

**AGENDA**  
**Hightstown Borough Council**  
**May 19, 2025 | 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 Trentonian and Windsor-Hights Herald as required by law and is posted on the Hightstown Borough website.

**Roll Call**

**Flag Salute**

**Naming an Acting Deputy Clerk      Resolution 2025-108** Naming an Acting Deputy Clerk

**Approval of Agenda**

**Approval of Minutes**      May 5, 2025 – Public Session  
May 5, 2025 – Executive Session

**Engineering Items**      NJDOT Application for Municipal Aid Grant FY2026

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

**Ordinances**      **Ordinance 2025-05 Public Hearing and Final Reading** An Ordinance Amending Chapter 28 – Zoning Code of the Borough of Hightstown, County of Mercer to Modify the R-MF District to Implement Inclusionary Affordable Housing Zoning

**Ordinance 2025-07 First Reading and Introduction** An Ordinance Amending and Supplementing Various Sections of the “The Revised General Ordinance of the Borough of Hightstown” Relating to Cannabis Licensing

**Resolutions**      **2025-109** Authorizing Payment of Bills

**Consent Agenda**      **2025-110** Resolution Making and Confirming Appointments for the Environmental Commission

**2025-111** A Resolution Calling for the Restoration of Energy Taxes to Municipalities

**2025-112** A Resolution Opposing Legislation that Would Preempt Local Planning and Permit Conversion of Certain Office Parks and Retail Centers to Mixed-Use Developments

**2025-113** A Resolution Opposing Legislation that Permits Accessory Dwelling Units

#### **Discussion**

#### **Subcommittee Reports**

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

**Executive Session**      **Resolution 2025-114** Authorizing a Meeting that Excludes the Public  
Contract Negotiations – Fire Department Stipend Program

#### **Adjournment**

### **NAMING AN ACTING DEPUTY CLERK**

**WHEREAS,** The Borough Clerk is not available for the May 19, 2025, meeting of the Borough Council; and

**WHEREAS,** it is the desire of Borough Council to deputize Assistant Borough Administrator, Mairead Thompson, to perform the duties of the Borough Clerk for this meeting; and

**WHEREAS,** Ms. Thompson shall perform all the duties of the Borough Clerk for both public session and executive session.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hightstown that Mairead Thompson is hereby named as Acting Deputy Clerk for the meeting of the Borough Council on May 19, 2025, and shall perform the duties of the Borough Clerk for said meeting.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

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Margaret Riggio, Borough Clerk



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

May 1, 2025

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

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

Re: NJDOT Application for Municipal Aid Grant FY2026  
Borough of Hightstown, Mercer County, New Jersey  
Our File No.: H1603

Dear Dimitri:

The New Jersey Department of Transportation has announced that it will be accepting applications for the Municipal Aid, Transit Village, Bikeway, and Safe Streets to Transit grant programs. Applications for Municipal Aid must be submitted on or before July 1, 2025. I have reviewed the grant programs and recommend that the Borough submit an application under the Municipal Aid Program this year. This year, I am recommending that a grant application be submitted for either:

1. Sidewalk and ADA Ramp Improvements

The project will focus on various roads within the Borough that most require sidewalk and curb ramp improvements. Improvements would include replacement of deteriorated curb and sidewalks; installation of curb, sidewalk, and curb ramps where none currently exist; replacement of signage and striping; and upgrades of existing inlets to meet NJDOT Bicycle Safe Grate Standards and NJDEP Stormwater Requirements. This option follows the Borough's Capital Road Improvements Program for sidewalks.

2. Improvements to North Academy Street, South Academy Street, and William Street

Improvements would include milling and paving with base repairs as necessary; replacement of deteriorated curb and sidewalks; installation of curb, sidewalk, and curb ramps where none currently exist; replacement of signage and striping; and upgrades of existing inlets to meet NJDOT Bicycle Safe Grate Standards and NJDEP Stormwater Requirements.

I am prepared to move forward with preparation of either application as outlined above and request authorization at your next Council Meeting. Our fee to prepare the application will be at a cost not to exceed \$5,500.00.

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

Very truly yours,

Carmela Roberts, PE, CME, CPWM  
Borough Engineer

cc: Mayor and Council  
Peggy Riggio, RMC, CMR, Borough Clerk  
Mairead Thompson, Assistant Business Administrator  
Ken Lewis, Superintendent of Public Works  
Cameron Corini, PE, CME, CPWM, Roberts Engineering Group, LLC  
Kelly Pham, EIT, Roberts Engineering Group, LLC

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

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

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

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

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

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

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

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

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

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

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

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

a. APARTMENT HOUSE shall mean any building or portion thereof which is arranged or designed to be occupied by three (3) or more families or individuals living independently of each other and having separate kitchen and sanitation facilities. See definition of "apartment house, garden-type."

b. LODGING HOUSE, ROOMING HOUSE OR BOARDINGHOUSE shall mean any house, building or portion thereof in which three (3) or more persons are furnished lodging or rooming accommodations for hire or otherwise.

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

d. NURSING HOME shall mean a building having at least twenty (20) rooms for the accommodation of persons in need of constant medical care or supervision and providing common dining and recreational facilities.

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

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

DWELLING, APARTMENT – See Multifamily dwelling.

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

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

FAMILY – See Housekeeping Unit.

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

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

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

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

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

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

A. Purpose and Intent. The purpose and intent of the R-MF Multi-Family Residential District is to provide market rate and subsidized affordable housing in the Borough of Hightstown to aid in meeting its constitutional obligation to provide for very low, low and moderate income housing in accordance with the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). The R-MF district is further divided into sub-districts that apply to specific sites with inclusionary affordable housing in accordance with the objectives of the Housing Plan Element of the Master Plan and implementing resolutions, ordinances, and agreements constituting the Fair Share Plan. The R-MF district provides a compensatory benefit over the preceding zoning district's use and/or intensity standards sufficient to address the affordable housing components of inclusionary development.

B. Permitted Uses. In the R-MF Multifamily District, the following uses, and no others, shall be permitted:

(1) Principal Uses:

- (a) Townhouse dwellings.
- (b) Multifamily dwellings.
- (c) Municipal purpose.

(2) Accessory Uses:

- (a) Community center for the use of residents and their guests.
- (b) Common recreational facilities for the use and enjoyment of residents and their guests.
- (c) Maintenance building.
- (d) Management office if located within a community center or building with multifamily dwellings.
- (e) Home occupation in accordance with the requirements of §28-10-6 and in addition to the prohibited uses listed in subparagraph -c therein, no funeral home, private school or professional office shall be permitted as a home occupation on the premises.
- (f) Off-street surface parking; car sheds and detached garages for private residential use, only.
- (g) Fences, walls and street furniture.
- (h) Signs in accordance with §29.
- (i) Large satellite dish antenna when approved as part of an application for development for providing common service to the residents of a development in accordance with the standards of §28-10-18.

(j) Small satellite dish antennae in accordance with the standards of §28-10-18.

(k) Accessory uses on the same lot and customarily incidental to the principal use.

(3) Conditional Uses. The following uses shall be permitted when the criteria have been met for the site listed.

(a) Multifamily use with a sub-district designation of 18 (R-MF18) shall be permitted when the following criteria have been met:

[1] New multifamily dwellings shall be added to the site by additions to the existing building or by the demolition and construction of new buildings in lieu of the construction of additions.

[2] The design of the additions shall have at a minimum a base made of comparable materials to the exterior of the existing buildings but may differ in the field materials above the base, and shall have a similar roof pitch, and roof design as the existing buildings. Fenestration shall mimic the spacing and opening size, to the degree permissible by the Uniform Construction Code, of the existing window and doors architecture.

[3] At least twenty percent (20%) of all housing units shall be affordable to low, including very low, and moderate income households as those terms are defined in the Borough's affordable housing regulations, the Uniform Housing Affordability Controls rules (N.J.A.C. 5:80-26.1 et seq.) and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). Such units may be established in existing multifamily units as such dwellings become vacant in a schedule as approved by the Borough's Administrative Agent for affordable housing.

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

[1] Any such use shall front on ~~State Highway 33~~ Franklin Street or County Road 633.

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

(c ) Uses permitted in §28-3-14, the Highway Commercial district, listed as A(1), A(2) and A(3)

[1] Any such use shall front on Mercer Street.

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

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



(a) For R-MF zoning districts without any sub-district designation, the maximum gross density shall be twelve (12) dwelling units per acre.

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

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

(2) Maximum building coverage.

(a) Multi-family use - Twenty-five percent (25%) of total tract area.

(b) Townhouse use - Twenty-five percent (25%) of the total tract area and seventy percent (70%) of lot area for individual townhouse parcels.

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

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

(4) Maximum building height.

(a) Townhouse – Two and a half stories and thirty-five (35) feet.

(b) Multifamily – Two stories and thirty-five feet within fifty of a tract perimeter; three stories and forty-five (45) feet otherwise.

(c) Community building – One story and twenty-eight (28) feet.

(d) Maintenance building and other accessory structures – Eighteen (18) feet.

(e) Building limitations and separation requirements for townhouses and multi-family uses shall be as indicated in the following table:

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

Minimum Distance from Building side to Building rear	35 feet
Minimum Distance from Building rear to Building rear	50 feet
Minimum Distance from Building side to Building side	20 feet

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

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

N.P. = Not a permitted location

(6) Building setbacks from streets and driveways. Minimum building setbacks shall

be as in the following table:

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

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

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

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

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

E. Design Standards.

1. Multi-family buildings. The following standards shall be used in the design of multi-family buildings:

a. A minimum of one hundred twenty (120) cubic feet of storage shall be provided for each dwelling, exclusive of kitchen cabinetry.

