

AGENDA

Hightstown Borough Council

February 17, 2026 | 6:30 p.m.
Hightstown Engine Company No. 1
140 North Main Street, Hightstown

REVISED

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

Meeting called to order by Mayor Susan Bluth

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

Roll Call

Flag Salute

Approval of Agenda

Approval of Minutes February 2, 2026 – Public Session
February 2, 2026 – Executive Session

Presentation Jill Swanson, Health Officer Proclamation

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 **2026-02 First Reading and Introduction** An Ordinance Amending Chapter 12 Titles “Building and Construction” and Chapter 13 Titled “Housing” of the Revised General Ordinances of the Borough of Hightstown to Amend Certain Fees

Resolutions **2026-54** Authorizing Payment of Bills
2026-55 Appointing and Authorizing Agreements for Emergency and On-Call Services for Water & Sewer Utilities
2026-63 Resolution of the Borough of Hightstown, County of Mercer, State of New Jersey Supporting Vivarium, LLC’s Application to the Cannabis Regulatory Commission for a Class 5 Recreational Dispensary License

Consent Agenda **2026-56** Resolution Authorizing the Hightstown Police Department to Participate in the Defense Logistics Agency, Law Enforcement Support Office 1033 Program to Enable the Police Department to Request and Acquire Excess Department of Defense Equipment

2026-57 Resolution Authorizing and Approving Amendment No. 1 to the Employment Agreement for John Francis Roman, Borough Administrator

2026-58 Accepting Membership of Sean J. Ondich In Hightstown Engine Co. No. 1

2026-59 Accepting Membership of Joseph J. Przybylowski Hightstown Engine Co. N. 1

2026-60 Resolution Authorizing a Tax Refund for an Overpayment of 2025 Fourth Quarter Property Taxes for 565 South Main Street, Block 63.01, Lot 3.01, Due to a County Board of Taxation Judgement

2026-61 Supporting East Windsor Township's FY2026 NJDOT Local Freight Impact Fund Grant Application for the Probasco Road Freight Bypass Project

Discussion

Fourth Round Affordable Housing Zoning Changes – Draft Ordinance

Affordable Housing Ordinance

Mandator Development Fee Ordinance

Subcommittee Reports

Mayor/Council/Administrative Updates

Executive Session **Resolution 2026-62** Authorizing a Meeting that Excludes the Public

Contract Negotiations

Attorney Client Privilege

Adjournment

Borough of Hightstown
County of Mercer

Ordinance 2026-02

**AN ORDINANCE AMENDING CHAPTER 12 TITLED “ BUILDING AND CONSTRUCTION”
AND CHAPTER 13 TITLED "HOUSING” OF THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF HIGHTSTOWN TO AMEND CERTAIN FEES**

WHEREAS, the Borough of Hightstown has adopted Chapters 12, *Building and Construction*, and 13, *Housing*, of the Borough Code to establish regulations, procedures, and fees relating to construction permits, subcode enforcement, property transfers, rental inspections, and related housing matters; and

WHEREAS, the Construction Official and Housing Inspector have reviewed the current fee schedules contained within these chapters and recommended adjustments to ensure that fees accurately reflect the Borough’s administrative costs, enforcement responsibilities, and operational expenses associated with the State Uniform Construction Code and municipal housing regulations; and

WHEREAS, the Borough Council finds that the existing fees, as previously amended by various ordinances, require updating to remain consistent with statutory requirements, to maintain fiscal responsibility, and to ensure that the cost of services is borne fairly by applicants utilizing construction and housing inspection services; and

WHEREAS, the Borough Council further finds that updating these fees promotes efficient administration, improves cost recovery for mandated inspections and services, and ensures that the Borough continues to meet its obligations under State law, including the Uniform Construction Code and applicable housing codes; and

WHEREAS, the Mayor and Borough Council believe it is in the best interest of the Borough to amend the applicable sections of Chapters 12 and 13 to implement these updated and clarified fee schedules.

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

Section 1. That Chapter 12, entitled “Building and Construction,” and Chapter 12 entitled “Housing” of the “Revised General Ordinances of the Borough of Hightstown, New Jersey,” is hereby amended to read as follows: (additions are shown with underline and deletions are shown with ~~strikeout~~):

**Chapter 12 Building and Construction
ARTICLE 12-1**

§ 12-1-3. Office location. [1991 Code § 81-4]

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The public shall have the right to do business with the enforcing agency at one office location, except for emergencies and unforeseen or unavoidable circumstances. Such office location shall be at the Hightstown Borough Municipal Building, ~~148 North Main~~156 Bank Street, Hightstown.

[...]

ARTICLE 12-2

§ 12-2-1. Construction permit fees. [1991 Code § 81-14; Ord. No. 847; Ord. No. 1996-6; Ord. No. 2000-19; Ord. No. 2001-16; Ord. No. 2000-19; Ord. No. 2004-31; Ord. No. 2008-09; Ord. No. 2015-18; 2-22-2022 by Ord. No. 2022-02]

The fee for a construction permit shall be the sum of the subcode fees listed in Subsections A through E and shall be paid before the permit is issued. The fee for a reinspection, of the same type, of any subcode, after a second failure (third inspection), shall be \$80 for each subsequent time. The fee shall be submitted prior to the inspection occurring.

A. Building Subcode fees. The building subcode fees shall be:

- (1) For new construction, the permit fees shall be computed at the rate of ~~\$0.040~~\$0.0625 per cubic foot of volume up to 50,000 cubic feet, and \$0.050 per cubic foot thereafter. However, structures falling into S-1 or S-2 categories shall be charged at the rate of ~~\$0.030~~\$0.050 per cubic foot; except that the minimum fee in all cases shall be ~~\$75~~\$250.
- (2) For alterations, renovations and repairs, the permit fees shall be based upon the estimated cost of the work and shall be in the amount of ~~\$35~~\$50 per \$1,000 of estimated cost, up to and including \$50,000; from \$50,001 to and including \$100,000, the additional fee shall be in the amount of ~~\$28~~\$40 per \$1,000 of estimated cost; above \$100,000, the additional fee shall be in the amount of ~~\$24~~\$35 per \$1,000 of estimated cost. For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, if available, cost data produced by the architect or engineer of record or by a recognized estimate firm or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The enforcing agency shall make the final decision regarding estimated cost. There shall be a minimum of ~~\$75~~\$150 for any permit under this section.
- (3) For additions, permit fees shall be computed the same as for new construction, ~~\$0.040 per cubic foot of volume, except that the minimum fee shall be \$75 and the minimum fee shall be \$250.~~
- (4) For additions and alterations, permit fees shall cost the sum of respective fees for alterations and additions computed separately.

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- (5) The fee for an above-ground swimming pool shall be ~~\$100~~\$150. The fee for an residential in-ground swimming pool shall be ~~\$260~~\$350. The fee for an non-residential in-ground pool ~~with a surface area greater than 550 square feet~~ shall be ~~\$400~~\$500.
- (6) Retaining walls.
 - (a) ~~Group R-5: \$75.~~ The fee shall be \$1 per square foot of wall or \$150 whichever is greater.
 - ~~(b) All other groups: \$35 per \$1,000.~~
- (7) Gazebos: and Sheds.
 - (a) ~~Group R-5: \$75.~~ The fee shall be \$0.070 per cubic foot of volume or \$150 whichever is greater.
 - ~~(b) All other groups: \$150.~~
- (8) Decks, Raised Patios, platforms & stairs.
 - (a) The fee shall be \$1 per square foot or \$150, whichever is greater.
- (9) Tents and membrane structure.
 - (a) The fee shall be \$250.
- ~~(8)~~(10) Asbestos hazard abatement fee.
 - (a) An administrative fee of ~~\$118~~\$200 for each construction permit issued for an asbestos hazard abatement project.
 - (b) An administrative fee of ~~\$24~~\$40 for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project.
- ~~(9)~~(11) Lead abatement fee.
 - (a) The fee for a permit for lead hazard abatement work shall be ~~\$196~~\$250.
 - (b) The fee for a lead abatement clearance certificate shall be \$39\$100.
- ~~(b)~~(12) There shall be a minimum fee of \$150 for any permit in this subsection.

B. Plumbing Subcode fees. Fees for the plumbing subcode shall be as follows:

Type	Fee
Water closet	\$25 <u>\$40</u>
Urinal/bidet	\$25 <u>\$40</u>

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Lavatory	\$25 <u>\$40</u>
Shower	\$25 <u>\$40</u>
Floor drain	\$25 <u>\$40</u>
Sink	\$25 <u>\$40</u>
Dishwasher	\$25 <u>\$40</u>
Drinking fountain	\$25 <u>\$40</u>
Washing machine	\$25 <u>\$40</u>
Hose bib	\$25 <u>\$40</u>
Water heater	\$25 <u>\$40</u>
Fuel oil piping	\$25 <u>\$40</u>
Gas piping	\$25 <u>\$40</u>
Steam boiler	\$85 <u>\$110</u>
Hot water boiler	\$85 <u>\$110</u>
Sewer pump	\$100 <u>\$125</u>
Interceptor/separator	\$85 <u>\$110</u>
Backflow preventer	\$85 <u>\$110</u>
Sewer connection	\$100 <u>\$150</u>
Water service connection	\$100 <u>\$150</u>
Stacks	\$25 <u>\$40</u>
Air admittance valve (AAV)	\$50 <u>\$70</u>
Furnace	\$85 <u>\$110</u>
Air conditioning unit	\$25 <u>\$40</u>
Air conditioning coil	\$25 <u>\$40</u>

Type	Fee
Split system	\$25 <u>\$50</u>
There shall be a minimum fee of \$65 <u>\$120</u> for this subsection.	

