community meeting rooms, exercise facilities, plazas and sitting areas, walkways and open space.
- (c) Satellite dishes, subject to the restrictions and requirements set forth in § 28-10-19.
- (d) Accessory uses and structures customarily incidental and on the same lot as a principal or conditional use.

(3) Conditional Uses. ~~No conditional uses are permitted.~~ The following uses shall be permitted when authorized as a conditional use by the Planning Board when meeting their associated criteria:

(a) Cannabis retail, subject to the following criteria:

- [1] Such use shall operate fully within an enclosed building.
- [2] Excepting emergency egress doors, each entrance and exit, including loading docks doors, shall be designed to prevent interior air from escaping out of doors unless properly treated as required under §4-13-4F(10) through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
- [3] All criteria set forth in the licensing regulations at §4-13-4F shall apply.

C. Other Restrictions.

- (1) Required PED District Plan. Development in the PED District shall be based on a comprehensive general development plan approved by the Planning Board. The general development plan shall be prepared and processed in full accord with N.J.S. 40:55D-45 through 45.8. The required scale for the overall plan shall not be less than one inch equals 50 feet and plans of subsections, if applicable, shall be not less than one inch equals 20 feet. Unless amended by the Planning Board upon application of the developer, the period of approval of the general development plan shall not exceed five years from the date of final approval of the first section of the PED site.

- (2) Permitted Density/F.A.R. The permitted density or floor area ratio of any development scheme which incorporates adaptive reuse of the site's existing buildings shall be based on a satisfactory achievement of the site's development objectives, the general development plan, and other standards of this chapter.

The maximum permitted F.A.R. for research-office use shall be 0.40, based on meeting all other applicable standards of this chapter.

The allowable density and F.A.R. for any mixed use planned development will be based on a full analysis of the general development plan and the allocation of the site to particular land use types.

- (3) Site Coverage. The maximum permitted coverage of buildings in the PED District shall be 30%. The maximum permitted impervious cover shall be 70% for adaptive reuse, research-office, and mixed use planned schemes.
- (4) Maximum Height. For new nonresidential buildings, the maximum height shall be two stories, not to exceed 30 feet. The maximum height for adaptive reuse of the existing site buildings is the existing building height..
- (5) Required Yards, Building Setbacks. The setback of existing buildings shall be the existing setback for adaptive reuse plans. Research-office use buildings shall be set back a minimum of 30 feet from all street and lot lines.
- (6) Minimum Lot Areas. Based on the approved PED Development Plan.
- (7) Parking and Off-Street Loading. See § 28-10-11.
- (8) Landscaping, Open Space and Buffers. All nonimproved areas of the site shall be suitably landscaped with a variety of landscape materials, appropriate to location function and design. Buffer strips at least 10 feet in width shall be provided to separate different land use sections of the site as well as along site perimeters. Buffer areas may be developed as berms or raised beds and include walls or fences, but the structures shall only be provided to supplement landscape screening plantings. The Rocky Brook stream corridor and tributary shall be improved as a "green belt" in accordance with the Borough's Greenways Master Plan. Street trees shall be provided along the site periphery and along interior roadways and walkways and in parking lots.
- (9) Sight Triangles. Sight triangles shall be provided in accordance with § 28-10-9.

D. Disposition of Common Open Space; Open Space Organization.

- (1) Public Dedication. Common open space land areas may be dedicated to the Borough of Hightstown or other governmental agency and shall be free from all mortgages and encumbrances and shall only be dedicated to the entity with approval of the entity.