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

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

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

~~to the underlying zoning districts:~~

R-MF Block 11; Lots 17.01, 17.02 and 19.01 (Broad and Monmouth)  
Block 40, Lot 20 (216-222 Academy St.)  
Block 61.01; part Lots 44 and 45 (Rt. 33, as depicted on the Affordable Housing Sites Map)

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

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

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

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

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

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

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

Introduction: May 5, 2025

Adoption: **Public Hearing Scheduled for May 19, 2025**

ATTEST:

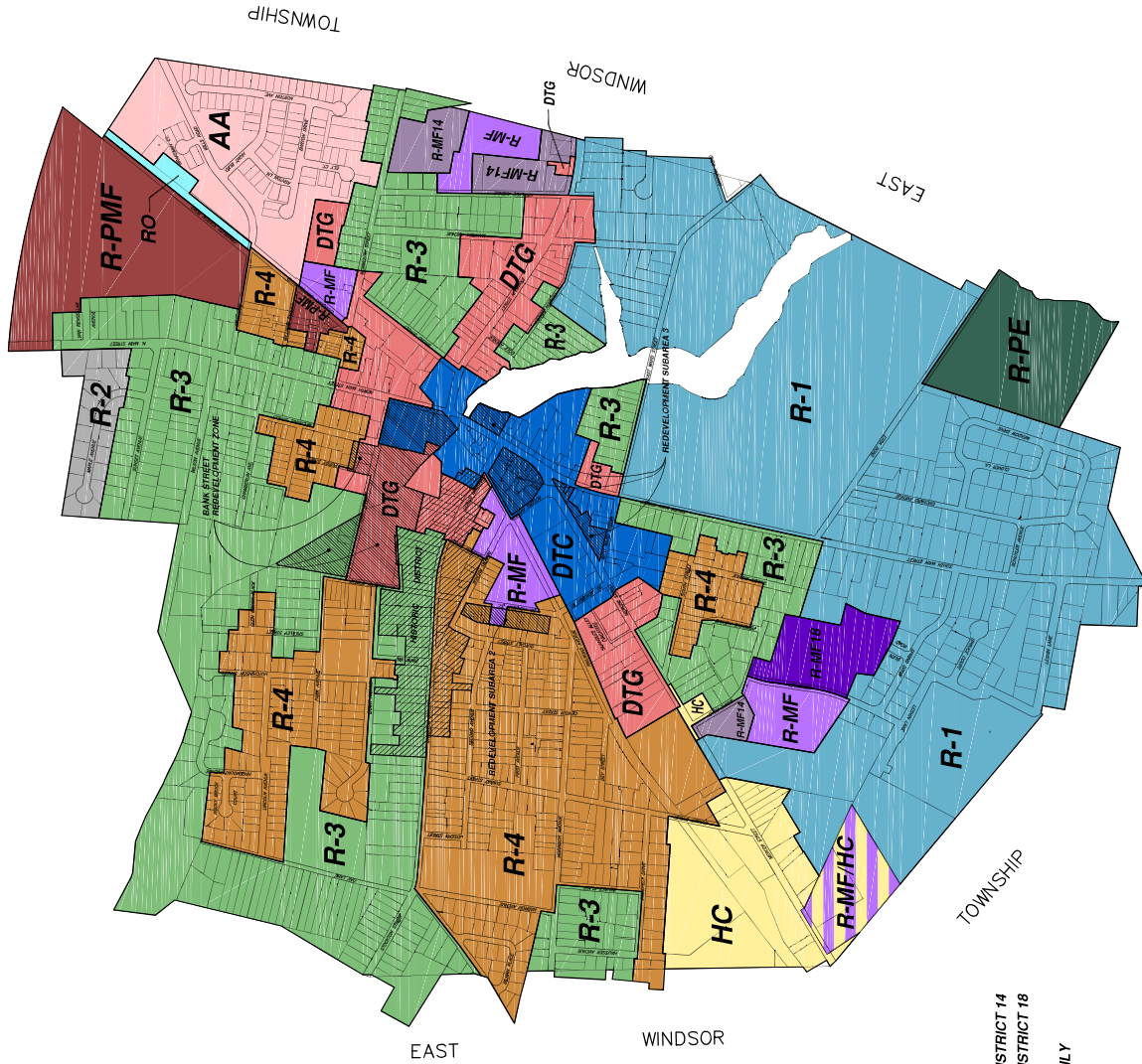
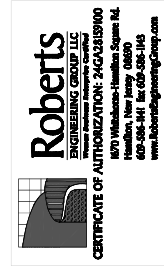
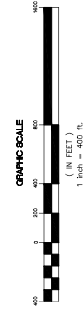
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MARGARET RIGGIO  
MUNICIPAL CLERK


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SUSAN BLUTH  
MAYOR

## AUGUST 2024



- | ZONES   |  |
|---------|--|
| R-1     | RESIDENTIAL - SINGLE FAMILY                |
| R-2     | RESIDENTIAL - SINGLE FAMILY                |
| R-3     | RESIDENTIAL - SINGLE FAMILY                |
| R-4     | RESIDENTIAL - SINGLE FAMILY                |
| R-MF    | RESIDENTIAL - MULTI-FAMILY                 |
| R-MF14  | RESIDENTIAL - MULTI-FAMILY SUB-DISTRICT 14 |
| R-MF18  | RESIDENTIAL - MULTI-FAMILY SUB-DISTRICT 18 |
| R-PE    | RESIDENTIAL - PLANNED ELDERLY              |
| R-PMF   | RESIDENTIAL - PLANNED MULTI-FAMILY         |
| DTG     | DOWNTOWN GATEWAY                           |
| DTC     | DOWNTOWN CORE                              |
| HC      | HIGHWAY COMMERCIAL                         |
| RO      | RESEARCH OFFICE                            |
| AA      | ACTIVE ADULT AGE RESTRICTED SINGLE FAMILY  |
| R-MF/HC | HIGHWAY COMMERCIAL                         |
|         | BANK STREET REDEVELOPMENT ZONE             |
|         | REDEVELOPMENT SUBAREA 2                    |
|         | REDEVELOPMENT SUBAREA 3                    |
|         | HISTORIC DISTRICT                          |

**TO:** Peggy Riggio, Borough Clerk  
**FROM:** Jane Davis, Planning Board Secretary   
**SUBJECT:** Ordinance 2025-05  
**DATE:** May 13, 2025

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At the May 12, 2025, Planning Board meeting, the Board reviewed the introduced Ordinance that was received from the Borough Clerk on May 7, 2025. The Planning Board was in favor of the Ordinance and offered no comments.

Please reach out should you have any questions.

**DRAFT**  
**Ordinance 20254-\_\_**

*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, the Act establishes six marketplace classes of licensed businesses, as follows:**

- Class 1 – Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 – Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 – Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- 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;
- Class 5 – Cannabis Retailer license, for locations at which cannabis items and related supplies are sold to consumers; and
- 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.

**WHEREAS**, Section 31(a) of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments ~~in the six classes set out above that are (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 Purpose.**

Notwithstanding any Federal law to the contrary, the purpose of this chapter is to provide the Borough with a means to authorize, regulate and govern the location and operation of Cannabis operations within the geographic boundaries of the Borough and the number and types of licenses issued in the Borough pursuant to the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:61-32 et seq. (“CREAMMA”).

##### **§ 4-13-12 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,"<sup>[1]</sup> 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:

## CANNABIS

All parts of the plant *Cannabis sativa L.*, whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with CREEMMA for use in cannabis products as set forth in that act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 18A:40-12.22 et seq.; marijuana as defined in N.J.S.A. 2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, N.J.S.A. 2C:35B-1 et seq., or marihuana as defined in N.J.S.A. 24:21-2 and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," N.J.S.A. 24:21-1 et seq.; or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," N.J.S.A. 4:28-6 et seq.

## CANNABIS CONSUMPTION AREA

A designated location operated by a licensed cannabis retailer or license holder for dispensing medical cannabis, for which both a State and local endorsement has been obtained, that is either: (1) an indoor, structurally enclosed area of the cannabis retailer or license holder that is separate from the area in which retail sales of cannabis items or the dispensing of medical cannabis occurs; or (2) an exterior structure on the same premises as the cannabis retailer or license holder, either separate from or connected to the cannabis retailer or permit holder, at which cannabis items or medical cannabis either obtained from the retailer or license holder, or brought by a person to the consumption area, may be consumed.

## CANNABIS CULTIVATOR

Any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 1 Cannabis Cultivator license from the State of New Jersey.

## CANNABIS DELIVERY SERVICE

Any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 Cannabis Delivery license from the State of New Jersey.

## CANNABIS DISTRIBUTOR

Any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities. This person or entity shall hold a Class 4 Cannabis Distributor license from the State of New Jersey.

## CANNABIS ESTABLISHMENT

A cannabis cultivator, cannabis manufacturer, or cannabis wholesaler, but not a cannabis

distributor, cannabis retailer, or a cannabis delivery service.

#### **CANNABIS ITEM**

Any usable cannabis, cannabis product, cannabis extract, and any other cannabis resin. “Cannabis item” does not include: any form of medical cannabis dispensed to registered qualifying patients pursuant to the Honig Act and N.J.S.A. 18A:40-12.22 et seq. or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the “New Jersey Hemp Farming Act,” N.J.S.A. 4:28-6 et seq.

#### **CANNABIS MANUFACTURER**

Any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, or packaging cannabis items, and selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers. This person or entity shall hold a Class 2 Cannabis Manufacturer license from the State of New Jersey.

#### **CANNABIS RETAILER**

Any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer. This person or entity shall hold a Class 5 Cannabis Retailer license from the State of New Jersey.

#### **CANNABIS WHOLESALE**

Any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers. This person or entity shall hold a Class 3 Cannabis Wholesaler license from the State of New Jersey.

#### **COMMISSION or CRC**

The New Jersey Cannabis Regulatory Commission.

#### **MANUFACTURE**

The drying, processing, compounding, or conversion of usable cannabis into cannabis products or cannabis resins. “Manufacture” does not include packaging or labeling.

#### **PUBLIC PLACE or QUASI-PUBLIC PLACE**

Any place to which the public has access that is not privately owned; or any place to which the public has access where alcohol consumption is not allowed, including, but not limited to, a public street, road, thoroughfare, school, sidewalk, bridge, alley, plaza, park, playground, swimming pool, shopping area, public transportation facility, vehicle used for public transportation, parking lot, public library, or any other public building, structure, or area.

#### **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 WHOLESALE 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. 24:61-31 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-~~32~~ 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-~~75~~.

No person shall gift cannabis as part of a sale of another item or items and shall be abated pursuant to all available remedies. Gifting is the knowing circumvention of the state's cannabis laws by "gifting" cannabis in exchange for non-cannabis-related purchases such as overpriced cookies, brownies, jars, stickers and any other items.

**§ 4-13-~~43~~ 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-~~54~~ 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~~ ~~Clerk~~ 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"<sup>[1]</sup> as indicated in the definitions in this article.

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

**§ 4-13-~~65~~ Licensing and Regulations**

**A. Purpose**

This section is enacted to regulate and implement the provisions of the Acts. Licenses granted pursuant to this section shall be issued to applicants upon a showing of proof of receipt of a State license granted by the Cannabis Regulatory Commission. All provisions in this section are in addition to everything stated in N.J.A.C. 17:30-9-10.