C. Electrical Subcode fees. Fees for the electrical subcode shall be as follows:

Type	Fee
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Lighting fixtures, receptacles, switches, detectors, light poles, motors (fractional, h.p.), emergency and exit lights, communication points, and alarm devices which are less than 20 amps:	
First 50 units	\$70 <u>\$120</u>
Each 10 units additional	\$13 <u>\$25</u>
Pool permit (lights included)	\$125 <u>\$175</u>
Storable pool/spa/hot tub	\$125 <u>\$175</u>
Electrical range	\$25 <u>\$40</u>
Electrical water heater	\$25 <u>\$40</u>
Electrical dryer	\$25 <u>\$40</u>
Dishwasher	\$25 <u>\$40</u>
Air conditioning unit	\$25 <u>\$40</u>
Space heater	\$25 <u>\$40</u>
Baseboard heater (each)	\$25 <u>\$40</u>
Motor or electrical device	
1 to 10 HP or 1 kw to 10 kw	\$25 <u>\$40</u>
10 to 50 HP or 10 kw to 50 kw	\$125 <u>\$150</u>
50 to 100 HP or 50 kw to 100 kw	\$200 <u>\$250</u>
100+ HP or 100+ kw	\$640 <u>\$800</u>
KW transformers/generators (under 225 amps)	\$125 <u>\$175</u>
KW transformers/generators (225 to 1,000 amps)	\$200 <u>\$250</u>
KW transformers/generators (over 1,000 amps)	\$640 <u>\$800</u>
Service entrance (amp service)	Same as transformers/generators
Smoke and heat detectors (one and two-family dwellings)	\$55

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Type	Fee
KW electric signs, outline lights	\$70 <u>\$100</u>
Photovoltaic systems	
1 to 50 kilowatts	\$125 <u>\$150</u>
51 to 100 kilowatts	\$200 <u>\$250</u>
Greater than 100 kilowatts	\$640 <u>\$800</u>
<u>Underground wire</u>	
<u>Upto 100 linear feet</u>	<u>\$50</u>
<u>Each 50 linear feet additional</u>	<u>\$25</u>
There shall be a minimum fee of \$70 <u>\$120</u> for any permit in this subsection.	

D. Fire Subcode fees. The fees for the fire subcode shall be as follows:

Type	Fee
For plan review to establish fire safety	\$50 <u>\$120</u>
For inspection of new homes	\$50
For inspection of newly installed wood stoves or fireplaces or new or rebuilt chimneys	\$100 <u>\$150</u>
For inspection of smoke detectors:	
Number of Detectors	
1 to 20 <u>10</u>	\$100 <u>\$150</u>
21 to 100 <u>11 to 20</u>	\$234 <u>\$250</u>
101 to 200	\$448
201 to 400	\$856
401 to 1,000	\$1,605
Over 1,000 <u>\$75 for each additional 25 devices thereafter</u>	\$2,048
For inspection of storage tanks: <u>(Removal, replacement or installation of)</u>	
Up to 100 gallons, not to include drums or gas cans	\$100 <u>\$200 Residential</u> <u>\$300 Commercial/Non-Residential</u>
For each additional 500 gallons or fraction thereof	\$50 <u>\$100</u>

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For inspection of sprinkler systems:	
Number of Heads	
1 to 20	\$100 <u>\$200</u>
21 to 100	\$234 <u>\$300</u>
101 to 200	\$448 <u>\$500</u>
201 to 400	\$856 <u>\$1,000</u>

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Type	Fee
401 to 1,000	\$1,605 <u>\$2,000</u>
Over 1,000 <u>thereafter</u>	\$2,048 <u>\$2,000 plus \$300 for each block of 100</u>
Independent pre-engineered systems (per system)	\$165 <u>\$250</u>
Gas or oil-fired appliance which is not connected to the plumbing system (per appliance):	
Use Group R-5	\$100 <u>\$150</u>
All other groups	\$165 <u>\$225</u>
Smoke control system or fire alarm control panel replacement (per system)	\$165 <u>\$200</u>
Supervisory devices	\$100 <u>\$150</u>
Signaling devices	\$165 <u>\$200</u>
Kitchen exhaust system (per system)	\$165 <u>\$200 Residential; \$300 Commercial</u>
Engineered suppressions pre-action systems, or dry pipe/alarm valves	\$165 <u>\$225</u>
Standpipe, hydrant or fire pump (each)	\$325 <u>\$450</u>
Underground water service for protection (per service)	\$400

There shall be a minimum fee of \$120 for any permit in this subsection.

E. Mechanical Subcode fees. The fees for the mechanical subcode shall be as follows:

Type	Fee
Furnace	\$85 <u>\$110</u>
Boiler, hot water or steam	\$85 <u>\$110</u>
Water heater	\$25 <u>\$40</u>
Air conditioning unit	\$25 <u>\$40</u>
Air conditioning coil	\$25 <u>\$40</u>
Split system	\$25 <u>\$40</u>

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Fuel oil equipment	\$85 <u>\$110</u>
Gas or fuel oil piping	\$25 <u>\$40</u>
Oil tank	\$65 <u>\$100</u>
Temporary LPG tank	\$25 <u>\$100</u>
Fireplace insert	\$65 <u>\$100</u>
There shall be a minimum fee of \$65 <u>\$120</u> for any permit in this subsection.	

§ 12-2-2. Plan review fees. [1991 Code § 81-15; Ord. No. 847; Ord. No. 1996-6; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]

The fee for plan review shall be ~~5%~~20% of the amount charged for the construction permit. The fee for the plan review of a consultative nature where no immediate construction is planned shall be 20% of the estimated cost of the construction ~~work~~permit or ~~\$75~~\$120, whichever is higher.

The fee for permit updates shall be \$120 or \$50 per \$1,000 of increased building costs, whichever is greater. The fee for a change of contractor only shall be \$120.

§ 12-2-3. Demolition fees. [1991 Code § 81-16; Ord. No. 847; Ord. No. 2015-18; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]

A.—The fee for a permit for demolition of a building or structure shall be ~~\$260~~\$350 for one-family or two-family residences, ~~\$75~~\$125 for garage or storage sheds, and ~~\$300~~\$400 for all other buildings or structures. Up to 5,000 square feet & \$150 for each additional 2,500 square feet thereafter.

B. The fee for a permit for underground storage tank removal shall be ~~\$100~~\$200 for a residential property, ~~\$250~~\$400 for all other uses.

§ 12-2-4. Building removal; structural inspection of existing dwelling fees. [1991 Code § 81-17; Ord. No. 847; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]

A. ~~The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$10 per \$1,000 of the sum of the estimated costs for moving, for new foundations and for placement in a complete condition in the new location, except that the minimum fee shall be \$75. The fee for setting a modular building or relocating a building shall be \$50 per \$1,000 of cost of all on site building costs, including setting, attaching, new stairs, any rehabilitation, foundation improvements or the like shall have a minimum fee of \$250. The cost of a new foundation shall be \$0.070 of the cubic volume, or \$250 whichever is greater.~~

B. The fee for structural inspection of an existing dwelling shall be ~~\$75~~\$250.

§ 12-2-5. Sign construction fees. [1991 Code § 81-18; Ord. No. 847; Ord. No. 2000-19; Ord. No. 2004-31; 2-22-2022 by Ord. No. 2022-02]

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The fee for a permit to construct a sign shall be \$4 per square foot of the surface area of the sign, except that the minimum fee shall be ~~\$75~~\$120.

§ 12-2-6. Certificates of occupancy fees. [1991 Code § 81-19; Ord. No. 847; Ord. No. 2000-19; Ord. No. 2004-31; 2-22-2022 by Ord. No. 2022-02]

The following fees shall be charged for certificates of occupancy:

Type	Fee
New home	10% <u>20%</u> of the construction permit fee, but not less than \$65 <u>\$120</u>
Additions, etc.	\$65 <u>\$120</u>
Change of use	\$100 <u>\$200</u>
Continued occupancy	\$65 <u>\$120</u>
Temporary occupancy	None <u>No charge for the first, \$120 each thereafter</u>

§ 12-2-7. Biannual report to Borough Council recommending fee schedule. [1991 Code § 81-21; Ord. No. 847; Ord. No. 2000-19]

The Construction Official shall, with the advice of the subcode officials, prepare and submit to the Borough Council biannually a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

§ 12-2-8. Surcharge. [1991 Code § 81-22; Ord. No. 847; Ord. No. 2000-19; 2-22-2022 by Ord. No. 2022-02]

As required by the Department of Community Affairs, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.00371 per cubic foot of volume of new construction, and \$1.90 per \$1,000 of construction costs of all other permits. Such surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending March 31, June 30, September 30 and December 3, and not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, such fee shall be collected and remitted for the third and fourth quarters only. No fee shall be collected for work in accordance with N.J.A.C. §5:23-4.19. The minimum permit surcharge shall be \$1.00.

§ 12-2-9. Report of fees collected. [1991 Code § 81-23; Ord. No. 847; Ord. No. 2000-19]

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The enforcing agency shall report annually, at the end of each fiscal year, to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, such report shall be for the third and fourth quarters only.

§ 12-2-10. (Reserved)²

§ 12-2-11. Application for variation. [Ord. No. 1997-1; Ord. No. 2008-09; 2-22-2022 by Ord. No. 2022-02]

The fee for an application for a variation in accordance with the Uniform Construction Code shall be:

Type	Fee
Group R-5	\$150 <u>\$250</u>
All other Class 3	\$165 <u>\$300</u>
Class 2	\$165 <u>\$300</u>
Class 1	\$820 <u>\$1,000</u>
Resubmissions, Class 2 and Class 3	\$90 <u>\$120</u>
Resubmission, Class 1	

[...]

Chapter 13 Housing
ARTICLE 13-7
Transfer of Property

§ 13-7-2. Fees; inspections. [1991 Code § 121-47; Ord. No. 823; Ord. No. 94-6; Ord. No. 2004-31; Ord. No. 2008-09; Ord. No. 2015-22; Ord. No. 2018-03; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]

The Housing Code Certificate required by § 13-7-1 hereof shall be secured from the Borough Housing Inspector. At the time of the fully completed application for such certificate, a fee of ~~\$100~~150 shall be paid, if submitted a minimum of 10 business days prior to the closing date. For fully completed applications submitted less than 10 business days prior to the closing date, a fee of ~~\$150~~200 shall be paid. For fully completed applications submitted less than five business days prior to the closing date, a fee of ~~\$200~~\$250 shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the certificate. In the event that any additional inspections of the premises are required because of a failure of the owner to comply with the provisions of this chapter, an additional fee of ~~\$50~~\$75 shall be paid for each additional

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inspection required. All fees shall be made payable to the Borough of Hightstown and be delivered to the Borough Offices and turned over to the Borough Chief Financial Officer. In the event of cancellation of a requested inspection, the Construction Office must be notified within 24 hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee.