- (2) Open Space Organization. If common open space is not publicly dedicated, an organization for the ownership and maintenance of open space for the benefit of the owners and residents of the planned development shall be established by the developer in accordance with N.J.S. 40:55D-43. The organization shall meet the following standards to be written into the articles of incorporation and/or bylaws.
- (a) It shall not be dissolved and shall not dispose of any open space, by sale or otherwise, except to an organization conceived and established to own and maintain the open space for the benefit of such development, and thereafter such organization shall not be dissolved or dispose of any of its open space without first offering to dedicate the same to the Borough of Hightstown, which shall be subject to the approval of the Borough.
 - (b) In the event that such organization shall fail to maintain the open space in reasonable order and condition, the Borough may serve written notice upon such organization or upon the owners that the organization has failed to maintain the open space in reasonable condition, and the notice shall include a demand that such deficiencies of maintenance be cured within 35 days thereof and shall state the date and place of a hearing hereon, which shall be held within 15 days of the notice. At such hearing the Borough may modify the terms of the original notice as to deficiencies and may give a reasonable extension of time, not to exceed 65 days, within which they shall be cured. If the deficiencies set forth in the original notice or in the modification thereof shall not be cured within the 35 days or any permitted extension thereof, the Borough, in order to preserve the open space and maintain the same for a period of one year, may enter upon and maintain such land. The entry and maintenance shall not vest in the public any rights to use the open space, except when the same is voluntarily dedicated to the public by the owners. Before the expiration of the year, the Borough Council shall, upon its initiative or upon the request of the organization theretofore responsible for the maintenance of the open space, call a public hearing upon 15 days' written notice to such organization and to the owners of the development, to be held by the Borough Council at which hearing such organization and the owners of the development shall show cause why such maintenance by the Borough shall not, at the election of the Borough, continue for a succeeding year. If the Borough shall determine that such organization is ready and able to maintain the open space in reasonable condition, the Borough shall cease to maintain the open space at the end of the year. If the Borough shall determine such organization is not able to maintain the open space in a reasonable condition, the Borough may, in its discretion, continue to maintain the open space during the next succeeding year, subject to a similar hearing and determination in each year thereafter. The decision of the Borough shall constitute a final administrative decision, subject to judicial review.
 - (c) The cost of such maintenance by the Borough shall be assessed pro rata

against the properties within the development that have a right of enjoyment of the open space, in accordance with assessed value at the time of imposition of the lien, and shall become a lien and tax on the properties and be added to and be a part of the taxes to be levied and assessed thereon and shall be enforced and collected with interest by the same officers and in the same manner as other taxes.

E. Findings for Planned Developments. As appropriate for PED District development, and as required by N.J.S. 40:55D-45, prior to approval of a proposed development, the Planning Board shall find the following facts and conclusions:

- (1) That departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning standards applicable to planned developments.
- (2) That the proposals for maintenance and conservation of the common open space are reliable, and that the amount, location and purpose of the common open space are adequate.
- (3) That provisions through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic and the amenities of light and air, recreation and visual enjoyment, including signage, are adequate.
- (4) That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.
- (5) In the case of proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

Section 7. Chapter 31, entitled “Taxation of Cannabis Sales,” of the “Revised General Ordinances of the Borough of Hightstown” is hereby amended and supplemented as follows (additions are shown with underline; deletions are shown with ~~strikethrough~~):

Chapter 31. Taxation of Cannabis Sales

Article I. Transfer and User Taxes

§ 31-1-1. Title.

[12-18-2023 by Ord. No. 2023-20]

This chapter shall be known as the "Taxation of Cannabis Sales."

§ 31-1-2. State enablement.

[12-18-2023 by Ord. No. 2023-20]

- A. Legislation. On February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"),^[1] which legalizes the recreational use of cannabis by adults 21 years of age or older and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult-use) cannabis operations, use and possession.
[1] Editor's Note: See N.J.S.A. 24:6I-31 et seq.
- B. The Act establishes six marketplace classes of licensed businesses, including:
- (1) Class 1 cannabis cultivator license for facilities involved in growing and cultivating cannabis;
 - (2) Class 2 cannabis manufacturer license for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
 - (3) Class 3 cannabis wholesaler license for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
 - (4) Class 4 cannabis distributor license for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
 - (5) Class 5 cannabis retailer license for locations at which cannabis items and related supplies are sold to consumers; and
 - (6) Class 6 cannabis delivery license for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.
- C. A cannabis business is defined as any business that holds one or more State of New Jersey issued license for Class 1 through Class 6 cannabis business and a vertically integrated cannabis business is defined as any cannabis business that holds more than one cannabis license.
- D. Section 40a(1) of the Act permits a municipality to adopt an ordinance imposing a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment that is located in the municipality on receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older; or any combination thereof, and to set its own rate or rates, but in no case exceeding 2% of the

receipts from each sale by a cannabis cultivator; 2% of the receipts from each sale by a cannabis manufacturer; 1% of the receipts from each sale by a cannabis wholesaler; and 2% of the receipts from each sale by a cannabis retailer.

- E. Section 40a(2) of the Act requires a municipality enacting a transfer tax to also enact a user tax.

§ 31-1-3. Definitions.

[12-18-2023 by Ord. No. 2023-20]

- A. As used in this chapter, the following terms shall have the meanings indicated:

CANNABIS

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS CULTIVATOR

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS ESTABLISHMENT

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS ITEMS

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS MANUFACTURER

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS RETAILER

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CANNABIS WHOLESALER

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

CONSUMER

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

PREMISES

Shall mean the same as that term is defined in Section 3 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-33).