**B. Maximum Number of Licenses and Fees**

~~D.~~ 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:

Licenses	Class	Maximum Number of Licenses to be Issued	Nonrefundable Application Fee	<u>Nonrefundable Initial License Fee</u>	<u>Nonrefundable Annual License Renewal Fee</u>
Cannabis cultivator	1	1	\$10,000	\$10,000	<del>\$10,000</del> <del>\$25,000</del>

Cannabis manufacturer	2	1	\$10,000	\$10,000	\$10,000
Cannabis wholesaler	3	1	\$10,000	\$10,000	<del>\$10,000</del> \$25,000
Cannabis distributor	4	1	\$10,000	\$10,000	<del>\$25,000</del> \$10,000
Cannabis retailer	5	<del>0</del> 2	<del>N/A</del> \$10,000	\$10,000	<del>N/A</del> \$10,000
Cannabis delivery	6	0	N/A	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.

The amount of the non-refundable application fee, initial license fee, annual renewal license fee and number of licenses may be modified from time to time by a subsequent duly adopted resolution of the Borough Council.

**C. Cannabis Advisory Committee**

**1. The Borough Cannabis Advisory Committee (hereinafter referred to as "CAC")** as appointed below, will act as the body for local review for the Borough for all cannabis establishments. However, the authority and responsibility to activate, suspend, and revoke such licenses shall remain with the Borough Council. From this point forward, any reference to the Borough Cannabis Advisory Committee in this document shall be denoted as "CAC." Under all circumstances in which state law requires communication to the Borough by the CAC or any other state agency with regard to the licensing of cannabis establishments by the state, or in which state law requires any review or approval by the Borough of any action taken by the state licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be communicated through the Borough Clerk's Office upon recommendation by the CAC and authorized by the Borough's governing body.

- The Borough Administrator (or their designee).
- The Chief of Police (or their designee).
- Up to two other Borough employees, designated by the Borough Administrator.

**2. Roles and Duties of the CAC:**

- The CAC shall be supported by the Special Cannabis Counsel, Borough Attorney and the Borough Planning and Zoning Office. The CAC may utilize additional resources as necessary to effectuate the responsibilities of the CAC. The CAC shall be supported by other legal and planning professionals, including but not limited to, Special Cannabis Counsel. The applicants shall deposit and fund an escrow in the amount of \$5,000.00 for the costs of said professionals. If the Borough

hires one or more consultants to evaluate a first-time or renewal application for a license, the applicant will be responsible for the review fees of the Borough's hired consultant(s). To the extent that the escrow is exhausted, the applicant shall provide any replenishment amount required by the CAC within ten (10) days of a replenishment request by the CAC.

- b. Of the members of the CAC, no member shall be affiliated with or related to a New Jersey adult use cannabis business or medical cannabis establishment or prospective licensee.
- c. Duties of the CAC will be to advise the governing body as to the issuance of cannabis business licenses within the Borough of Hightstown. The CAC's work shall be based on the information contained in the application submitted to the clerk and shall be made consistent with the criteria outlined in this chapter, in addition to the issuance of detailed application criteria made available in the application.
- d. No member of the CAC may hold interest in or be related to an applicant.
- e. Meetings of the CAC shall not be subject to the Open Public Meetings Act.

#### **DC. Hours of Operation**

- 1. 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 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.
- 2. The hours of operation of cannabis retailers shall be limited from 9:00 a.m. to 10:00 p.m. daily.
- 3. Such hours shall be construed to mean Eastern Standard Time or Eastern Daylight Savings Time, whichever is in effect within the Borough of Hightstown.

#### **E. Consumption and Unregulated Sale**

- 1. **Prohibition of Cannabis Consumption Areas:** Cannabis consumption areas are strictly prohibited in the Borough. 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 of any permitted class of license within the Borough of Hightstown.
- 2. **Prohibition of Unregulated Sale:**
  - a. No person shall sell cannabis or medical cannabis in the Borough without a State license and a Borough license.
  - a-b. No person shall gift cannabis or medical cannabis in the Borough as part of a sale of another item or items.

#### **FE. Resolution of Support**

- 1. The Borough Council shall act on the recommendations made by the CAC within 45 days of the Committee issuing its recommendations. The Council may issue a resolution of support or choose not to issue a resolution of support for a municipal cannabis license. The Borough Council shall not issue

resolutions of support exceeding the number of local cannabis licenses permitted under the Borough of Hightstown Cannabis License and Fee Schedule.

2. When multiple applicants apply for a license, the Borough Council will consider the CAC's recommendations but is not required to follow them. If a resolution of support or a resolution of support with conditions is granted, the CAC engages with the applicant to establish a host community benefits agreement, which the Borough Council must approve.
3. After obtaining a resolution of support, the applicant must proceed through the Borough's land use approval process, securing all necessary Planning Board approvals, site plan approvals, or variances as required. Simultaneously, the applicant must finalize licensing with the New Jersey Cannabis Regulatory Commission (CRC) and comply with all state regulations. Operations cannot commence until both local land use approvals and state licensing are secured.
4. A resolution of support issued by the Borough Council pursuant to N.J.A.C. 17:30-5.1(g)1 shall expire within 12 months unless the business secures at least one annual state-issued cannabis license for operation within Hightstown. The Borough Council may grant up to two six-month extensions for good cause, including delays in approvals from state, county, or other agencies. Each extension request shall require a \$2,500 fee. If the applicant does not secure a state license within this timeframe, unless extended, the Borough Clerk shall reopen the application process and evaluate new applicants under the established criteria.

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 45 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.

**GF. 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) — The hours of operation of cannabis retailers shall be limited from 9:00 a.m. to 10:00 p.m. daily.

(be) — 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. Licensees shall be required to comply with N.J.A.C. 17:30-9.10 may be subject to additional requirements to be imposed by the Chief of Police. 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.~~

1. Signage:

(a) External Signage, including window signage, must be limited to text identifying the business and the logo for the business, provided that said logo does not include a cannabis plant leaf and/or outward glorification of cannabis consumption, where applicable.

(b) All of the Borough sign regulations must be complied with.

2. Visible Restrictions; No cannabis products, plants, accessories, or paraphernalia shall be visible from any public places, including public sidewalks, streets, or rights-of-way. Cannabis products must not be visible from outside the premises, including any public space.

3. Security Requirements: Licensees shall comply with N.J.A.C. 17:30-9.10 and any additional requirements as imposed by the Chief of Police.

a. Surveillance System

i. Cannabis establishments must be monitored at all times by a closed-circuit television (CCTV) surveillance system. The security cameras must operate 24 hours per day, seven days per week and cover:

- (1) All cannabis dispensing areas
- (2) Storage areas
- (3) All doors and windows with access to the cannabis establishment
- (4) Parking areas (if applicable)
- (5) Any other areas deemed necessary by the Chief of Police or their designee.

ii. The system must allow for the surveillance of both interior and exterior areas and must have sufficient quality, color rendition, and resolution to enable the clear identification of individuals.

iii. The surveillance system must use Internet Protocol (IP) cameras that provide real-time footage accessible over the internet. Operators must provide the local police department with access to this footage in case of an emergency.

iv. The surveillance recordings must be retained for no less than 30 days. The recordings shall be made available to the local police department within 24 hours of a written request.

**b. Perimeter and Lighting**

The outside areas of the premises and the perimeter must be properly lit in accordance with Borough regulations. All doors should be equipped with motion-sensor lights.

**c. Security Contact Information**

The local police department must be provided with the name and phone number of a designated staff member to contact during any suspicious activity, whether during or after operating hours.

**d. Security Staff**

A security staff member must be present on the premises during all hours of operation to ensure safety and compliance with regulations.

**e. Cultivation Security**

All cannabis cultivation activities must take place in an enclosed, locked facility to ensure security and prevent unauthorized access.

**f. State Law Compliance**

Cannabis establishments must comply with all security requirements established by state law and regulations. These may be updated over time, and licensees must coordinate with the local police department to maintain compliance.

4. Emergency power. All licensed cannabis establishments, ~~distributors, or delivery services~~ shall have a backup ~~generator power~~ 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 licensed cannabis business with the exception of retail 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.~~

12. 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.

#### H. 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 along with any additional requirements listed on the application. 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. The applicant shall ensure that the location proposed for licensing complies with all applicable municipal zoning laws and the location restrictions set forth in the land development portion of the Borough of Hightstown Municipal Code. A letter from the appropriate zoning official indicating that the location proposed for licensing by the applicant complies with all applicable Borough zoning laws and the location restrictions set forth herein and set forth in the land development portion of the Borough of Hightstown. The \$100 fee for the determination letter from the zoning official must be paid prior to the application being submitted.

~~76.~~ All applications shall be evaluated by the (CAC). ~~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~~ CAC 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 complete and notarized financial interest section, including the names and residences of all persons financially interested in the business and the nature and extent of this interest; and, if a corporation, the names, residences, and citizenship of the officers, directors, and stockholders.

~~(d)~~ 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.

(e) The description of the proposed location, including the surrounding area and the suitability or advantages of the proposed location, ~~along with floor plans and optional renderings or architectural or engineering plans.~~

~~(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.~~

- (f) 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.

~~87.~~ The Borough Council shall act on the recommendations made by the ~~CAC~~Hightstown Cannabis Committee within 45 days of the ~~Committee~~CAC 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. When there are multiple applicants for one license, the Borough Council shall consider the recommendations of the CAC but is not required to follow the Committee's recommendation. 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.

98. After securing a Resolution of Support from the Borough, the applicant must proceed through the land use approval process in accordance with the Borough's zoning and site plan requirements. This includes obtaining all necessary Planning Board approvals, site plan approvals, or variances as required. Simultaneously, the applicant must finalize licensing with the New Jersey Cannabis Regulatory Commission (CRC) and ensure compliance with all state regulatory requirements. The applicant cannot begin operations until both local land use approvals, local cannabis licensing, and state licensing have been secured.

109.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 and land use approval for up to ~~18-12~~ 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, local cannabis license, land use approval and satisfied other prerequisites of municipal licensure. If the recipient of a resolution of support has not received a state license within ~~18-12~~ 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.

110. 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 memorialize an applicant's commitment to the Borough.

No applicant may commence operations in the Borough without the executed agreement.

II. 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 Council~~ may, at ~~the official's~~their 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-~~75~~ Enforcement and penalties.**

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

A. The Code Enforcement Officer is the primary enforcer of municipal cannabis regulations, inspections, and violations, with assistance from designees such as the Police Department, Health Department, or Fire Marshal where applicable.