ARTICLE 13-8

Certificate of Compliance Requirement for Changes in Occupancy of Rented Dwellings

§ 13-8-2. Fees; inspections. [1991 Code § 121-49; Ord. No. 823; Ord. No. 2004-31; Ord. No. 2015-22; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]

The Housing Code Certificate required by § 13-8-1 hereof shall be secured from the Borough Housing Inspector. At the time of the application for such certificate, a fee of ~~\$100~~\$150 shall be paid. The fee shall cover the application and initial inspection of the premises and the issuance of the certificate. In the event that any additional inspections of the premises are required because of a failure of the landlord or owner to comply with the provisions of this chapter, an additional fee of ~~\$50~~\$75 shall be paid for each additional inspection required. All fees shall be made payable to the Borough and be delivered to the Construction Office and turned over to the Borough Chief Financial Officer. In the event of cancellation of a requested inspection, the Construction Office must be notified within 24 hours prior to the scheduled inspection time. Failure to do so will result in forfeiture of the inspection fee.

[...]

ARTICLE 13-12

Registration of Residential Rental Properties

§ 13-12-3. Fees. [Ord. No. 2015-22; Ord. No. 2021-14]

A. At the time of registration, the owner or agent of the owner must pay a one-year registration fee as follows:

- (1) For one- to three-unit dwellings: ~~\$100~~\$150 per unit.
- (2) For dwellings of more than three but not more than 50 units: ~~\$90~~\$120 per unit, to a maximum fee of \$2,500.
- (3) For dwellings which include more than 50 units: ~~\$80~~\$100 per unit, to a maximum fee of \$7,500.
 - (a) Inspection for rental properties with 25 and more units will consist of: common areas and a minimum of 20% of rental units, chosen by the Housing inspector, will be

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inspected. If units fail another 20% will be chosen and inspected until all units pass or entire complex has been inspected.

- B. Inspection at change of tenant must be completed and certificate of occupancy issued prior to tenant moving in.
- C. One re-inspection is included within the fees listed above, provided that the re-inspection occurs within 15 days of the initial inspection. Otherwise, re-inspection fees shall be ~~\$50~~\$75 per unit.
- D. If the owner of the property is a Senior Citizen who resides in one unit of a two-unit property and rents out the remaining unit, and who would otherwise qualify under the State of New Jersey property tax deduction under N.J.S.A. 54:4-8.41, there shall be no fee.
- E. The completed rental registration process must be received by April 30th. Beginning May 1st a late fee of \$25 per month/per unit will be assessed on all Rental Renewal applications.

Section 2. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 3. That in the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

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

Introduction:

Adoption:

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Borough of Hightstown
County of Mercer

Resolution 2026-54

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 \$2,769,636.74 from the following accounts:

Current	\$2,035,363.73
W/S Operating	257,691.59
General Capital	439,525.77
Water/Sewer Capital	20,067.50
Grant	310.00
Trust	9,464.80
Unemployment Trust	0.00
Animal Control	413.80
Law Enforcement Trust	0.00
Tax Lien Trust	0.00
Housing Trust	0.00
Public Defender Trust	0.00
Escrow	<u>6,799.55</u>
Total	<u>\$2,769,636.74</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 February 17, 2026

Margaret Riggio, Borough Clerk

Hightstown Borough Council
February 17, 2026 Meeting
 Borough of Hightstown
 Bill List By Vendor Name

Ranges	Item Status		Purchase Types		Misc							
<i>Range: First to Last</i> <i>Rcvd Batch Id Range: First to Last</i>	<i>Open: N</i> <i>Void: N</i> <i>Paid: N</i> <i>Held: Y</i> <i>Aprv: N</i> <i>Rcvd: Y</i>	<i>Bid: Y</i> <i>State: Y</i> <i>Other: Y</i> <i>Exempt: Y</i>	<i>P.O. Type: All</i> <i>Include Project Line Items: Yes</i> <i>Format: Detail without Line Item Notes</i> <i>Include Non-Budgeted: Y</i> <i>Vendors: All</i>									
Vendor #	Name			Contract	PO Type							
P.O. #	PO Date	Description					Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
Item Description	Amount	Charge Account	Acct Type	Description								
ACCES005	ACCESS COMPLIANCE, LLC											
26-00167	02/05/26	RESP FIT TEST INV 37838										
1 RESP FIT TEST NEW SEAN ONDICH	\$50.00	6-01-25-252-002-093	B	Medical Expenses/Hepatitis B	R		02/05/26	02/10/26			37838	N
Vendor Total:		\$50.00										
ACTIO010	ACTION UNIFORM CO, LLC											
25-01561	12/04/25	UNIFORM ALLOWANCE - MILLER										
1 UNIFORM ALLOWANCE - MILLER	\$848.00	5-01-25-240-001-043	B	Uniform Allowance/Leather Gds.	R		12/04/25	02/10/26			85706	N
Vendor Total:		\$848.00										
APRUZ005	APRUZZESE, MCDERMOTT, MASTRO &											
26-00136	02/03/26	LABOR COUNSEL DECEMBER 2025										
1 LABOR COUNSEL DECEMBER 2025	\$1,776.00	5-01-20-155-001-031	B	Labor,Personnel & Union Council	R		02/03/26	02/08/26			237439	N
Vendor Total:		\$1,776.00										
BLOOD005	BLOODGOOD LAW ENFORCEMENT											
25-01689	12/27/25	TRAINING - FIREARMS INSTRUCTOR										
1 TRAINING - FIREARMS INSTRUCTOF	\$850.00	5-01-25-240-001-042	B	Education & Training	R		12/27/25	02/02/26				N
2 TRAINING - FIREARMS INSTRUCTOF	\$850.00	5-01-25-240-001-042	B	Education & Training	R		12/27/25	02/02/26				N
		\$1,700.00										
Vendor Total:		\$1,700.00										
B0956	BRIAN & MADELINE TOKAR											
26-00142	02/04/26	REFUND TAX OVERPAYMENT										
1 REFUND TAX OVERPAYMENT 4TH Q	\$259.86	6-01-55-001-000-008	B	Tax Refunds/Overpayments	R		02/04/26	02/04/26			REFUND 4TH QTRN	
Vendor Total:		\$259.86										
CGPH0005	CGP&H											
26-00100	01/29/26	Billing through 12/31/2025										
1 Monthly Flat Fee December 2025	\$100.00	5-01-21-180-001-108	B	COAH Planning	R		01/29/26	02/02/26			55710	N
2 Print/Postage Annual Newsltr	\$5.70	5-01-21-180-001-108	B	COAH Planning	R		01/29/26	02/02/26			55710	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
CGPH0005	CGP&H	<i>Account Continued</i>									
		\$105.70									
	Vendor Total:	\$105.70									
CIRCL005	CIRCLE JANITORIAL SUPPLIES										
26-00119	01/29/26		TOILET PAPER/PAPER TOWELS								
1 QUOTE 012120-26001-9" TOILET		\$270.00	6-01-20-125-001-035	B	Paper Products/Janitorial	R	01/29/26	02/08/26		31195-26	N
	Vendor Total:	\$270.00									
CLARK005	CLARKE CATON HINTZ										
26-00097	01/28/26		Prof services through 12/26/25								
1 Correspondence;Prep Plan		\$562.50	2022-06	P	480 MERCER STREET WAREHOUSE		01/28/26	02/02/26		94377	N
2 Prep draft report & plan		\$1,800.00	AINR2025	P	AINR Mercer Street	R	01/28/26	02/02/26		94378	N
3 Meeting with Borough		\$140.00	2022-01	P	105 Main St - Concept Plan	R	01/28/26	02/02/26		94379	N
4 Appear at PB hearing		\$787.50	2025-04	P	Peddie Football Field & Track	R	01/28/26	02/02/26		94380	N
		\$3,290.00									
	Vendor Total:	\$3,290.00									
C1081	COUNTY OF MERCER COUNTY TAX										
26-00141	02/04/26		2026 COUNTY/LIBRARY/OPEN SPACE			B					
2 2026 COUNTY TAX 1ST QTR		\$860,782.66	5-01-55-001-000-002	B	County Tax Payable	R	02/04/26	02/04/26		1ST QTR	N
3 2026 LIBRARY TAX 1ST QTR		\$79,868.96	5-01-55-001-000-002	B	County Tax Payable	R	02/04/26	02/04/26		1ST QTR	N
4 2026 OPEN SPACE TAX 1ST QTR		\$50,016.98	5-01-55-001-000-002	B	County Tax Payable	R	02/04/26	02/04/26		1ST QTR	N
5 2025 ADDED&OMITTED COUNTY TA		\$7,596.70	5-01-55-001-000-002	B	County Tax Payable	R	02/04/26	02/04/26		2025 ADD & OMIT	N
6 2025 ADDED&OMITTED LIBRARY TA		\$707.36	5-01-55-001-000-002	B	County Tax Payable	R	02/04/26	02/04/26		2025 ADD & OMIT	N
7 2025 ADDED&OMITTED OPEN SPAC		\$433.05	5-01-55-001-000-002	B	County Tax Payable	R	02/04/26	02/04/26		2025 ADD & OMIT	N
		\$999,405.71									
	Vendor Total:	\$999,405.71									
G1077	COYNE CHEMICAL										
26-00039	01/07/26		RES 2025-116 CHLORINE			B					
2 RES 2025-216 CHLORINE 1/2/2026		\$1,565.46	6-09-55-501-001-526	B	Chlorine	R	01/07/26	02/08/26		468323	N
26-00041	01/07/26		RES 2025-220 LIMEHI-CALC AWWTP			B					
5 HYDRATED LIME 1/29/26 DEL		\$1,757.00	6-09-55-501-002-553	B	Calcium Hydroxide (Lime)	R	01/07/26	02/08/26		469986	N
26-00138	02/03/26		RES 2025-218 FLUORIDE 2026			B					
2 RES 2025-218 FLUORIDE 1/28/26		\$848.39	6-09-55-501-001-528	B	Fluorosilic Acid	R	02/03/26	02/10/26		469892	N
	Vendor Total:	\$4,170.85									