TAXPAYER BUSINESS

Shall mean for the purposes of this chapter any cannabis business defined in this subsection.

- B. All other terms as defined in the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act," [1] also referenced herein as the "Act" or "P.L. 2021, c. 16," are hereby incorporated herein by reference and shall have the meanings set forth in the Act, as may be amended or superseded.
[1] Editor's Note: See N.J.S.A. 24:6I-31 et seq.

§ 31-1-4. Establishment of transfer and user taxes.

[12-18-2023 by Ord. No. 2023-20]

A. Transfer tax.

- (1) There is hereby imposed a transfer tax in the amount of 2% on receipts from the sale of cannabis as follows:
 - (a) From the sale of cannabis by a cannabis cultivator to another cannabis establishment.
 - (b) From the sale of cannabis items from one cannabis manufacturer to another cannabis establishment.
 - (c) From the sale of cannabis items from a cannabis retailer to the consumer, ~~if retail cannabis sales become permitted in Hightstown Borough.~~
- (2) There is hereby imposed a transfer tax in the amount of 1% on receipts of the sale of cannabis as follows:
 - (a) From the sale of cannabis items from one cannabis wholesaler to another cannabis establishment.

- B. Collection of transfer tax. Such tax shall be collected or paid, and remitted to the municipality by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer. The transfer tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item. No cannabis establishment required to collect a transfer tax imposed hereunder shall advertise or hold out to any person or to the

public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax will be refunded to the cannabis establishment or the consumer.

- C. User tax. There shall also be imposed a user tax, at the equivalent transfer tax rates, on any concurrent license holder, as permitted by Section 33 of P.L. 2021, c. 16 (N.J.S.A. 24:6I-46), operating more than one cannabis establishment. The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to Subsections **A** and **B** of this section, from the license holder's establishment that is located in the municipality to any of the other license holder's establishments, whether located in the municipality or another municipality. The value of each transfer or use of cannabis or cannabis items for user tax computation shall equal the statewide average retail price of an ounce of usable cannabis for consumer purchase, as determined by the Cannabis Regulatory Commission, less 10% or the third-party dispensary wholesale price, whichever is less.
- D. Relationship to other taxes. A transfer tax or user tax imposed pursuant to this section shall be in addition to any other tax imposed by law. Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act," P.L. 1966, c. 30 (N.J.S.A. 54:32B-1 et seq.). The transfer tax or user tax shall be paid by the cannabis establishment purchasing or receiving any cannabis or cannabis item from any cannabis cultivator or cannabis manufacturer or cannabis wholesaler licensed by the municipality, and shall be collected and remitted to the municipality by the cannabis establishment licensed by the municipality. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.
- E. Tax liability. Every cannabis establishment required to collect a transfer tax or user tax imposed pursuant to this chapter shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to nonpayment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that the chief financial officer of the Borough of Hightstown which imposes the transfer tax or user tax shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax. No cannabis establishment required to collect a transfer tax or user tax imposed by pursuant to this chapter shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

§ 31-1-5. Administration of transfer and user taxes.

[12-18-2023 by Ord. No. 2023-20]

- A. Unless otherwise determined by the Borough Council, the chief financial officer of Hightstown is charged with the administration and enforcement of the provisions of this chapter, and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this chapter, including provisions for the reexamination and corrections of declarations and statements, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the administration of this chapter. The Borough Council may determine at any time, in its sole discretion, to retain an outside third-party financial consultant (the "outside consultant") to exercise all of the duties and responsibilities of the chief financial officer as set forth above, with the exception of the power of enforcement, levying of fines and penalties and entering into agreements with the State of New Jersey. In the event that the Borough Council retains such an outside consultant, the fee schedule for the outside consultant shall be presented, for informational purposes only, to the cannabis business before such audit and other work is undertaken. The cannabis business shall be responsible for reimbursement to the Borough of the fees incurred by the Borough to the outside consultant for services rendered in its examination of the business's accounts for the determination of tax to be paid. A copy of the invoice shall be sent to the cannabis business by the municipality after the municipality is billed for the outside consultant's work. The cannabis business shall reimburse the municipality for the outside consultant's fees and expenses within 60 days thereafter. Failure to timely reimburse the municipality shall invoke § 4-13-5 of the Borough Code. Should a cannabis business fail or refuse to provide adequate information to the chief financial officer or the outside consultant to determine the amount of tax due, the chief financial officer or the outside consultant may use information provided from other sources (i.e., the NJ Cannabis Regulatory Commission or NJ Department of Treasury) to determine the amount of tax liability, and the licensee shall be subject to the penalties set forth in § 4-13-5 of the Borough Code.
- B. It shall be the duty of the chief financial officer or the outside consultant, as applicable, to collect and receive the taxes, fines, and penalties imposed by this chapter. It shall also be the duty of the chief financial officer or the outside consultant, as applicable, to keep a record showing the date of such receipt. The chief financial officer is authorized to enter into agreements with the State of New Jersey to obtain information to facilitate administration of the taxes. The chief financial officer is authorized to issue a ruling upon written request of a taxpayer or upon his or her own volition.
- C. The chief financial officer or the outside consultant, as applicable, is hereby authorized to examine the books, papers and records of any taxpayer to verify the accuracy of any declaration or financial statement, or if no declaration or financial statement was filed, to ascertain the tax due. Every taxpayer is hereby directed and required to give to the chief financial officer, or to the outside consultant, as applicable, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized or