~~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 such~~ violation continues it shall constitute a separate and distinct~~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~~CAC, may ~~recommend to the Hightstown Borough Council may to~~ 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 Hightstown Borough Administrator ~~Council along with shall convene~~ the Hightstown Cannabis Committee ~~CAC to shall~~ 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~~ Borough Council 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~~ Borough Council 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 shown with underline; deletions are shown with ~~strike through~~):

## 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:
  - [i] Such use shall operate fully within an enclosed building.
  - [ii] 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 §4-13-6G-4F(10) through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
  - [iii] All criteria set forth in the licensing regulations at §4-13-4F-6 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 ~~striketrough~~):

## **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:
- i. 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.
- ii. Such use shall operate fully within an enclosed building.
- iii. 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(106G)~~ through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
- iv. All criteria set forth in the licensing regulations at § ~~4-13-4F6~~ shall apply.
- b. ~~Notwithstanding § 4-13-4D, and subject~~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 ~~striketrough~~):

## **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:](#)

- i. Such use shall operate fully within an enclosed building.
- ii. 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 ~~§4-13-6G, 4F(10)~~ through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
- iii. All criteria set forth in the licensing regulations at ~~§4-13-64F~~ 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.
- h. Signs in accordance with Chapter 29.

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:
  - i. Such use shall operate fully within an enclosed building.
  - ii. 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 §4-13-6G-4F(10) through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
  - iii. All criteria set forth in the licensing regulations at §4-13-64F 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 76.** 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. The value of each transfer or use of cannabis items for user tax computation shall equal the third-party dispensary wholesale price.

- 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 § 4-13-75 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 § 4-13-75 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 87. 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 98. 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 109. Enactment.** This ordinance shall become effective immediately after publication in the manner provided by law.

**Section 110. 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:**

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MARGARET RIGGIO, RMC, CMR  
MUNICIPAL CLERK

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SUSAN BLUTH  
MAYOR



### 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 \$2,461,487.00 from the following accounts:

Current	\$1,801,337.51
W/S Operating	381,065.20
General Capital	76,287.42
Water/Sewer Capital	201,999.55
Grant	0.00
Trust	0.00
Unemployment Trust	0.00
Animal Control	250.00
Law Enforcement Trust	0.00
Tax Lien Trust	0.00
Housing Trust	0.00
Public Defender Trust	0.00
Escrow	<u>547.32</u>
Total	<u>\$2,461,487.00</u>

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

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Margaret Riggio, Borough Clerk



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										
COREL005	CORELOGIC TAX SERVICES									
25-00634	05/12/25		J. SAVAGE 100% DISABLED VET							
1 Q1 J.SAVAGE 100% DISABLED VET		\$1,008.60	5-01-55-001-000-005	B	TAX REFUNDS/OVERPAYMENT	R	05/12/25	05/12/25	RES 2025-87	N
2 Q2 J.SAVAGE 100% DISABLED VET		\$3,361.02	5-01-55-001-000-005	B	TAX REFUNDS/OVERPAYMENT	R	05/12/25	05/12/25	RES 2025-87	N
		<b>\$4,369.62</b>								
<b>Vendor Total:</b>		<b>\$4,369.62</b>								
C1081	COUNTY OF MERCER COUNTY TAX									
25-00578	05/02/25		2ND QTR 2025 COUNTY TAX							
1 2ND QTR 2025 COUNTY TAX		\$792,719.37	5-01-55-001-000-002	B	County Tax Payable	R	05/02/25	05/12/25	2ND QTR 2025	N
2 2ND QTR 2025 LIBRARY TAX		\$73,929.04	5-01-55-001-000-002	B	County Tax Payable	R	05/02/25	05/12/25	2ND QTR 2025	N
3 2ND QTR 2025 OPEN SPACE TAX		\$43,529.48	5-01-55-001-000-002	B	County Tax Payable	R	05/02/25	05/12/25	2ND QTR 2025	N
		<b>\$910,177.89</b>								
<b>Vendor Total:</b>		<b>\$910,177.89</b>								
C0087	CUSTOM BANDAG, INC									
25-00528	04/23/25		WORK ORDER #80051981							
1 15.5/60-18 BKT AT621 INDUST R4		\$922.00	5-09-55-501-002-502	B	Vehicle Maintenance	R	04/23/25	05/13/25	80252272	N
2 1.7/8 AIR LIQUID VALVE		\$20.00	5-09-55-501-002-502	B	Vehicle Maintenance	R	04/23/25	05/13/25	80252272	N
3 MOUNT & DISMOUNT MIXED SERVI		\$90.00	5-09-55-501-002-502	B	Vehicle Maintenance	R	04/23/25	05/13/25	80252272	N
4 315, 385, 425, 445, 455, SCRAP		\$70.00	5-09-55-501-002-502	B	Vehicle Maintenance	R	04/23/25	05/13/25	80252272	N
		<b>\$1,102.00</b>								
25-00620	05/07/25		LABOR/PARTS/TIRES							
1 INV 80252540-TRK #10A		\$379.89	5-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R	05/07/25	05/12/25	80252540	N
<b>Vendor Total:</b>		<b>\$1,481.89</b>								
DEBLO005	DEBLOCK ENVIRONMENTAL SVCS,LLC									
25-00217	02/14/25		BACK UP OPERATOR FOR AWWTP			B				
5 INV 00012833 APRIL 2025		\$500.00	5-09-55-501-002-528	B	Outside Consulting Services (B	R	04/01/25	05/13/25	00012833	N
<b>Vendor Total:</b>		<b>\$500.00</b>								
E0024	EARLE ASPHALT COMPANY									
25-00614	05/07/25		WATER MAIN BREAK 113 FRANKLIN							
1 113 FRANKLIN ST-REPAIR 6"		\$13,478.96	5-09-55-501-001-535	B	Hydrants and Line Repair	R	05/07/25	05/12/25	4/24/25	N
<b>Vendor Total:</b>		<b>\$13,478.96</b>								

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 Type	Description							
Item Description												
E0001	EAST COAST EMERGENCY LIGHTING											
24-00959	08/22/24	INSTALLATION OF RADIO & ANT										
1 PANORAMA ANTENNAS EST 41964		\$350.00	C-04-55-900-007-444	B	FIRST AID RADIOS	R		08/22/24	05/12/25		26177	N
2 INSTALL CUSTOMER SUPPLIED		\$300.00	C-04-55-900-007-444	B	FIRST AID RADIOS	R		08/22/24	05/12/25		26177	N
		<u>\$650.00</u>										
Vendor Total:		\$650.00										
E0577	EAST WINDSOR REGIONAL SCHOOL											
25-00577	05/02/25	HB GENERAL FUND 5/15/25										
1 HB GENERAL FUND 5/15/25		\$732,923.00	5-01-55-001-000-001	B	School Tax Payable	R		05/02/25	05/12/25		5/15/2025	N
Vendor Total:		\$732,923.00										
ENVIR020	ENVIRONMENTAL PROTECTION &											
25-00297	03/06/25	SLUDGE DISPOSAL RES 2024-186				B						
3 SLUDGE DISPOSAL INV 56743		\$10,550.39	5-09-55-501-002-538	B	Sludge Removal/Disposal-Waste ManaR			03/06/25	05/13/25		56743	N
4 SLUDGE DISPOSAL INV 57737		\$15,236.93	5-09-55-501-002-538	B	Sludge Removal/Disposal-Waste ManaR			03/06/25	05/13/25		57737	N
5 SLUDGE DISPOSAL INV 56075		\$5,597.86	5-09-55-501-002-538	B	Sludge Removal/Disposal-Waste ManaR			03/06/25	05/13/25		56075	N
		<u>\$31,385.18</u>										
Vendor Total:		\$31,385.18										
B0966	ERB'S GARAGE INC											
25-00587	05/06/25	MACK AND WESTERN STAR REPAIR										
1 INV 18840-TRK 10A MACK		\$794.76	5-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R		05/06/25	05/12/25		18840	N
2 INV 18841-TRK GT1 WESTERN STAF		\$290.00	5-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R		05/06/25	05/12/25		18841	N
		<u>\$1,084.76</u>										
Vendor Total:		\$1,084.76										
ESIEQ005	ESI EQUIPMENT, INC.											
25-00586	05/06/25	HOLMATRO EQUIPMENT SERV										
1 HOLMATRO EQUIPMENT SERV		\$1,794.00	5-01-25-252-002-121	B	Preventive Maintenance	R		05/06/25	05/12/25		25-845	N
Vendor Total:		\$1,794.00										
Q0176	EUROFINS QC, LLC											
25-00593	05/06/25	WATER ANALYSIS OF FILTERS										
1 INV 6300074102-WATER ANALYSIS		\$280.00	5-09-55-512-001-502	B	Emergency Appropriation	R		05/06/25	05/12/25		6300074102	N
2 INV 6300074280-WATER ANALYSIS		\$107.50	5-09-55-512-001-502	B	Emergency Appropriation	R		05/06/25	05/12/25		6300074280	N

Vendor #	Name										
P.O. #	PO Date	Description	Contract	PO Type							
Item Description	Amount	Charge Account	Acct Description	Type	Stat/Chk	First Date	Enc Rcvd Date	Chk/Void Date	Invoice	1099	Excl
Q0176	EUROFINS QC, LLC		Account Continued								
3 INV 6300074525-WATER ANALYSIS	\$57.50	5-09-55-512-001-502	B	Emergency Appropriation	R	05/06/25	05/12/25		6300074525	N	
	\$445.00										
25-00594	05/06/25	WATER ANALYSIS									
1 INV 6300074049-WATER ANALYSIS	\$247.50	5-09-55-501-001-532	B	Outside Testing/Labs	R	05/06/25	05/12/25		6300074049	N	
2 INV 6300074341-WATER ANALYSIS	\$138.50	5-09-55-501-001-532	B	Outside Testing/Labs	R	05/06/25	05/12/25		6300074341	N	
3 INV 6300074773-WATER ANALYSIS	\$247.50	5-09-55-501-001-532	B	Outside Testing/Labs	R	05/06/25	05/12/25		6300074773	N	
	\$633.50										
Vendor Total:	\$1,078.50										
FERGU005	FERGUSON ENTERPRISES, LLC										
25-00598	05/06/25	4 DI REST ZIP FLG, BOLT PACK									
1 INV 0743383-4 DI DUTY REST FLG	\$145.52	5-09-55-501-001-503	B	Water Plant Maintenance	R	05/06/25	05/12/25		0743383	N	
Vendor Total:	\$145.52										
G1077	GEORGE S. COYNE CO., INC.										
25-00123	01/28/25	RES 2024-188 FLUORIDE			B						
4 INV 452733 5/6/25 FLUORIDE	\$1,062.77	5-09-55-501-001-528	B	Fluorosilic Acid	R	01/28/25	05/12/25		452733	N	
25-00129	01/31/25	RES 2024-189 LIMEHI-CALC AWWTP			B						
5 INV 452385 HI-LIMECALC 4/30/25	\$1,905.50	5-09-55-501-002-553	B	Calcium Hydroxide (Lime)	R	03/28/25	05/12/25		452385	N	
Vendor Total:	\$2,968.27										
H0048	HIGHTS REALTY LLC										
25-00367	03/21/25	HPD RENT 3/1/25 - 12/31/25			B						
4 MAY 2025 RENT HPD	\$5,254.66	5-01-26-310-001-025	B	Building Rental	R	03/21/25	05/12/25		MAY 2025	N	
Vendor Total:	\$5,254.66										
INSTI005	INSTITUTE FOR FORENSIC PSYCH										
25-00548	04/29/25	NEW HPD HIRE PSYCH EVAL									
1 NEW HPD HIRE PSYCH EVAL	\$300.00	5-01-25-240-001-093	B	Medical Exams/Hepatitis B Shot	R	04/29/25	05/12/25		22276	N	
Vendor Total:	\$300.00										
INTER015	INTERSTATE WASTE SERVICES OF										
25-00001	01/06/25	MUNICIPAL RECYCLING 2025			B						
6 INV 10631557 MAY 2025	\$12,377.51	5-01-26-311-001-029	B	Recycling Contract co-mingle-paper/cdlR		01/06/25	05/12/25		10631557	N	
Vendor Total:	\$12,377.51										
J0010	JAMMER DOORS										