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							
G1077	COYNE CHEMICAL	Account Continued									
CREAT005	CREATE STREET										
25-01676	12/27/25	POLOS AND PULLOVERS OEM									
1	POLOS AND PULLOVERS OEM	\$310.00	G-02-41-736-006-399	B	JIF Safety Grant 2016-2024	R	12/27/25	02/10/26		464	N
Vendor Total:		\$310.00									
C0133	CREATIVE PRODUCT SOURCING, INC										
25-01342	10/15/25	D.A.R.E. SUPPLIES 2025-2026									
3	D.A.R.E.PENCILS 2025-2026	\$185.40	5-01-25-240-001-113	B	D.A.R.E.	R	10/15/25	02/08/26		167060	N
4	D.A.R.E.PENCILS 2025-2026	\$204.30	5-01-25-240-001-113	B	D.A.R.E.	R	10/15/25	02/08/26		167060	N
5	D.A.R.E.ERASER 2025-2026	\$122.10	5-01-25-240-001-113	B	D.A.R.E.	R	10/15/25	02/08/26		167264	N
		\$511.80									
Vendor Total:		\$511.80									
C0087	CUSTOM BANDAG, INC										
26-00128	01/29/26	LIGHT TRUCK TIRES INV 80263800									
1	LIGHT TRUCK TIRES INV 80263800	\$1,598.96	6-01-25-252-002-121	B	Preventive Maintenance	R	01/29/26	02/10/26		80263800	N
Vendor Total:		\$1,598.96									
E0577	EAST WINDSOR REGIONAL SCHOOL										
26-00029	01/07/26	HB SCHOOL TAX LEVY 2026									
3	HB SCHOOL TAX LEVY 2026 1/15	\$795,076.00	6-01-55-001-000-001	B	School Tax Payable	R	01/07/26	02/04/26		FEB 13 2026	N
Vendor Total:		\$795,076.00									
E0576	EAST WINDSOR REGIONAL SCHOOL										
26-00090	01/16/26	OCTOBER 2025 FUEL USE									
1	OCT 2025 FUEL USE-AWWTP	\$47.27	5-09-55-501-002-512	B	Motor Fuel	R	01/16/26	02/08/26		11/10/2025	N
2	OCT 2025 FUEL USE-CONSTRUCTIC	\$49.56	5-01-31-460-001-151	B	MOTOR FUEL-CONSTRUCTION DEPR	R	01/16/26	02/08/26		11/10/2025	N
3	OCT 2025 FUEL USE-FIRE	\$252.47	5-01-31-460-001-166	B	Motor Fuel - Fire Dept.	R	01/16/26	02/08/26		11/10/2025	N
4	OCT 2025 FUEL USE-FIRST AID	\$32.90	5-01-31-460-001-148	B	Motor Fuel - Emergency Medical	R	01/16/26	02/08/26		11/10/2025	N
5	OCT 2025 FUEL USE-GARBAGE	\$1,372.10	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		11/10/2025	N
6	OCT 2025 FUEL USE-PARKS	\$80.59	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		11/10/2025	N
7	OCT 2025 FUEL USE-POLICE	\$1,566.22	5-01-31-460-001-145	B	Motor Fuel - Police	R	01/16/26	02/08/26		11/10/2025	N
8	OCT 2025 FUEL USE-STREETS	\$749.35	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		11/10/2025	N
9	OCT 2025 FUEL USE-WATER	\$71.60	5-09-55-501-001-512	B	Motor Fuel	R	01/16/26	02/08/26		11/10/2025	N
10	OCT 2025 FUEL FACILITY FEE	\$120.00	5-01-31-460-001-144	B	Upgrades to Fueling Facility	R	01/16/26	02/08/26		11/10/2025	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
E0576	EAST WINDSOR REGIONAL SCHOOL	<i>Account Continued</i>									
		\$4,342.06									
26-00091	01/16/26	NOV 2025 FUEL USE									
1	NOV 2025 FUEL USE-AWWTP	\$25.08	5-09-55-501-002-512	B	Motor Fuel	R	01/16/26	02/08/26		12/11/2025	N
2	NOV 2025 FUEL USE-CONSTRUCTIC	\$14.82	5-01-31-460-001-151	B	MOTOR FUEL-CONSTRUCTION DEPR	R	01/16/26	02/08/26		12/11/2025	N
3	NOV 2025 FUEL USE-FIRE	\$575.85	5-01-31-460-001-166	B	Motor Fuel - Fire Dept.	R	01/16/26	02/08/26		12/11/2025	N
4	NOV 2025 FUEL USE-FIRST AID	\$56.28	5-01-31-460-001-148	B	Motor Fuel - Emergency Medical	R	01/16/26	02/08/26		12/11/2025	N
5	NOV 2025 FUEL USE-GARBAGE	\$983.93	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		12/11/2025	N
6	NOV 2025 FUEL USE-POLICE	\$1,684.53	5-01-31-460-001-145	B	Motor Fuel - Police	R	01/16/26	02/08/26		12/11/2025	N
7	NOV 2025 FUEL USE-STREETS	\$989.56	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		12/11/2025	N
8	NOV 2025 FUEL USE-WATER	\$89.80	5-09-55-501-001-512	B	Motor Fuel	R	01/16/26	02/08/26		12/11/2025	N
9	NOV 2025 FUEL FACILITY FEE	\$120.00	5-01-31-460-001-144	B	Upgrades to Fueling Facility	R	01/16/26	02/08/26		12/11/2025	N
		\$4,539.85									
26-00092	01/16/26	DEC 2025 FUEL USE									
1	DEC 2025 FUEL USE-AWWTP	\$77.46	5-09-55-501-002-512	B	Motor Fuel	R	01/16/26	02/08/26		1/7/2026	N
2	DEC 2025 FUEL USE-FIRE	\$221.98	5-01-31-460-001-166	B	Motor Fuel - Fire Dept.	R	01/16/26	02/08/26		1/7/2026	N
3	DEC 2025 FUEL USE-FIRST AID	\$169.68	5-01-31-460-001-148	B	Motor Fuel - Emergency Medical	R	01/16/26	02/08/26		1/7/2026	N
4	DEC 2025 FUEL USE-GARBAGE	\$1,255.66	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		1/7/2026	N
5	DEC 2025 FUEL USE-POLICE	\$1,626.81	5-01-31-460-001-145	B	Motor Fuel - Police	R	01/16/26	02/08/26		1/7/2026	N
6	DEC 2025 FUEL USE-STREETS	\$885.56	5-01-31-460-001-147	B	Motor Fuel - Public Works	R	01/16/26	02/08/26		1/7/2026	N
7	DEC 2025 FUEL USE-WATER	\$131.40	5-09-55-501-001-512	B	Motor Fuel	R	01/16/26	02/08/26		1/7/2026	N
8	DEC 2025 FUEL FACILITY FEE	\$120.00	5-01-31-460-001-144	B	Upgrades to Fueling Facility	R	01/16/26	02/08/26		1/7/2026	N
		\$4,488.55									
Vendor Total:		\$13,370.46									
E0201	EDMUNDSGOVTECH, INC.										
26-00106	01/29/26	CLOUD SRV 12/1/25-11/30/26									
1	CLOUD SRV 12/1/25-11/30/26	\$2,453.07	6-01-20-130-001-027	B	Edmunds Software Support	R	01/29/26	02/02/26		25-IN9300	N
2	CLOUD SRV 12/1/25-11/30/26	\$613.27	6-09-55-501-001-517	B	Maint. Contracts - Office	R	01/29/26	02/02/26		25-IN9300	N
3	CLOUD SRV 12/1/25-11/30/26	\$1,022.11	6-09-55-501-001-517	B	Maint. Contracts - Office	R	01/29/26	02/02/26		25-IN9300	N
		\$4,088.45									
Vendor Total:		\$4,088.45									
Q0176	EUROFINS QC, LLC										
26-00031	01/07/26	AWWTP LAB TESTING									
1	AWWTP LAB TESTING	\$60.00	5-09-55-501-002-532	B	Outside Lab Testing	R	01/07/26	02/11/26		4600187324	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
Item Description											
Q0176	EUROFINS QC, LLC	<i>Account Continued</i>									
2 AWWTP LAB TESTING		\$26.00	5-09-55-501-002-532	B	Outside Lab Testing	R	01/07/26	02/11/26		4600187324	N
3 AWWTP LAB TESTING		\$84.00	5-09-55-501-002-532	B	Outside Lab Testing	R	01/07/26	02/11/26		4600187324	N
		\$170.00									
26-00168	02/05/26	LAB TESTING									
1 LAB TESTING INV 4600188931		\$170.00	6-09-55-501-002-532	B	Outside Lab Testing	R	02/05/26	02/10/26		4600188931	N
2 LAB TESTING INV 4600189131		\$760.00	6-09-55-501-002-532	B	Outside Lab Testing	R	02/05/26	02/10/26		4600189131	N
3 LAB TESTING INV 4600189468		\$1,086.00	6-09-55-501-002-532	B	Outside Lab Testing	R	02/05/26	02/10/26		4600189468	N
4 LAB TESTING INV 4600189992		\$55.00	6-09-55-501-002-532	B	Outside Lab Testing	R	02/05/26	02/10/26		4600189992	N
		\$2,071.00									
Vendor Total:		\$2,241.00									
FIREA005	FIRE APPARATUS REPAIR, INC.										
25-01503	11/24/25	HORN REPAIR EST 25-256									
1 HORN REPAIR EST 25-256		\$0.00	5-01-25-252-002-121	B	Preventive Maintenance	R	11/24/25	02/02/26			N
2 1/2" DOT AIR LINE PER FOOT		\$0.00	5-01-25-252-002-121	B	Preventive Maintenance	R	11/24/25	02/02/26			N
3 AIR FITTINGS		\$0.00	5-01-25-252-002-121	B	Preventive Maintenance	R	11/24/25	02/02/26			N
4 LABOR		\$0.00	5-01-25-252-002-121	B	Preventive Maintenance	R	11/24/25	02/02/26			N
5 RETURN OF TANK AND CANCELLAT		\$62.80	5-01-25-252-002-121	B	Preventive Maintenance	R	02/02/26	02/02/26		18697	N
		\$62.80									
26-00085	01/16/26	REPAIRS TO L-41 EST 26-100/101									
1 REPAIRS TO L-41 EST 26-100		\$5,920.00	6-01-25-252-002-121	B	Preventive Maintenance	R	01/16/26	02/02/26		18724	N
2 REPAIRS TO L-41 EST 26-101		\$2,510.00	6-01-25-252-002-121	B	Preventive Maintenance	R	01/16/26	02/02/26		18702	N
		\$8,430.00									
Vendor Total:		\$8,492.80									
F1183	FRANK GENDRON										
26-00009	01/05/26	CELL PHONE REIMBURSEMENT 2025									
1 CELL PHONE REIMBURSEMENT 202		\$270.00	5-01-25-240-001-199	B	Miscellaneous	R	01/05/26	02/02/26		RES 2025-252	N
		\$270.00									
G0175	GEORGE'S GARAGE & TOWING, INC.										
26-00182	02/10/26	TOW OF TRK 39									
1 INV 72986-TOW OF TRK 39		\$150.00	6-01-26-315-001-132	B	Vehicle Maint. - Public Works	R	02/10/26	02/10/26		72986	N
		\$150.00									
G0038	GOLD TYPE BUSINESS MACHINES										