otherwise permitted by law.

- D. In the event that the transfer tax or user tax imposed pursuant to this chapter is not paid when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.
- E. The chief financial officer or outside consultant, as applicable, shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced.
- F. Returns and records filed by a licensee, and the records and files of the chief financial officer or the outside consultant, as applicable, respecting the administration of the transfer and user tax, shall be considered confidential and privileged and neither the chief financial officer nor any employee or outside consultant engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured information therefrom shall divulge, disclose, use for their own personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said returns, records or files or from any examination or inspection of the premises or property of any person, or to an officer of a public entity for a reason authorized by N.J.S.A. 54:50-9. Neither the chief financial officer nor any employee or outside consultant engaged in such administration or charged with the custody of any such returns, records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding to collect or challenge the assessment of transfer or user taxes hereunder, or where the determination of the action or proceeding will affect the validity or amount of the claim of the Borough hereunder, or in any lawful proceeding for the investigation and prosecution of any violation of this Chapter 31 or of the criminal provisions of the State Uniform Tax Procedure Law[1] or of any state tax law, or where production is required pursuant to the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) or the Common Law, or the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act[2] (P.L. 2021, c. 16) or other applicable law.

[1] Editor's Note: See N.J.S.A. 54:48-1 et seq.

[2] Editor's Note: See N.J.S.A. 24:6I-31 et seq.

§ 31-1-6. Recordkeeping; tax payments; financial statements.

[12-18-2023 by Ord. No. 2023-20]

- A. Requirement to keep records. Taxpayers liable for the transfer and/or user tax are required to keep such records as will enable the filing of true and accurate financial statements of the tax, and such records shall be preserved for a period of not less than three years from the filing date or due date, whichever is later, in order to enable the chief financial officer or any agent designated by him to verify the correctness of the declarations or financial statements filed. If records are not available in the Borough of Hightstown to support the financial statements which were filed or which should have been filed, the taxpayer will be required to make them available to the chief financial officer either by producing them at a location in the municipality or by paying for the expenses incurred by the chief financial officer or his agent in traveling to the place where the records are regularly kept.
- B. Tax payments and financial statements. All cannabis establishments operating in the Borough of Hightstown shall be required to file a transfer and/or user tax statement with the chief financial officer to report their sales during each calendar quarter and the amount of tax in accordance with the provisions of this chapter. Financial statements shall be filed and payments of tax imposed for the preceding calendar quarter shall be made on or before the last day of April, July, October, and January, respectively. A taxpayer who has overpaid the transfer tax, or who believes it is not liable for the tax, may file a written request on an amended financial statement with the chief financial officer for a refund or a credit of the tax.

Section 8. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Hightstown, inconsistent with the provisions of this ordinance, is hereby repealed to the extent of such inconsistency, only.

Section 9. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 10. Enactment. This ordinance shall become effective immediately after publication in the manner provided by law.

Section 11. Continuation and codification. This ordinance shall be a part of the “Revised General Ordinances of the Borough of Hightstown,” as through codified and fully set forth herein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Borough Code. The Borough Clerk and Borough Attorney are authorized and directed to change any chapter, article and/or section number of the “Revised General Ordinances of the Borough of Hightstown,” in the event that the codification of this ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and accidental repeal of existing provisions not intended to be repealed.

Introduction:

Adoption:

ATTEST:

MARGARET RIGGIO, RMC, CMR
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

DRAFT

Resolution 2024-197

*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 21, 2024, 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 – Former Employee

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 21, 2025, 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 21, 2024.

Margaret Riggio
Borough Clerk