Vendor #	Name										
P.O. #	PO Date	Description	Contract	PO Type							
Item Description	Amount	Charge Account	Acct Description	Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099	Excl
J0010	JAMMER DOORS	Account Continued									
25-00615	05/07/25	REPAIR OF GARAGE DOOR									
1 REPAIR OF GARAGE DOOR #1		\$332.50	5-01-26-310-001-024	B	Building Maintenance	R	05/07/25	05/12/25	52125		N
Vendor Total:		\$332.50									
J0257	JCP&L										
25-00563	04/30/25	MASTER ACCT 315 3/6/25-4/4/25									
1 100008482778 3/6/25-4/4/25		\$34.36	5-09-55-501-002-504	B	Electricity	R	04/30/25	05/12/25	95089938568		N
2 10009294701 3/5/25-4/3/25		\$185.69	5-09-55-501-001-504	B	Electricity	R	04/30/25	05/12/25	95089938568		N
3 100012445746 3/6/25-4/4/25		\$5,761.29	5-09-55-501-001-504	B	Electricity	R	04/30/25	05/12/25	95089938568		N
4 100012529309 3/6/25-4/4/25		\$8,500.15	5-09-55-501-002-504	B	Electricity	R	04/30/25	05/12/25	95089938568		N
		\$14,481.49									
25-00608	05/07/25	VARIOUS ACCTS 4/3/25-5/5/25									
1 100029000310 4/5/25-5/5/25		\$525.56	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/07/25	05/12/25	95558258924		N
2 100131110379 4/5/25-5/5/25		\$14.61	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/07/25	05/12/25	95558258926		N
3 100051508677 4/23/25-5/5/25		\$42.17	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/07/25	05/12/25	95558258926		N
4 100051508750 4/5/25-5/01/25		\$84.95	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/07/25	05/12/25	95638147717		N
5 100072968868 4/5/25-5/01/25		\$29.30	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/07/25	05/12/25	95608177624		N
6 100079096689 4/3/25-5/01/25		\$4.65	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/07/25	05/12/25	95558258925		N
		\$701.24									
25-00629	05/09/25	ACCT 122 4/10/25-05/08/25									
1 ACCT 122 4/10/25-05/08/25		\$40.89	5-01-31-430-001-071	B	Electric-Borough Hall	R	05/09/25	05/12/25	95348509315		N
Vendor Total:		\$15,223.62									
J0258	JCP&L (STREET LIGHTING)										
25-00606	05/07/25	ACT 724 3/20/25-4/18/25									
1 100011415724 3/20/25-4/18/25		\$476.03	5-01-31-435-001-075	B	Street Lighting	R	05/07/25	05/12/25	95787579808		N
25-00607	05/07/25	ACCT 240 & 041 DATED 05/07/25									
1 100081608240 04/05/25-05/01/25		\$41.71	5-09-55-501-001-504	B	Electricity	R	05/07/25	05/12/25	95638147718		N
2 100086395041 04/05/25-05/01/25		\$24.50	5-01-31-435-001-075	B	Street Lighting	R	05/07/25	05/13/25	95608177625		N
		\$66.21									
Vendor Total:		\$542.24									
JERSE015	JERSEY AUTO SUPPLY INC.										
25-00613	05/07/25	APRIL 2025 INVOICES									
1 INV 301828-FUEL CAP		\$9.44	5-01-26-290-001-034	B	Motor Vehicle Parts & Access.	R	05/07/25	05/12/25	301828		N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk		First Enc	Rcvd	Chk/Void	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct	Description	Type		Date	Date	Date		
Item Description												
JERSE015	JERSEY AUTO SUPPLY INC.	Account Continued										
2 INV 300760-BEAM WIPER		\$18.26	5-01-26-290-001-034	B	Motor Vehicle Parts & Access.		R	05/07/25	05/12/25		300760	N
3 INV 300757-22 IN EXACT		\$33.24	5-01-26-290-001-034	B	Motor Vehicle Parts & Access.		R	05/07/25	05/12/25		300757	N
4 INV 300245-BOXED CAPSULES		\$36.72	5-01-26-290-001-034	B	Motor Vehicle Parts & Access.		R	05/07/25	05/12/25		300245	N
5 INV 300124-BATTERY FOR BACKHOI		\$161.11	5-01-26-290-001-034	B	Motor Vehicle Parts & Access.		R	05/07/25	05/12/25		300124	N
6 INV 300105-BATTERY FOR BACKHOI		\$322.22	5-01-26-290-001-034	B	Motor Vehicle Parts & Access.		R	05/07/25	05/12/25		300105	N
		\$580.99										
	Vendor Total:	\$580.99										
J0069	JERSEY ELEVATOR LLC											
25-00588	05/06/25		MAY 2025 MAINTENANCE									
1 MAY 2025 MAINTENANCE		\$210.07	5-01-26-310-001-029	B	Maintenance Contracts		R	05/06/25	05/12/25		INV 306561-P2T1	N
	Vendor Total:	\$210.07										
J0378	KENNCO LLC											
25-00589	05/06/25		APRIL 2025 CYLINDER RENTAL									
1 INV R30212-APR 2025 CYLINDER		\$36.00	5-01-26-290-001-050	B	DPW Work Equipment		R	05/06/25	05/12/25		R30212	N
	Vendor Total:	\$36.00										
KUBIA005	KUBIAK ELECTRIC CO., INC.											
25-00625	05/07/25		REPLACE/INSTALL PHOTO CELL LIG									
1 1 TORK 2001 KNUCKLE PHOTOCCELL		\$30.58	5-09-55-501-002-503	B	Sewer Plant Maintenance		R	05/07/25	05/12/25		25-296	N
2 1-GANG WP BOX WITH 3-1/2" HUB		\$5.77	5-09-55-501-002-503	B	Sewer Plant Maintenance		R	05/07/25	05/12/25		25-296	N
3 #74 WIRENUT YELLOW		\$0.19	5-09-55-501-002-503	B	Sewer Plant Maintenance		R	05/07/25	05/12/25		25-296	N
4 1 MANHOUR ELECTRICIAN MINIMUM		\$125.00	5-09-55-501-002-503	B	Sewer Plant Maintenance		R	05/07/25	05/12/25		25-296	N
5 1 MANHOUR(S) ELECTRICIAN		\$100.00	5-09-55-501-002-503	B	Sewer Plant Maintenance		R	05/07/25	05/12/25		25-296	N
		\$261.54										
	Vendor Total:	\$261.54										
L0205	LANGUAGE LINE SERVICES											
25-00603	05/06/25		INV 11523266 HPD SVC MAR 2025									
1 INV 11523266 HPD SVC MAR 2025		\$89.25	5-01-25-240-001-111	B	Interpretor		R	05/06/25	05/13/25		11607984	N
	Vendor Total:	\$89.25										
LEEHE005	LEE HECHT HARRISON, LLC											
25-00562	04/30/25		FINANCE MOMBO W/E 4/27/25									
1 FINANCE MOMBO W/E 4/27/25		\$1,147.50	5-01-20-130-001-031	B	PROF SERVICES		R	04/30/25	05/12/25		13499429	N
2 FINANCE MOMBO W/E 4/27/25		\$191.25	5-09-55-501-001-600	B	WATER UTILITY -0 OTHER PROF TER			04/30/25	05/12/25		13499429	N

[illegible]



Vendor #	Name	Description		Contract	PO Type	Stat/Chk		First Enc	Rcvd	Chk/Void	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct	Description	Type		Date	Date	Date		
Item Description												
M0143	MSM SERVICE CO.	Account Continued										
NATIO040	NATIONAL HIGHWAY PRODUCTS, INC											
25-00492	04/16/25	28' ORANGE TRAFFIC CONE										
1 28'ORANGE TRAFFIC CONE		\$860.00	5-01-25-252-002-056	B	Fire & Other Safety Equipment	R		04/16/25	05/12/25		PS-INV125117	N
2 SET UP FEE		\$35.00	5-01-25-252-002-056	B	Fire & Other Safety Equipment	R		04/16/25	05/12/25		PS-INV125117	N
3 SHIPPING & HANDLING		\$100.00	5-01-25-252-002-056	B	Fire & Other Safety Equipment	R		04/16/25	05/12/25		PS-INV125117	N
		\$995.00										
25-00618	05/07/25	NO PARKING STREET SIGNS										
1 INV PS-INV125116-NO PARKING		\$591.75	5-01-26-290-001-127	B	Street Repair & Maintenance	R		05/07/25	05/12/25		PS-INV125116	N
	Vendor Total:	\$1,586.75										
NEWJE010	NEW JERSEY DIESEL EMISSIONS &											
25-00623	05/07/25	EMISSION TEST ON TRKS										
1 INV P 2435-EMISSION TEST		\$470.00	5-01-26-315-001-132	B	Vehicle Maint. - Public Works	R		05/07/25	05/12/25		P 2435	N
	Vendor Total:	\$470.00										
NJLBH005	NJLBHA											
25-00561	04/30/25	ANNUAL MEMEBERSHIP 2025										
1 ANNUAL MEMEBERSHIP 2025		\$95.00	5-01-27-330-001-044	B	Professional Assoc. Dues	R		04/30/25	05/12/25		HIGHTSTOWN	N
	Vendor Total:	\$95.00										
O0050	ONE CALL CONCEPT INC											
25-00617	05/07/25	APRIL 2025 ONE CALL MSGS										
1 APRIL 2025 ONE CALL MSGS		\$94.30	5-09-55-501-001-535	B	Hydrants and Line Repair	R		05/07/25	05/12/25		5045088	N
	Vendor Total:	\$94.30										
PACEA005	PACE ANALYTICAL SERVICES, LLC											
25-00570	04/30/25	OUTSIDE LAB TESTING										
1 INVOICE #247124213		\$227.70	4-09-55-501-002-532	B	Outside Lab Testing	R		04/30/25	05/12/25		247124213	N
2 INVOICE #247124215		\$256.30	4-09-55-501-002-532	B	Outside Lab Testing	R		04/30/25	05/12/25		247124215	N
3 INVOICE #247124337		\$132.40	4-09-55-501-002-532	B	Outside Lab Testing	R		04/30/25	05/12/25		247124337	N
4 INVOICE #237103676		\$350.00	4-09-55-501-002-532	B	Outside Lab Testing	R		04/30/25	05/12/25		247103676	N
5 INVOICE #237103942		\$108.00	4-09-55-501-002-532	B	Outside Lab Testing	R		04/30/25	05/12/25		237103942	N
6 INVOICE #247101024 BAL DUE		\$43.00	4-09-55-501-002-532	B	Outside Lab Testing	R		04/30/25	05/12/25		247101024 BAL	N
		\$1,117.40										
25-00571	04/30/25	OUTSIDE LAB TESTING										