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											
G0038	GOLD TYPE BUSINESS MACHINES		Account Continued								
26-00105	01/29/26	QUARTERLY E-TICKET FEES									
1 QUARTERLY E-TICKET FEES		\$1,470.60	5-01-25-240-001-130	B	Police E-Ticket	R	01/29/26	02/08/26		09544	N
26-00117	01/29/26	INFO-COP LICENSE RENEWAL									
1 INFO-COP LICENSE RENEWAL		\$2,362.50	6-01-25-240-001-029	B	Maint. Contracts - Other	R	01/29/26	02/08/26		I-09893	N
Vendor Total:		\$3,833.10									
GOVER005	GOVERNMENT FORMS AND SUPPLIES										
25-01666	12/27/25	ENVELOPES									
1 #10 PRINTED ENVELOPES		\$190.00	5-01-20-125-001-023	B	Printing & Stationary	R	12/27/25	02/08/26		0359265	N
2 #10 WINDOW PRINTED ENVELOPES		\$365.00	5-01-20-125-001-023	B	Printing & Stationary	R	12/27/25	02/08/26		0359265	N
3 SHIPPING		\$175.11	5-01-20-125-001-023	B	Printing & Stationary	R	12/27/25	02/08/26		0359265	N
		\$730.11									
Vendor Total:		\$730.11									
G0001	GPANJ										
26-00184	02/10/26	2026 MEMBERSHIP - P. RIGGIO									
1 2026 MEMBERSHIP - P. RIGGIO		\$125.00	6-01-20-120-001-044	B	Professional Assoc. Dues	R	02/10/26	02/10/26		3282	N
Vendor Total:		\$125.00									
G0185	GRAINGER, INC.										
25-01499	11/24/25	ELECTRIC BUTTERFLY VALVE									
1 2 1/2" BONOMI EN501S-00		\$769.56	5-09-55-501-002-503	B	Sewer Plant Maintenance	R	11/24/25	02/02/26		9729681594	N
26-00102	01/29/26	PAIR SAFETY WORK BOOTS-STEVE									
1 PAIR SAFETY WORK BOOTS-STEVE		\$130.05	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	01/29/26	02/02/26		9766888227	N
Vendor Total:		\$899.61									
H0048	HIGHTS REALTY LLC										
26-00134	02/03/26	HPD RENT 2026									
2 HPD RENT JANUARY 2026		\$5,254.66	6-01-26-310-001-025	B	Building Rental	R	02/03/26	02/08/26		JAN 2026	N
3 HPD RENT FEBRUARY 2026		\$5,412.29	6-01-26-310-001-025	B	Building Rental	R	02/03/26	02/08/26		FEB 2026	N
		\$10,666.95									
Vendor Total:		\$10,666.95									
H1100	HOME DEPOT CREDIT SERVICES										
26-00101	01/29/26	DECEMBER 2025 INVOICES									
1 INV 6521015-1 BLK STOPPER,		\$15.00	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		6521015	N
2 INV 7520749-1-3/4 STRT,		\$61.11	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		7520749	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
H1100	HOME DEPOT CREDIT SERVICES			<i>Account Continued</i>							
3 INV 8520663-CLOSET BOLTS,		\$35.02	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		8520663	N
4 INV 7510507-3"X4" FLANGE ADJ		\$10.96	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		7510507	N
5 INV 7200002 CREDIT-3-4"PVC FLG		34.02-	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		7200002	N
6 INV 9524172-WHT WALL PLATE,		\$54.68	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		9524172	N
7 INV 9042774-OVERLOOK SLT 12X24		\$697.56	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		9042774	N
8 INV 1523825-ALL PURPOSE COMPN		\$20.54	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		1523825	N
9 INV 1042610-RECHARGE SPOTLIGH		\$34.85	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		1042610	N
10 INV 8021665-12FT 16/3 TRI TAP		\$12.98	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		8021665	N
11 INV 5615851-CADET WHT 2PC		\$338.00	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		5615851	N
12 INV 5615851-CADET WHT 2PC		187.66-	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		5615851	N
13 INV 5524970-TOILET SUPPLY LINE		\$130.81	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		5524970	N
14 INV 5021743-FLANGE EXT RING		\$30.86	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		5021743	N
15 INV 6522877-1/2X4'X8' DRYWALL		\$201.98	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		6522877	N
16 INV 6021356-SHIM PK, LOCKSET,		\$112.46	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		6021356	N
17 INV 6042051-2X4-92 5/8 FIR STD		\$34.20	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		6042051	N
18 INV 5522986-BATH FAUCET,		\$133.34	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		5522986	N
19 INV 2512064-CARLON SWITCH		\$3.76	5-01-26-310-001-024	B	Building Maintenance	R	01/29/26	02/02/26		2512064	N
20 INV 2512064-RAKE		\$29.96	5-01-28-369-001-140	B	Landscape Maintenance	R	01/29/26	02/02/26		2512064	N
		\$1,736.39									
	Vendor Total:	\$1,736.39									
IDEMI005	IDEMIA IDENTITY & SECURITY USA										
25-01491	11/17/25										
1 LIVE SCAN SYSTEM		\$3,082.00	C-04-55-925-014-106	B	ORD 2025-14 POLICE - LIVE SCAN UR		11/17/25	02/02/26		186403	N
	Vendor Total:	\$3,082.00									
INTER015	INTERSTATE WASTE SERV OF NJ										
26-00012	01/05/26					B					
2 MUNI RECYCLING JANUARY 2026		\$13,115.08	6-01-26-311-001-029	B	Recycling Contract co-mingle-paper/cdlR		01/05/26	02/08/26		11751295	N
	Vendor Total:	\$13,115.08									
JERSE015	JERSEY AUTO SUPPLY INC.										
26-00088	01/16/26										
1 INV 322177-ANTI-SEIZE		\$12.99	5-01-28-369-001-139	B	Mower Repairs	R	01/16/26	02/08/26		322177	N
2 INV 322536-ABSORBENT		\$67.96	5-01-26-310-001-050	B	DPW Work Equipment	R	01/16/26	02/08/26		322536	N
3 INV 321597-12V METER		\$201.99	5-01-26-315-001-132	B	Vehicle Maint. - Public Works	R	01/16/26	02/08/26		321597	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
JERSE015	JERSEY AUTO SUPPLY INC.	<i>Account Continued</i>									
4 INV 321891	CREDIT - 12V METER	201.99-	5-01-26-315-001-132	B	Vehicle Maint. - Public Works	R	01/16/26	02/08/26		321891	N
5 INV 324005	OIL FILLER CAP	\$7.12	5-01-26-305-001-199	B	Miscellaneous	R	01/16/26	02/08/26		324005	N
6 INV 322564	HYD HOSE FITTINGS	\$67.99	5-01-26-315-001-132	B	Vehicle Maint. - Public Works	R	01/16/26	02/08/26		322564	N
		\$156.06									
Vendor Total:		\$156.06									
JOHNM005	JOHN MINESTRA										
26-00110	01/29/26	WORK BOOT REIMBURSEMENT									
1 WORK BOOT REIMBURSEMENT		\$200.00	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	01/29/26	02/09/26			N
Vendor Total:		\$200.00									
JORGE005	JORGE HERNANDEZ										
26-00109	01/29/26	WORK BOOT REIMBURSEMENT									
1 WORK BOOT REIMBURSEMENT		\$200.00	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	01/29/26	02/08/26			N
Vendor Total:		\$200.00									
L0037	LINCOLN FINANCIAL GROUP										
26-00053	01/08/26	2026 LIFE INSURANCE									
8 2026 LIFE INSURANCE FEB 2026		\$281.48	6-01-23-210-003-115	B	Medical Ins-Empl Grp Health	R	01/08/26	02/08/26		4926680251	N
9 2026 LIFE INSURANCE FEB 2026		\$5.91	6-01-23-210-003-115	B	Medical Ins-Empl Grp Health	R	01/08/26	02/08/26		4926680251	N
10 2026 LIFE INSURANCE FEB WTP		\$9.08	6-09-55-501-001-514	B	INSURANCE	R	01/08/26	02/08/26		4926680251	N
11 2026 LIFE INSURANCE FEB AWWTF		\$63.56	6-09-55-501-002-514	B	Insurance	R	01/08/26	02/08/26		4926680251	N
		\$360.03									
Vendor Total:		\$360.03									
MAIRE005	MAIREAD THOMPSON										
26-00118	01/29/26	DPW SNOWSTORM FOOD-SHOPRITE									
1 DPW SNOWSTORM FOOD-SHOPRIT		\$113.50	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, FR	R	01/29/26	02/02/26			N
Vendor Total:		\$113.50									
M1076	MCMANIMON, SCOTLAND & BAUMANN										
26-00132	02/02/26	Prof services through 12/31/25									
1 Conference & travel		\$862.50	3PRCLLC	P	Site Plan Application #2020-01	R	02/02/26	02/02/26		254398	N
2 Email correspondence		\$75.00	2022-06	P	480 MERCER STREET WAREHOUSER	R	02/02/26	02/02/26		254400	N
		\$937.50									
Vendor Total:		\$937.50									