Vendor #	Name	Description		Contract	PO Type						
P.O. #	PO Date	Amount	Charge Account	Acct Type	Description	Stat/Chk	First Date	Enc Rcvd Date	Chk/Void Date	Invoice	1099 Excl
Item Description											
PACEA005		PACE ANALYTICAL SERVICES, LLC			Account Continued						
1 INVOICE #237110203		\$175.50	4-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		237110203	N
2 INVOICE #237110367		\$277.00	4-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		237110367	N
3 INVOICE #237117576		\$355.00	4-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		237117576	N
4 INVOICE #237117715		\$27.00	4-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		237117715	N
5 INVOICE #247112953		\$117.60	4-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		247112953	N
		\$952.10									
25-00573	04/30/25	OUTSIDE LAB TESTING									
1 INVOICE #257107694		\$360.10	5-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		257107694	N
2 INVOICE #257107698		\$83.70	5-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		257107698	N
3 INVOICE #257107626		\$28.60	5-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		257107626	N
4 INVOICE #257108461		\$63.50	5-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		257108461	N
5 INVOICE #257110159		\$355.90	5-09-55-501-002-532	B	Outside Lab Testing	R	04/30/25	05/12/25		257110159	N
		\$891.80									
Vendor Total:		\$2,961.30									
P0088		PARKER MCCAY, P.A.									
25-00576	05/01/25	Billing through 3/31/2025									
1 Review & Correspondence		\$120.00	ACCROAD25	P	Engineering Review-Access Road	R	05/01/25	05/12/25		3194283	N
2 Review & Correspondence		\$340.00	ACCROAD25	P	Engineering Review-Access Road	R	05/01/25	05/12/25		3195641	N
		\$460.00									
25-00628	05/08/25	Billing through 4/30/2025									
1 Correspondence & Attend PB Mtg		\$460.00	5-01-21-180-001-107	B	Planning Board - Attorney	R	05/08/25	05/12/25		3197989	N
2 Research,draft,prep, file moti		\$1,021.77	5-01-21-180-001-108	B	COAH Planning	R	05/08/25	05/12/25		3197990	N
		\$1,481.77									
Vendor Total:		\$1,941.77									
P0089		PARKSON CORPORATION									
25-00296	03/05/25	RES 2025-57 FILTER SCREEN				B					
2 RES 2025-57 FILTER SCREEN		\$131,160.00	C-08-55-975-000-541	B	2023-09 IMP TO FINE SCREEN	R	03/05/25	05/12/25		AR1/51043295	N
Vendor Total:		\$131,160.00									
PLOSI005		PLOSIA COHEN LLC									
25-00431	04/02/25	IN REM INVOICES				B					
4 IN REM INVOICES		\$1,648.00	5-01-20-155-001-027	B	General Matters	R	04/02/25	05/12/25		54520	N
5 EXPENSES		\$26.27	5-01-20-155-001-027	B	General Matters	R	04/02/25	05/12/25		54520	N

Vendor #	Name	Contract		PO Type		Stat/Chk		First Enc	Rcvd	Chk/Void	Invoice	1099 Excl
P.O. #	PO Date	Description	Amount	Charge Account	Acct Description	Type		Date	Date	Date		
Item Description												
PLOSI005	PLOSLIA COHEN LLC	Account Continued										
		\$1,674.27										
25-00574	05/01/25	COUNCIL MEETINGS										
1 COUNCIL MEETINGS INV 54519		\$640.00	5-01-20-155-001-029	B	Attendance at Council Meetings	R		05/01/25	05/12/25		54519	N
2 GENERAL LEGAL INV 54519		\$4,392.00	5-01-20-155-001-027	B	General Matters	R		05/01/25	05/12/25		54519	N
3 EXPENSES INV 54519		\$6.10	5-01-20-155-001-027	B	General Matters	R		05/01/25	05/12/25		54519	N
		\$5,038.10										
25-00575	05/01/25	Billing through 4/30/2025										
1 Conferences & correspondence		\$87.32	2022-06	P	480 MERCER STREET WAREHOUSER			05/01/25	05/12/25		54521	N
Vendor Total:		\$6,799.69										
POLIC005	POLICE & SHERIFFS PRESS, INC											
25-00605	05/06/25	HPD PHOTO ID'S										
1 HPD PHOTO ID'S		\$30.00	5-01-20-125-001-023	B	Printing & Stationary	R		05/06/25	05/12/25		118956	N
2 HPD PHOTO ID'S		\$3.60	5-01-20-125-001-023	B	Printing & Stationary	R		05/06/25	05/13/25		118956	N
		\$33.60										
Vendor Total:		\$33.60										
PRINC015	PRINCETON ANIMAL HOSPITAL &											
25-00622	05/07/25	RABIES CLINIC 12/8/24										
1 RABIES CLINIC 12/8/24		\$250.00	T-13-56-286-000-824	B	RESERVE-ANIMAL CONTROL TRUSTR			05/07/25	05/12/25		12/8/24	N
Vendor Total:		\$250.00										
P0348	PUMPING SERVICES, INC.											
25-00409	03/31/25	WTP FILTER RENTALS			B							
3 EQUIPMENT, TRAINING, ENGINEER		\$242,440.00	5-09-55-512-001-502	B	Emergency Appropriation	R		03/31/25	05/12/25		1151021	N
Vendor Total:		\$242,440.00										
REDAR005	RED ARROW TECHNOLOGIES, LLC											
25-00585	05/06/25	VOIP SVCS HFD & MAIN MAY 2025										
1 VOIP SVCS HFD 5/6/25-6/5/25		\$122.78	5-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSR			05/06/25	05/12/25		3714151	N
2 VOIP SVCS MAIN 5/6/25-6/5/25		\$501.05	5-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSR			05/06/25	05/12/25		3714150	N
		\$623.83										
25-00602	05/06/25	AWWTP ONSITE SUPPORT INV 18578										
1 AWWTP ONSITE SUPPORT 4/29/25		\$150.00	5-09-55-501-002-530	B	Computer Software/Maint/Equip	R		05/06/25	05/12/25		18578	N
2 AWWTP ONSITE SUPPORT 4/30/25		\$200.00	5-09-55-501-002-530	B	Computer Software/Maint/Equip	R		05/06/25	05/12/25		18578	N
3 HARDWARE		\$140.00	5-09-55-501-002-530	B	Computer Software/Maint/Equip	R		05/06/25	05/12/25		18578	N

Vendor #	Name										
P.O. #	PO Date	Description	Contract	PO Type							
Item Description	Amount	Charge Account	Acct Description	Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl	
REDAR005	RED ARROW TECHNOLOGIES, LLC	Account Continued									
	\$490.00										
Vendor Total:	\$1,113.83										
S0002	SAFETY-KLEEN SYSTEMS, INC										
25-00554	04/29/25	REFERENCE #96963241-2051797404									
1 20G PARTS WASHER SERVICE	\$247.17	5-09-55-501-002-535	B	Chemicals Miscellaneous	R	04/29/25	05/12/25		96963241	N	
2 RECOVERY FEE	\$29.66	5-09-55-501-002-535	B	Chemicals Miscellaneous	R	04/29/25	05/12/25		96963241	N	
3 CHEMISTRY FEE	\$23.48	5-09-55-501-002-535	B	Chemicals Miscellaneous	R	04/29/25	05/12/25		96963241	N	
	\$300.31										
25-00626	05/07/25	REPLENISH SOLVENT FOR PARTS									
1 30G CYCLON PARTS WASHER	\$295.00	5-01-26-310-001-050	B	DPW Work Equipment	R	05/07/25	05/12/25		96963240	N	
2 FEE, FUEL SURCHARGE	\$15.13	5-01-26-310-001-050	B	DPW Work Equipment	R	05/07/25	05/12/25		96963240	N	
	\$310.13										
Vendor Total:	\$610.44										
SCUBA005	SCUBADELPHIA, LLC										
25-00565	04/30/25	CAPITAL DIVE INV 57660									
1 CAPITAL DIVE ITEMS INV 57660	\$2,335.18	C-04-55-904-002-444	B	FIRE DEPT SCBA,TURNOUT GEAR,DR		04/30/25	05/12/25		57660	N	
2 SHIPPING INV 57660	\$18.55	C-04-55-904-002-444	B	FIRE DEPT SCBA,TURNOUT GEAR,DR		04/30/25	05/12/25		57660	N	
	\$2,353.73										
Vendor Total:	\$2,353.73										
S0061	SEA BOX										
25-00564	04/30/25	CONTAINER RENTAL									
1 INV RI135759-CONTAINER RENTAL	\$75.00	5-01-26-310-001-025	B	Building Rental	R	04/30/25	05/12/25		RI135759	N	
Vendor Total:	\$75.00										
S0240	STATE OF N.J.-DEPT OF TREASURY										
25-00630	05/09/25	MAY HEALTH INSURANCE 2025									
1 MAY HEALTH INSURANCE 2025	\$63,357.81	5-01-23-210-003-115	B	Medical Ins-EmpI Grp Health	R	05/09/25	05/12/25		MAY HEALTH 2025N		
2 MAY HEALTH INSURANCE 2025 WTF	\$3,567.94	5-09-55-501-001-514	B	INSURANCE	R	05/09/25	05/12/25		MAY HEALTH 2025N		
3 MAY HEALTH INSURANCE 2025AWV	\$15,210.69	5-09-55-501-002-514	B	Insurance	R	05/09/25	05/12/25		MAY HEALTH 2025N		
	\$82,136.44										
Vendor Total:	\$82,136.44										
STATE015	STATE OF NEW JERSEY										