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											
M0256	MERCER CO IMPROVEMENT AUTH										
26-00086	01/16/26		DECEMBER 2025 TIPPING								
1 DECEMBER 2025 TIPPING		\$21,073.88	5-01-32-465-001-165	B	Landfill Solid Waste Disposal-MCIA	R	01/16/26	02/08/26			N
2 DECEMBER 2025 RECYCLING TAX		\$478.95	5-01-43-496-001-174	B	Recycling Tax	R	01/16/26	02/08/26			N
		\$21,552.83									
	Vendor Total:	\$21,552.83									
MERCE045	MERCER COUNCIL ON ALCOHOLISM										
26-00114	01/29/26		EMPLOYEE ASSISTANCE PROGRAM 26								
1 EMPLOYEE ASSISTANCE PROGRAM		\$1,758.75	6-01-20-100-001-031	B	PROF SERVICES	R	01/29/26	02/02/26		1924	N
2 EMPLOYEE ASSISTANCE PROGRAM		\$586.25	6-09-55-501-002-519	B	Professional Assoc. Dues	R	01/29/26	02/02/26		1924	N
		\$2,345.00									
	Vendor Total:	\$2,345.00									
M0664	MERCER COUNTY CHIEF'S ASSOC.										
26-00103	01/29/26		ANNUAL DUES 2026								
1 ANNUAL DUES 2026		\$275.00	6-01-25-240-001-044	B	Professional Assoc. Dues	R	01/29/26	02/08/26			N
		\$275.00									
	Vendor Total:	\$275.00									
M0271	MERCER COUNTY S.C.D.										
26-00129	01/30/26		SOIL EROSION CERT DUTCH NECK								
1 SOIL EROSION CERT DUTCH NECK		\$1,085.00	C-04-55-908-001-447	B	ORD 2025-13 DUTCH NECK RD - SEIR	R	01/30/26	02/02/26			N
		\$1,085.00									
	Vendor Total:	\$1,085.00									
M0536	MGL PRINTING SOLUTIONS										
25-01649	12/18/25		VITAL STATISTICS BINDER								
1 VITAL STATISTICS BINDER		\$89.00	5-01-27-330-001-036	B	Office Supplies- Maint.	R	12/18/25	02/02/26		221418	N
2 A-Z INDEX		\$29.00	5-01-27-330-001-036	B	Office Supplies- Maint.	R	12/18/25	02/02/26		221418	N
3 SHIPPING		\$18.00	5-01-27-330-001-036	B	Office Supplies- Maint.	R	12/18/25	02/02/26		221418	N
		\$136.00									
	Vendor Total:	\$136.00									
MIDAT010	MID-ATLANTIC RESCUE SYSTEMS										
26-00030	01/07/26		NRS ASR 155 RESCUE BOAT								
1 NRS ASR 155 RESCUE BOAT		\$3,180.45	5-01-25-252-002-173	B	Fire Dept Dive Team	R	01/07/26	02/02/26		26-17365	N
2 SCUBA - NRS QUICK FILL KIT		\$254.80	5-01-25-252-002-173	B	Fire Dept Dive Team	R	01/07/26	02/02/26		26-17365	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
MIDAT010	MID-ATLANTIC RESCUE SYSTEMS	<i>Account Continued</i>									
3 NRS MECHANICAL PRESSURE GAU		\$16.20	5-01-25-252-002-173	B	Fire Dept Dive Team	R	01/07/26	02/02/26		26-17365	N
4 SHIPPING		\$139.85	5-01-25-252-002-173	B	Fire Dept Dive Team	R	01/07/26	02/08/26		26-17365	N
		\$3,591.30									
Vendor Total:		\$3,591.30									
M0759	MIRACLE CHEMICAL COMPANY										
26-00055	01/08/26		RES 2025-222 SODIUM BICARB			B					
2 SODIUM BICARBONATE 50#		\$2,970.00	6-09-55-501-002-552	B	Sodium Bicarbonate	R	01/08/26	02/02/26		64308	N
Vendor Total:		\$2,970.00									
M0127	MONMOUTH COUNTY										
26-00087	01/16/26		DEC 2025 ROOSEVELT TIPPING								
1 DEC 2025 ROOSEVELT TIPPING		\$2,721.44	5-01-43-513-001-171	B	Borough of Roosevelt-Tipping Fees	R	01/16/26	02/08/26		87185	N
Vendor Total:		\$2,721.44									
MORTO005	MORTON SALT, INC.										
25-00208	02/13/25		UNTREATED ROCK SALT								
1 UNTREATED ROCK SALT 12/22/25		\$3,918.24	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, (R	R	02/13/25	02/08/26		5403926875	N
2 UNTREATED ROCK SALT 1/5/2026		\$1,240.56	T-12-56-286-000-850	B	STORM RECOVERY SNOW,STORM, (R	R	02/03/26	02/08/26		5403967507	N
		\$5,158.80									
Vendor Total:		\$5,158.80									
NELCO005	NELCO										
26-00189	02/11/26		1099'S AND W-2 FILING 2025								
1 W-2 FILINGS		\$186.00	6-01-20-130-001-199	B	Miscellaneous	R	02/11/26	02/11/26		10591698	N
		\$62.00	6-09-55-501-002-509	B	Office Supplies - Admin.						N
2 1099 FILINGS		\$31.25	6-09-55-501-002-509	B	Office Supplies - Admin.	R	02/11/26	02/11/26		10591705	N
		\$93.75	6-01-20-130-001-199	B	Miscellaneous						N
		\$373.00									
Vendor Total:		\$373.00									
NEWJE005	NEW JERSEY INFRASTRUCTURE BANK										
26-00098	01/28/26		IBANK INVOICES DUE 2/1/26								
1 20260201-W1104001-004		\$2,640.00	6-09-55-524-000-162	B	2010 Water Rehab. Loan - Int.	R	01/30/26	01/30/26		20260201	N
2 20260201-W1104001-004		\$742.50	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	01/30/26		20260201	N
3 20260201-W1104001-004		\$25,915.17	6-09-55-524-000-161	B	2010 Water Rehab. Loan - Principal	R	01/30/26	01/30/26		20260201	N

Vendor #	Name	Description		Contract	PO Type	First Enc	Rcvd	Chk/Void	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Stat/Chk	Date	Date	Date		
Item Description				Type						
NEWJE005		NEW JERSEY INFRASTRUCTURE BANK		<i>Account Continued</i>						
4	20260201-S340 915-02/03	\$1,465.11	6-09-55-524-000-159	B	2012 Wastewater Trmt. Trust - Int.	R	01/30/26	02/02/26	20260201	N
5	20260201-S340 915-02/03	\$425.07	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	01/30/26	20260201	N
6	20260201-S340 915-02/03	\$14,264.12	6-09-55-524-000-158	B	2012 Wastewater Trmt. Trust - Prin.	R	01/30/26	01/30/26	20260201	N
7	20260201-W1104001-005	\$1,235.25	6-09-55-524-000-159	B	2012 Wastewater Trmt. Trust - Int.	R	01/30/26	01/30/26	20260201	N
8	20260201-W1104001-005	\$358.38	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	01/30/26	20260201	N
9	20260201-W1104001-005	\$12,026.00	6-09-55-524-000-158	B	2012 Wastewater Trmt. Trust - Prin.	R	01/30/26	02/02/26	20260201	N
10	20260201-W1104001-007/008	\$603.13	6-09-55-524-000-165	B	NJEIT 2017 Interest	R	01/30/26	01/30/26	20260201	N
11	20260201-W1104001-007/008	\$120.00	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	02/02/26	20260201	N
12	20260201-W1104001-007/008	\$1,730.84	6-09-55-524-000-164	B	NJEIT 2017	R	01/30/26	01/30/26	20260201	N
13	20260201-S340 915-05	\$4,853.12	6-09-55-524-000-167	B	2018NJEIT Interest	R	01/30/26	01/30/26	20260201	N
14	20260201-S340 915-05	\$495.00	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	01/30/26	20260201	N
15	20260201-S340 915-05	\$10,831.17	6-09-55-524-000-166	B	2018 NJEIT Principal	R	01/30/26	01/30/26	20260201	N
16	20260201-W1104001-010	\$6,000.00	6-09-55-524-000-169	B	NJ IBANK 2022 Interest	R	01/30/26	01/30/26	20260201	N
17	20260201-W1104001-010	\$854.30	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	01/30/26	20260201	N
18	20260201-W1104001-010	\$3,641.26	6-09-55-524-000-168	B	NJ IBANK 2022 Principal	R	01/30/26	01/30/26	20260201	N
19	20260201-W1104001-009	\$2,712.65	6-09-55-524-000-171	B	NJ IBANK 2023 Interest	R	01/30/26	01/30/26	20260201	N
20	20260201-W1104001-009	\$472.34	6-09-55-501-002-546	B	Admin Fee - AWWTP - (Loan)	R	01/30/26	01/30/26	20260201	N
21	20260201-W1104001-009	\$3,304.05	6-09-55-524-000-170	B	NJ IBANK 2023 Principal	R	01/30/26	01/30/26	20260201	N
		\$94,689.46								
Vendor Total:		\$94,689.46								
NJADV005		NJ Advance Media								
26-00188	02/11/26	NOTICE TO BIDDERS 01/12/2026								
1	NOTICE TO BIDDERS 01/12/2026	\$84.24	6-09-55-501-001-510	B	Advertisements	R	02/11/26	02/11/26	3797468	N
Vendor Total:		\$84.24								
N0425		NJ DEPT. OF HEALTH & SR SERV.								
26-00153	02/05/26	DOG PILOT JANAURY 2026								
1	DOG PILOT JANAURY 2026	\$163.80	6-13-265-05-000-001	G	DUE STATE OF NEW JERSEY	R	02/05/26	02/08/26	DOG PILOT 0126	N
Vendor Total:		\$163.80								
NJSOL005		NJ SOLUTIONS JHIF								
26-00131	02/02/26	FEBRUARY 2026 PREMIUMS								
1	FEBRUARY 2026 PREMIUMS	\$64,689.22	6-01-23-210-003-115	B	Medical Ins-Empl Grp Health	R	02/02/26	02/02/26	FEBRUARY2026	N
Vendor Total:		\$64,689.22								

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											
N0652	NJ STATE POLICE CHIEF ASSN										
26-00173	02/05/26										
1 HPD TRAINING		\$299.00	6-01-25-240-001-042	B	Education & Training	R	02/05/26	02/11/26		IN-23492	N
Vendor Total:		\$299.00									
N1001	NJWEA										
26-00057	01/12/26										
1 CONTINGENCY PLANNING SEMINAF		\$34.00	6-09-55-501-002-527	B	Conferences & Meetings	R	01/12/26	02/02/26		E17516	N
Vendor Total:		\$34.00									
N0170	NORCIA CORP.										
26-00127	01/29/26										
1 INV 86666- TRK GT1		\$45.72	6-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R	01/29/26	02/02/26		86666	N
2 INV 86703- TRK 10A		\$485.36	6-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R	01/29/26	02/02/26		86703	N
3 INV 86707- TRK GT1		\$53.28	6-01-26-305-001-034	B	Motor Vehicle Parts & Access.	R	01/29/26	02/02/26		86707	N
		\$584.36									
Vendor Total:		\$584.36									
N0057	NORMAN'S GLASS & AUTO SERVICES										
25-01667	12/27/25										
1 INSULATED GLASS REPLACEMENT		\$515.10	5-01-26-310-001-024	B	Building Maintenance	R	12/27/25	02/08/26		I4405627	N
Vendor Total:		\$515.10									
O0019	O'BRIEN CONSULTING SERVICES										
25-01643	12/18/25										
1 INSTALL SONIC WALL FOR NEW PD		\$15,123.00	C-04-55-925-014-104	B	ORD 2024-14 POLICE DEPT - IT	R	12/18/25	02/11/26		25-7246	N
Vendor Total:		\$15,123.00									
P0088	PARKER MCCAY, P.A.										
26-00096	01/28/26										
Billing through 12/31/2025											
1 Attend redevelopment meeting		\$160.00	2022-01	P	105 Main St - Concept Plan	R	01/28/26	02/02/26		3206947	N
2 Review, prep & attend PB mtg		\$950.80	2025-04	P	Peddie Football Field & Track	R	01/28/26	02/02/26		3206948	N
		\$1,110.80									
26-00126	01/29/26										
Billing through 12/31/2025											
1 Correspondence, memo & resolut		\$1,066.57	5-01-21-180-001-107	B	Planning Board - Attorney	R	01/29/26	02/02/26		3206945	N
2 SettImnt;court docs;draft reso		\$300.00	5-01-21-180-001-108	B	COAH Planning	R	01/29/26	02/02/26		3206946	N
		\$1,366.57									

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											
P0088	PARKER MCCAY, P.A.	Account Continued									
26-00144	02/04/26		Billing through 7/31/25								
1 Review;research;correspondence		\$260.00	133MONMOUT	P	Easement Agreement	R	02/04/26	02/08/26		3208021	N
Vendor Total:		\$2,737.37									
POLYD005	POLYDYNE INC										
26-00135	02/03/26		CLARIFLOC NE-2555 2026			B					
4 CLARIFLOC NE-2555 2026		\$4,455.00	6-09-55-501-002-544	B	Chemical - Rotary Fanpress Polymer	R	02/03/26	02/08/26		1997423	N
Vendor Total:		\$4,455.00									
P0063	PREMIER MAGNESIA, LLC										
26-00139	02/03/26		RES 2025-221 THIOGUARD			B					
2 RES 2025-221 THIOGUARD 1/30/26		\$13,061.42	6-09-55-501-002-541	B	Magnesium Hydroxide (Flomag H)	R	02/03/26	02/08/26		665213	N
Vendor Total:		\$13,061.42									
PRINC015	PRINCETON ANIMAL HOSPITAL &										
26-00112	01/29/26		RABIES CLINIC - DR MEGAN EMMA								
1 RABIES CLINIC - DR MEGAN EMMA		\$250.00	T-13-56-286-000-824	B	RESERVE-ANIMAL CONTROL TRUSTR		01/29/26	02/08/26		12042025	N
Vendor Total:		\$250.00									
P0016	PRINCETON ONE THIRTY SUPPLY										
26-00077	01/12/26		AWWTP SUPPLIES								
1 PRODUCT04072635 WRINGER/BUCK		\$109.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
2 PRODUCT04074002 MOP LOOPER		\$13.58	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
3 PRODUCT04076800 HANDLE-MOP		\$12.49	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
4 PRODUCT06054323 TOWEL-ROLL		\$39.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
5 PRODUCT 00018167 DEGREASER		\$57.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
6 PRODUCT RAC87000 RUST REMOVI		\$42.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
7 PRODUCT 00061904 DISINFECTANT		\$65.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
8 PRODUCT 00124222 HAND SOAP		\$17.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
9 PRODUCT 00090096 LAUNDRY		\$29.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
10 PRODUCT ARM25464 ARMOR ALL		\$29.50	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011A	N
11 PRODUCT BWK210124 FLOOR BRU		\$17.99	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
12 PRODUCT BWK20136 FLOOR BRU		\$33.00	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
13 PRODUCT 04010060 HANDLE BRO		\$7.18	6-09-55-501-002-523	B	Paper Products/Janitorial	R	01/12/26	02/02/26		067011	N
		\$471.74									

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											
P0016	PRINCETON ONE THIRTY SUPPLY	Account Continued									
Vendor Total:		\$471.74									
REDAR005	RED ARROW TECHNOLOGIES, LLC										
25-01646	12/18/25	CAPITAL - COMPUTER UPGRADES									
1 DELL PRO SLIM QCS1250		\$12,304.04	C-04-55-925-014-400	B	ORD 2025-14	ADMINISTRATION - C(R	12/18/25	02/02/26		20143	N
2 DELL PRO KEYBOARD & MOUSE		\$439.18	C-04-55-925-014-400	B	ORD 2025-14	ADMINISTRATION - C(R	12/18/25	02/02/26		20143	N
		\$12,743.22									
26-00170	02/05/26	ONSITE COMPUTER SET UP									
1 ONSITE COMPUTER SET UP		\$750.00	6-09-55-501-002-530	B	Computer Software/Maint/Equip	R	02/05/26	02/08/26		20357	N
2 ONSITE COMPUTER SET UP		\$98.22	6-01-20-140-001-054	B	Computer/Printers-Hardware & Softwar	R	02/05/26	02/08/26		20357	N
3 ONSITE COMPUTER SET UP		\$2,256.78	C-04-55-925-014-400	B	ORD 2025-14	ADMINISTRATION - C(R	02/05/26	02/08/26		20357	N
		\$3,105.00									
26-00171	02/05/26	MO PHONE AWWTP&HPD1/15-2/14/26									
1 MONTHLY PHONE HPD 1/15-2/14/26		\$380.70	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20333	N
2 MONTHLY PHONEAWWTP1/15-2/14/26		\$182.41	6-09-55-501-003-548	B	Telephone	R	02/05/26	02/08/26		20333	N
		\$563.11									
26-00172	02/05/26	JAN/FEB PHONE SYSTEM SUPPORT									
1 JAN 2026 PHONE SYS SUPPORT HP		\$300.00	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20203	N
2 JAN 2026 PHONE SYS SUPPORTBOI		\$200.00	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20203	N
3 JAN 2026 PHONE SYS SUPPORT HF		\$100.00	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20203	N
4 JAN 2026 PHONE SYS SUP AWWTP		\$100.00	6-09-55-501-003-548	B	Telephone	R	02/05/26	02/08/26		20203	N
5 FEB 2026 PHONE SYS SUPPORT HP		\$300.00	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20419	N
6 FEB 2026 PHONE SYS SUPPORTBO		\$200.00	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20419	N
7 FEB 2026 PHONE SYS SUPPORT HF		\$100.00	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC	LSR	02/05/26	02/08/26		20419	N
8 FEB 2026 PHONE SYS SUP AWWTP		\$100.00	6-09-55-501-003-548	B	Telephone	R	02/05/26	02/08/26		20419	N
		\$1,400.00									
26-00181	02/10/26	NETWORK MONTHLY SUP JAN/FEB'26									
1 TECH SUPPORT & SVC JAN 2025		\$2,245.00	6-01-20-140-001-094	B	Computer Service & Support	R	02/10/26	02/10/26		20204	N
2 INTERNET & WEB JAN 2025		\$1,410.00	6-01-20-140-001-060	B	Internet Services and Web Services	R	02/10/26	02/10/26		20204	N
3 TECH SUP/INTERNET/WEB JAN 2025		\$755.00	6-09-55-501-002-530	B	Computer Software/Maint/Equip	R	02/10/26	02/10/26		20204	N
4 TECH SUP/INTERNET/WEB JAN 2025		\$550.00	6-09-55-501-001-530	B	Computer Software/Maint/Equip	R	02/10/26	02/10/26		20204	N
5 TECH SUPPORT & SVC FEB 2025		\$2,245.00	6-01-20-140-001-094	B	Computer Service & Support	R	02/10/26	02/10/26		20420	N
6 INTERNET & WEB FEB 2025		\$1,445.00	6-01-20-140-001-060	B	Internet Services and Web Services	R	02/10/26	02/10/26		20420	N
7 TECH SUP/INTERNET/WEB FEB 2025		\$755.00	6-09-55-501-002-530	B	Computer Software/Maint/Equip	R	02/10/26	02/10/26		20420	N

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
REDAR005 RED ARROW TECHNOLOGIES, LLC Account Continued											
8	TECH SUP/INTERNET/WEB FEB 2025	\$550.00	6-09-55-501-001-530	B	Computer Software/Maint/Equip	R	02/10/26	02/10/26		20420	N
		\$9,955.00									
Vendor Total:		\$27,766.33									
R0077 ROBERTS ENGINEERING GRP LLC											
25-00238	02/20/25		TIER A REQUIREMENTS 2025			B					
19	TIER A REQUIREMENTS DEC 2025	\$60.00	5-01-20-165-001-106	B	Misc. Road & Drainage Issues	R	02/04/26	02/04/26		17806	N
25-00245	02/20/25		SUMMIT ST WATER/SEWER DESIGN			B					
7	SUMMIT ST IMP WATER/SEWER	\$2,801.00	C-08-55-978-000-544	B	2024-05 SUMMIT ST WATER-SEWER	R	02/20/25	02/02/26		17813	N
25-01407	10/27/25		MAXWELL WATER IMPROVEMENTS			B					
6	MAXWELL WATER IMPROVEMENTS	\$10,451.00	C-08-55-971-000-544	B	MAXWELL AVE WATER-SEWER IMP.	R	10/27/25	02/02/26		17811	N
25-01422	10/27/25		WATERSHED INVENTORY REPORT			B					
8	WATERSHED INVENTORY REPORT	\$322.00	5-01-20-165-001-028	B	General Engineering	R	10/27/25	02/02/26		17805	N
25-01558	12/03/25		PROF SRV: EMP REPAIR CONTRACT			B					
4	PROF SRV: EMG REP CONTRACT SI	\$480.00	5-09-55-501-001-508	B	Engineer	R	12/03/25	02/02/26		17807	N
25-01567	12/04/25		DESIGN - WTP FILTERS 1 & 2			B					
4	DESIGN - WTP FILTERS 1 & 2	\$6,815.50	C-08-55-981-025-617	B	ORD 2025-15 REPLACEMENT OF FILR	R	12/04/25	02/02/26		17809	N
26-00044	01/07/26		DUTCH NECK RD IMPRV-DESIGN			B					
4	DUTCH NECK RD IMPRV-DESIGN	\$990.00	C-04-55-908-001-447	B	ORD 2025-13 DUTCH NECK RD - SE	R	01/07/26	02/02/26		17814	N
26-00095	01/28/26		Billing through 12/31/2025								
1	Attend PB meeting	\$180.00	5-01-21-180-001-106	B	Planning Board Engineer-General	R	01/28/26	02/02/26		17810	N
2	Meet w/ developer & Borough	\$450.00	3PRCLLC	P	Site Plan Application #2020-01	R	01/28/26	02/02/26		17815	N
3	Review proposal & plans	\$180.00	2022-01	P	105 Main St - Concept Plan	R	01/28/26	02/02/26		17816	N
4	Prep & attend PB hearing	\$571.25	2025-04	P	Peddie Football Field & Track	R	01/28/26	02/02/26		17817	N
		\$1,381.25									
Vendor Total:		\$23,300.75									
RONAL005 RONALD P. MONDELLO, P.C.											
25-01008	07/29/25		PROF SVCS CANNABIS ORDINANCE			B					
8	MEETING WITH BA AND ADVISORY	\$250.00	5-01-20-155-001-027	B	General Matters	R	07/29/25	02/02/26		BORO2026-01	N
9	MEETING WITH BA AND ADVISORY	\$175.00	5-01-20-155-001-027	B	General Matters	R	10/23/25	02/02/26		BORO2026-01	N
		\$425.00									
26-00116	01/29/26		CANNABIS TRUST BILLING								
1	HELLOW HIGH DISPENSARY	\$1,137.50	T-12-56-286-000-404	B	RESERVE - CANNABIS - HELLO HIGH	R	01/29/26	02/02/26		HELLO01	N
2	PIFF INDUSTRIES LLC	\$763.75	T-12-56-286-000-403	B	RESERVE - CANNABIS - PIFF INDUS	R	01/29/26	02/02/26		PIFF01	N