Vendor #	Name											
P.O. #	PO Date	Description	Contract	PO Type								
Item Description		Amount Charge Account	Acct Description	Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl		
STATE015	STATE OF NEW JERSEY	Account Continued										
25-00632	05/12/25	INT 3.31.24 NJ-927 & WR-30										
1 INT QTR 3.31.24 NJ-927 & WR-30		\$6.69	5-01-20-130-001-199	B	Miscellaneous	R	05/12/25	05/12/25	3.31.2024	N		
Vendor Total:		\$6.69										
STATE005	STATEWIDE INSURANCE FUND											
25-00567	04/30/25	INSTALLMENT 3/4 WC & LIABILITY										
1 CURRENT FUND GENERAL LIABILIT		\$14,472.84	5-01-23-210-003-112	B	General Liability-JIF	R	04/30/25	05/12/25	2025C38	N		
2 CURRENT FUND WORKER'S COMP		\$28,041.13	5-01-23-210-003-113	B	Workers Compensation (JIF)	R	04/30/25	05/12/25	2025C38	N		
3 WORKER'S COMP 3/4 WTP		\$9,045.53	5-09-55-501-001-515	B	County Insurance - JIF	R	04/30/25	05/12/25	2025C38	N		
4 WORKER'S COMP 3/4 AWWTP		\$38,895.75	5-09-55-501-002-515	B	County Insurance - JIF	R	04/30/25	05/12/25	2025C38	N		
		\$90,455.25										
Vendor Total:		\$90,455.25										
TMOBI005	T-MOBILE											
25-00582	05/05/25	STOCKTON LOT CAMERA 3/21-4/20										
1 STOCKTON LOT CAMERA 3/21-4/20		\$70.00	5-01-33-195-002-029	B	Computer Software/Maint/Equip	R	05/05/25	05/12/25	3/21/25-4/20/25	N		
2 CREDITS & ADJUSTMENTS		10.50-	5-01-33-195-002-029	B	Computer Software/Maint/Equip	R	05/05/25	05/12/25	3/21/25-4/20/25	N		
3 OTHER CHARGES		\$2.80	5-01-33-195-002-029	B	Computer Software/Maint/Equip	R	05/05/25	05/12/25	3/21/25-4/20/25	N		
		\$62.30										
Vendor Total:		\$62.30										
TELCO005	TELCO BILL CENTER INC.											
25-00595	05/06/25	POTSOLVE RECURRING APRIL 2025										
1 POTSOLVE RECURRING APRIL 2025		\$401.25	5-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSR		05/06/25	05/12/25	6607	N		
25-00596	05/06/25	POTSOLV RECURRING MAY 2025										
1 POTSOLV RECURRING MAY 2025		\$401.25	5-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSR		05/06/25	05/12/25	6856	N		
Vendor Total:		\$802.50										
T0061	TOWNSHIP OF ROBBINSVILLE DPW											
25-00599	05/06/25	HPD VEHICLE MAINTENANCE										
1 HPD VEHICLE MAINTENANCE		\$112.02	5-01-43-515-001-170	B	Mechanic Services	R	05/06/25	05/12/25	I001862	N		
2 HPD VEHICLE MAINTENANCE		\$448.26	5-01-43-515-001-170	B	Mechanic Services	R	05/06/25	05/12/25	I001864	N		
3 HPD VEHICLE MAINTENANCE		\$110.52	5-01-43-515-001-170	B	Mechanic Services	R	05/06/25	05/12/25	I001866	N		
4 HPD VEHICLE MAINTENANCE		\$36.08	5-01-43-515-001-170	B	Mechanic Services	R	05/06/25	05/12/25	I001867	N		
		\$706.88										
Vendor Total:		\$706.88										

Vendor #	Name	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Description	Amount	Charge Account	Acct Description	Type			
Item Description									
T0061	TOWNSHIP OF ROBBINSVILLE DPW	Account Continued							
T1067	TREASURER, STATE OF NJ								
25-00631	05/12/25	AIR QUAL PERMIT PROG 250416260							
1 AIR QUAL PERMIT PROG		\$235.00	5-09-55-501-002-520	B	Discharge Permits/Licenses	R	05/12/25	05/12/25	250416260 N
<b>Vendor Total:</b>		<b>\$235.00</b>							
T0110	TURF EQUIPMENT & SUPPLY CO LLC								
25-00590	05/06/25	COVER AND VALVE-VACUATOR							
1 COVER AND VALVE-VACUATOR		\$111.94	5-01-28-369-001-139	B	Mower Repairs	R	05/06/25	05/12/25	70113400-00 N
<b>Vendor Total:</b>		<b>\$111.94</b>							
UNIFI005	UNIFIRST CORPORATION								
25-00597	05/06/25	UNIFORM ADVANTAGE APRIL 2025							
1 INV 1260720563 4/3/2025		\$57.68	5-09-55-501-002-507	B	Uniforms & Safety Equipment	R	05/06/25	05/12/25	1260720563 N
2 INV 1260723786 4/10/2025		\$57.68	5-09-55-501-002-507	B	Uniforms & Safety Equipment	R	05/06/25	05/12/25	1260723786 N
3 INV 1260727157 4/17/2025		\$57.68	5-09-55-501-002-507	B	Uniforms & Safety Equipment	R	05/06/25	05/12/25	1260727157 N
4 INV 1260730653 4/24/2025		\$57.68	5-09-55-501-002-507	B	Uniforms & Safety Equipment	R	05/06/25	05/12/25	1260730653 N
		<b>\$230.72</b>							
<b>Vendor Total:</b>		<b>\$230.72</b>							
U0013	USA BLUE BOOK								
25-00553	04/29/25	QUOTE #QUOT1142583-1							
1 HACH ez GGA, 198MG/L BOD Std		\$71.65	5-09-55-501-002-506	B	Lab. Equipment & Supplies	R	04/29/25	05/12/25	INV00683893 N
25-00569	04/30/25	LAB SUPPLY							
1 DOUBLE-STRENGTH TSB 100-ML 8C		\$161.10	5-09-55-501-002-506	B	Lab. Equipment & Supplies	R	04/30/25	05/12/25	INV00689383 N
<b>Vendor Total:</b>		<b>\$232.75</b>							
V0019	VERIZON								
25-00611	05/07/25	ACCT 741-0001-46 APRIL 30 HPD							
1 ACCT 741-0001-46 APRIL 30 HPD		\$427.10	5-01-20-140-001-060	B	Internet Services and Web Services	R	05/07/25	05/12/25	257132741000146 N
<b>Vendor Total:</b>		<b>\$427.10</b>							
VERIZ015	VERIZON FIOS								
25-00579	05/02/25	ACCT1555041400001-153 4/9/25							
1 ACCT1555041400001-153 4/9/25		\$204.67	5-01-20-140-001-060	B	Internet Services and Web Services	R	05/02/25	05/12/25	155504140000153 N
25-00635	05/12/25	ACCT1555041400001-153 5/9/25							
1 ACCT1555041400001-153 5/9/25		\$209.67	5-01-20-140-001-060	B	Internet Services and Web Services	R	05/12/25	05/12/25	155504140000153 N

Vendor #	Name	Description			Contract	PO Type					
P.O. #	PO Date	Amount	Charge Account	Acct	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
Item Description				Type							
VERIZ015	VERIZON FIOS	Account Continued									
Vendor Total:		\$414.34									
VIKIN005	VIKING TERMITE & PEST CONTROL										
25-00591	05/06/25	APRIL 2025 SERVICE-PD									
1 INV 902683470-APR 2025 SERVICE		\$23.70	5-01-26-310-001-029	B	Maintenance Contracts	R	05/06/25	05/12/25		902683470	N
25-00592	05/06/25	APRIL 2025 SERVICE DPW/MUN									
1 INV 902683461-APR 2025 SERVICE		\$23.50	5-01-26-310-001-029	B	Maintenance Contracts	R	05/06/25	05/12/25		902683461	N
Vendor Total:		\$47.20									
W0071	WASTE MGMT OF NEW JERSEY, INC.										
25-00318	03/11/25	DUMPSTER RES2020-136TO 7/31/25				B					
17 INV 3260666-0502-6 5/1/25		\$297.93	5-01-26-305-001-029	B	Contract-Dumpsters	R	03/11/25	05/12/25		3260666-0502-6	N
18 INV 3260964-0502-1 5/1/25		\$596.52	5-01-26-305-001-029	B	Contract-Dumpsters	R	03/11/25	05/12/25		3260964-0502-1	N
19 INV 3260964-0502-1 5/1/25		\$397.31	5-01-26-305-001-029	B	Contract-Dumpsters	R	05/09/25	05/12/25		3260964-0502-1	N
20 INV 3260965-0502-8 5/1/25		\$1,544.38	5-01-26-305-001-029	B	Contract-Dumpsters	R	05/09/25	05/12/25		3260965-0502-8	N
21 INV 3260965-0502-8 5/1/25		\$633.78	5-01-26-305-001-029	B	Contract-Dumpsters	R	05/09/25	05/12/25		3260965-0502-8	N
		\$3,469.92									
Vendor Total:		\$3,469.92									
W0891	WINNER FORD OF CHERRY HILL										
24-01047	09/16/24	2025 FORD UTILITY INTERCEPTOR									
1 2025 FORD UTILITY INTERCEPTOR		\$43,468.00	C-04-55-904-001-444	B	2024-12 POLICE LOCKERS,OFFICE FR		09/16/24	05/12/25		506719	N
24-01048	09/16/24	OUTFITTING 2025 PIU PATROL									
1 OUTFITTING 2025 PIU PATROL		\$29,815.69	C-04-55-904-001-444	B	2024-12 POLICE LOCKERS,OFFICE FR		09/16/24	05/12/25		506719-1	N
Vendor Total:		\$73,283.69									

**Total Purchase Orders: 84 Total P.O. Line Items: 180 Total List Amount: \$2,390,075.45 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	4-09	\$2,069.50	\$0.00	\$2,069.50	\$0.00	\$0.00	\$0.00
	5-01	\$1,801,337.51	\$0.00	\$1,801,337.51	\$0.00	\$0.00	\$0.00
	5-09	\$378,423.70	\$0.00	\$378,423.70	\$0.00	\$0.00	\$0.00
	5-21	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$547.32
	Year Total:	\$2,179,761.21	\$0.00	\$2,179,761.21	\$0.00	\$0.00	\$547.32
GENERAL CAPITAL	C-04	\$76,287.42	\$0.00	\$76,287.42	\$0.00	\$0.00	\$0.00
WATER/SEWER CAPITAL	C-08	\$131,160.00	\$0.00	\$131,160.00	\$0.00	\$0.00	\$0.00
	Year Total:	\$207,447.42	\$0.00	\$207,447.42	\$0.00	\$0.00	\$0.00
ANIMAL CONTROL TRUST FUN	T-13	\$250.00	\$0.00	\$250.00	\$0.00	\$0.00	\$0.00
Total Of All Funds:		\$2,389,528.13	\$0.00	\$2,389,528.13	\$0.00	\$0.00	\$547.32



Project Description	Project No.	Rcvd Total
480 MERCER STREET WAREHOUSE	2022-06	\$87.32
Engineering Review-Access Road	ACCROAD25	\$460.00
Total Of All Projects:		\$547.32

**To:** Mayor and Council

**From:** Finance Office

**Re:** Manual Bill List for 5/19/2025

CURRENT ACCOUNT	DATE ISSUED	PO #	CHECK #	Amount
TOTAL				\$ -
<b>WATER AND SEWER OPERATING</b>				
VERIZON	5/2/2025	25-00239	16869	\$ 189.00
VERIZON	5/2/2025	25-00580	16871	\$ 189.00
VERIZON	5/2/2025	25-00581	16872	\$ 194.00
TOTAL				\$ 572.00
<b>ESCROW</b>				
TOTAL				\$ -
<b>GRANT</b>				
TOTAL				\$ -
<b>TRUST- OTHER</b>				
TOTAL				\$ -
<b>ANIMAL CONTROL TRUST</b>				
TOTAL				\$ -
<b>LAW ENFORCEMENT TRUST</b>				
TOTAL				\$ -
TOTAL				\$ -
<b>PUBLIC DEFENDER TRUST</b>				
TOTAL				\$ -
<b>TAX LIEN TRUST</b>				
TOTAL				\$ -
<b>GENERAL CAPITAL</b>				
TOTAL				\$ -
<b>WATER AND SEWER CAPITAL</b>				
BLACK ROCK ENTERPRISES, LLC	5/2/2025	23-00900-04	5946	\$ 70,839.55
TOTAL				\$ 70,839.55
MANUAL TOTAL				\$ 71,411.55

**RESOLUTION MAKING AND CONFIRMING APPOINTMENTS FOR THE  
ENVIRONMENTAL COMMISSION**

**BE IT RESOLVED** that the following appointments are hereby made and confirmed by the Mayor and Council of the Borough of Hightstown:

**Environmental Commission**

Isabella Fowler	Ux. 3 Years	December 31, 2027
Megh Rajoria (Alt #1)	Ux. 2 Years	December 31, 2025

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

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Margaret Riggio, Borough Clerk

## **A RESOLUTION CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES**

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

**WHEREAS**, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

**WHEREAS**, while the State may need to have the right to override the statutory dedication of these revenues to local governments, in order to deal with emergencies and crises that may occur; current State policymakers should not exercise that right automatically; and

**WHEREAS**, while that right should be the exception, it has become the rule; and

**WHEREAS**, by keeping flat funding of the appropriation for CMPTRA year-over-year, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

**WHEREAS**, in SFY 2023, the State did provide some much-needed relief in the allocation of \$75 million of new funds identified as the Municipal Relief Fund; and

**WHEREAS**, in SFY 2024, the State allocated \$150 million in Municipal Relief Funds, however, in SFY 2025 and, as proposed in SFY 2026, no allocation will exist; and

**WHEREAS**, in SFY 2024 the Energy Tax Receipts Program should have received over \$350 million to restore municipalities back to 2008 levels, however, the State's diversion of Energy Taxes has continued to grow causing more of a financial gap; and

**WHEREAS**, the cumulative impact of years of flat funding and underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Hightstown, in the county of Mercer, calls for the immediate restoration of funding diverted from Energy Taxes intended for local use; and

**BE IT FURTHER RESOLVED**, that we, respectfully, call on State policy makers to end the diversion of our municipal resources to cover State spending and to provide us with this important tool to relieve the worst-in-the-nation property tax burden borne, for too long, by the people of New Jersey; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution is forwarded to Senator Linda Greenstein, Assemblyman Wayne DeAngelo, Assemblywoman Tennille McCoy, the Commissioner of the Department of Community Affairs Jacquelyn Suárez, the State Treasurer Elizabeth Maher Muoio, the Lieutenant Governor Tahesha Way, the Governor of the State of Jersey Phil Murphy, and the New Jersey State League of Municipalities.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

---

Margaret Riggio, Borough Clerk

**A RESOLUTION OPPOSING LEGISLATION THAT WOULD PREEMPT  
LOCAL PLANNING AND PERMIT CONVERSION OF CERTAIN OFFICE  
PARKS AND RETAIL CENTERS TO MIXED-USE DEVELOPMENTS**

**WHEREAS**, New Jersey has long history of maintaining the principles of home rule, established in the state constitution, which has provided our residents with the most meaningful direct access to strong local governments; and

**WHEREAS**, municipalities bring a distinctive responsiveness and ability to shape policy to respond to the needs of communities; and

**WHEREAS**, local control and decision making reflective of the community empowers the residents and taxpayers of each municipality to carefully tailor local policies that reflect its unique geography, economy, needs, and priorities; and

**WHEREAS**, SCS-1408/A-2757 require municipal planning boards to permit the conversion of eligible properties, so-called “stranded assets” into mixed-use developments, effectively bypassing the existing variance procedure and preempting local zoning; and

**WHEREAS**, an eligible property is defined as an office park that is at least 50,000 square feet or a retail center of at least 15,000 square feet; and has a vacancy rate of at least 25% rate for at least 18 months immediately preceding the application; or has suffered an economic downturn over the immediately preceding 3 years, demonstrated by evidence of a quantifiable loss in revenue such that the developer’s expenses for the premises have exceeded revenues by at least 30% or more each year; and

**WHEREAS**, the committee amendments eliminated the 2-year sunset in the original bill, meaning that this would be a permanent preemption of local planning; and

**WHEREAS**, a mixed-use development, which may include the demolition of existing structures, that is subject to a preemptive conversion shall be considered a permitted use and not require a variance, provided that the development otherwise complies with zoning requirements in the municipality’s mixed-use zone; the application proposes at least two types of uses, one of which shall be residential, and no use shall be industrial; at least 20% of the residential units to be constructed shall be reserved as very-low-income housing, low-income housing, or moderate-income housing, at least 50% within each bedroom distribution are low-income units, at least 13% of the low income units are very-low income units; and must comply with the Uniform Housing Affordability Controls in N.J.S.A. 52:27D-301 et seq.; and

**WHEREAS**, the bill establishes the criteria to follow if there are multiple mixed-use zones and legislates mixed-use zones if the municipality does not have a mixed-use zone, likely to result in costly litigation; and

**WHEREAS**, SCS-1408/A-2757 is based on the unnecessary and unwarranted preemption of local master planning as currently any such application can be made through the variance process or a redevelopment process; and

**WHEREAS**, the criteria in the bill is ripe for litigation and -unintended consequences that could likely turn into a backdoor means to challenge approved affordable housing plans and expose municipalities to litigation; and

**WHEREAS**, this legislation and the erosion of local autonomy threatens to undermine home rule that is critical for local officials to adopt policies that are the most beneficial to the community and that our residents have long come to expect from their municipal government;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Hightstown hereby urges the legislature to reject SCS-1408/A-2757 and preserve local autonomy in municipal planning; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Senator Linda Greenstein, Assemblymembers Wayne DeAngelo, and Tennille R. McCoy, Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, the Lieutenant Governor Tahesha Way, the Governor of the State of New Jersey Phillip Murphy, and New Jersey State League of Municipalities.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

---

Margaret Riggio, Borough Clerk

## **A RESOLUTION OPPOSING LEGISLATION THAT PERMITS ACCESSORY DWELLING UNITS**

**WHEREAS**, New Jersey has long prided itself on maintaining the principles of home rule, which has provided our residents with the most meaningful direct access to democratically elected officials through strong local governments; and

**WHEREAS**, municipalities represent the form of government which is closest to the people, and the immediacy of governance at the local level brings a distinctive responsiveness and ability to shape policy to respond to the particular needs of communities; and

**WHEREAS**, local control and decision making empowers the residents and taxpayers of each municipality to carefully tailor local policies that reflect its unique geography, economy, beliefs and priorities; and

**WHEREAS**, legislation that would permit Accessory Dwelling Units (ADUs) and permit property owners to develop ADUs on their property is inconsistent with the principles of the New Jersey Municipal Land Use Law; and

**WHEREAS**, the Assembly Committee Substitute (ACS) for A-2792, A-4370, and A-2489 undermines the careful planning municipalities engage in and routinely update; and

**WHEREAS**, municipalities already have the authority to permit ADUs and this legislative proposal undermines municipal land use planning where ADUs are inconsistent with the land use planning due to a variety of factors including availability of water, sewer capacity, parking, and infrastructure; and

**WHEREAS**, this legislation and the erosion of local autonomy threatens to undermine home rule that is critical for local officials to adopt policies that are the most beneficial to the community and that our residents have long come to expect from their municipal governments; and

**WHEREAS**, the New Jersey Senate favorably acted on this legislation in February;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Hightstown hereby urges the legislature to reject ACS 2792, A-4370, and A-2489 and preserve local autonomy in municipal planning to develop Accessory Dwelling Units if and where it sees fit; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Senator Linda Greenstein, Assemblymembers Tennille R. McCoy, Senate President Nicholas Scutari, Assembly Speaker Craig Coughlin, the Lieutenant Governor Tahesha Way, the Governor of the State of New Jersey Phillip Murphy, and New Jersey State League of Municipalities.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

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Margaret Riggio, Borough Clerk



**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 May 19, 2025, 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:

Contract Negotiations – Fire Department Stipend Program

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 August 19, 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.

I hereby certify this to be a true copy of a resolution adopted by the Borough Council of the Borough of Hightstown at a meeting held on May 19, 2025.

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Margaret Riggio, Borough Clerk