Vendor #	Name	Description		Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description Type							
RONAL005	RONALD P. MONDELLO, P.C.	<i>Account Continued</i>									
3	LOCAL LEAF DISPENSARY, LLC	\$617.50	T-12-56-286-000-405	B	THE LOCAL LEAF LLC	AMANDA BRITR	01/29/26	02/02/26		LOCALLEAF1	N
4	CANNASENSE DISPENSARY, LLC	\$731.25	T-12-56-286-000-401	B	RESERVE CANNABUS	ESCROW - C/R	01/29/26	02/02/26		CANNASENSE1	N
5	VIVARIUM LLC	\$942.50	T-12-56-286-000-402	B	RESERVE - CANNABIS	- VIVARIUM LIR	01/29/26	02/02/26		VIVARIUM01	N
		\$4,192.50									
Vendor Total:		\$4,617.50									
SKDTR005	S.K.D. TRYON'S EMERGENCY										
25-01352	10/15/25	DEPUTY TRUCK UPFITTING									
1	LC OUTER EDGE DUAL COLOR R/B	\$1,285.20	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
2	LC REAR PILLAR DUAL COLOR R/B	\$1,474.56	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
3	WHELEN T-ION TRI R/B/W OVER	\$636.48	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
4	GRILLE BRACKET	\$28.80	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
5	WHELEN ION DUAL COLOR B/W 12E	\$296.64	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
6	HOWLER BRACKET	\$197.28	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
7	HOWLER 1 SPEAKER	\$544.32	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
8	PASSENGER SPEAKER BRACKET	\$38.16	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
9	EXPANSION PACK 24 OUTPUT	\$574.56	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
10	INSTALLATION/LABOR TO INSTALL	\$3,135.00	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
11	SHOP SUPPLIES	\$400.00	5-01-25-252-002-121	B	Preventive Maintenance		R	10/15/25	02/08/26	20254399B	N
		\$8,611.00									
25-01551	12/02/25	UPFIT NEW USED VEHICLE LABOR									
1	UPFIT NEW USED VEHICLE LABOR	\$3,300.00	5-01-25-252-002-121	B	Preventive Maintenance		R	12/02/25	02/02/26		N
2	GRAPHICS FOR 2019 CHEVY TAHOE	\$1,500.00	5-01-25-252-002-121	B	Preventive Maintenance		R	12/02/25	02/02/26		N
		\$4,800.00									
Vendor Total:		\$13,411.00									
S0842	SANITATION EQUIPMENT CORP.										
23-00267	03/01/23	PW SANITATION TRUCK									
1	PW SANITATION TRUCK	\$403,841.18	C-04-55-898-005-444	B	DPW -AUTOMATED GARBAGE TRUCR			03/01/23	02/10/26	68550	N
Vendor Total:		\$403,841.18									
SHERW010	SHERWIN WILLIAMS PAINT										
26-00111	01/29/26	AWWTP FLOOR PAINT									
1	AWWTP FLOOR PAINT	\$60.64	6-09-55-501-002-503	B	Sewer Plant Maintenance		R	01/29/26	02/02/26	3251-7	N
Vendor Total:		\$60.64									

Vendor #	Name	Description		Contract	PO Type	First Enc Rcvd		Chk/Void	Invoice	1099 Excl
P.O. #	PO Date	Amount	Charge Account	Acct Description	Stat/Chk	Date	Date	Date		
Item Description				Type						
S1096 STAPLES BUSINESS ADVANTAGE										
26-00107	01/29/26		HPD OFFICE SUPPLIES							
1 HPD OFFICE SUPPLIES		\$11.97	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
2 HPD OFFICE SUPPLIES		\$17.39	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008578667	N
3 HPD OFFICE SUPPLIES		\$27.90	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
4 HPD OFFICE SUPPLIES		\$10.86	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008637059	N
5 HPD OFFICE SUPPLIES		\$18.21	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
6 HPD OFFICE SUPPLIES		\$14.69	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
7 HPD OFFICE SUPPLIES		\$12.36	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
8 HPD OFFICE SUPPLIES		\$32.49	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
9 HPD OFFICE SUPPLIES		\$169.96	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
10 HPD OFFICE SUPPLIES		\$28.98	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
11 HPD OFFICE SUPPLIES		\$12.89	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
12 HPD OFFICE SUPPLIES		\$12.35	6-01-25-240-001-036	B	Office Supplies & Equipment	R	01/29/26	02/08/26	7008566926	N
		\$370.05								
Vendor Total:		\$370.05								
STATE005 STATEWIDE INSURANCE FUND										
26-00084	01/16/26		INSTALLMENT 1/4 WC & LIABILITY							
5 INSTALLMENT 1/4		\$16,079.32	6-01-23-210-003-112	B	General Liability-JIF	R	01/16/26	02/02/26	2026A41	N
6 INSTALLMENT 1/4		\$31,153.68	6-01-23-210-003-113	B	Workers Compensation (JIF)	R	01/16/26	02/02/26	2026A41	N
7 INSTALLMENT 1/4		\$10,049.58	6-09-55-501-001-515	B	County Insurance - JIF	R	01/16/26	02/02/26	2026A41	N
8 INSTALLMENT 1/4		\$43,213.17	6-09-55-501-002-515	B	County Insurance - JIF	R	01/16/26	02/02/26	2026A41	N
		\$100,495.75								
Vendor Total:		\$100,495.75								
R0537 STITCHES N INK										
25-01583	12/09/25		WORK JACKET W/ BORO PATCH							
1 PORT & COMPANY BLACK JACKET		\$75.00	5-09-55-501-002-507	B	Uniforms & Safety Equipment	R	12/09/25	02/02/26	25055	N
2 SEW DOWN PATCH		\$5.00	5-09-55-501-002-507	B	Uniforms & Safety Equipment	R	12/09/25	02/02/26	25055	N
		\$80.00								
Vendor Total:		\$80.00								
ENVIR020 SYNAGRO TECHNOLOGIES, INC										
25-00297	03/06/25		SLUDGE DISPOSAL RES 2024-186			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 Description	Type						
Item Description											
ENVIR020	SYNAGRO TECHNOLOGIES, INC	Account Continued									
13 DECEMBER SLUDGE REMOVAL		\$4,416.02	5-09-55-501-002-538	B	Sludge Removal/Disposal-Waste ManaR		10/10/25	02/02/26		64527	N
Vendor Total:		\$4,416.02									
TMOBI005	T-MOBILE										
26-00005	01/05/26	STOCKTON LOT CAMERAS 2026				B					
3 STOCKTON LOT CAMERAS JAN 2026		\$62.70	6-01-33-195-002-029	B	Computer Software/Maint/Equip	R	02/03/26	02/08/26		1657-01202026	N
Vendor Total:		\$62.70									
T0104	TCTANJ MEMBERSHIP SERVICES										
26-00089	01/16/26	MEMBERSHIP FOR DONNA CONDO,CFO									
1 MEMBERSHIP FOR DONNA CONDO,		\$125.00	6-01-20-130-001-044	B	Professional Assoc. Dues	R	01/16/26	02/02/26			N
Vendor Total:		\$125.00									
TELCO005	TELCO BILL CENTER INC.										
26-00013	01/05/26	POTSOLVE RECURRING FOR 2026				B					
3 POTSOLVE RECURRING FEB 2026		\$401.25	6-01-31-440-001-085	B	Telephone-Block Line Systems, LLC LSR		01/05/26	02/02/26		9238	N
Vendor Total:		\$401.25									
T0228	TOWNSHIP OF HAMILTON										
26-00162	02/05/26	STD CLINIC 7/1/25-12/31/25									
1 STD CLINIC 7/1/25-12/31/25		\$100.00	5-01-27-330-001-199	B	Miscellaneous	R	02/05/26	02/08/26		01.22.2026	N
Vendor Total:		\$100.00									
T0061	TOWNSHIP OF ROBBINSVILLE DPW										
26-00108	01/29/26	HPD VEHICLE MAINTENANCE									
1 HPD VEHICLE MAINTENANCE		\$18.58	5-01-43-515-001-170	B	Mechanic Services	R	01/29/26	02/08/26		1002364	N
2 HPD VEHICLE MAINTENANCE		\$112.51	5-01-43-515-001-170	B	Mechanic Services	R	01/29/26	02/08/26		1002368	N
		\$131.09									
Vendor Total:		\$131.09									
T1067	TREASURER, STATE OF NJ										
26-00125	01/29/26	WATER ALLOCATION PERMIT 2026									
1 INV 251898820-WATER ALLOCATION		\$9,225.00	6-09-55-501-001-520	B	Permits & Fees	R	01/29/26	02/02/26		251898820	N
Vendor Total:		\$9,225.00									
TRENT005	TRENTONIAN										
26-00185	02/10/26	LEGAL ADS DECEMBER 2025									
1 ORD 2025-18 ADOPT		\$13.30	5-01-20-120-001-021	B	Advertisements	R	02/10/26	02/10/26		2778431	N

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P.O. #	PO Date	Amount	Charge Account	Acct Description	Type						
Item Description											
TRENT005	TRENTONIAN	<i>Account Continued</i>									
2 ORD 2025-19 INTRO		\$23.80	5-01-20-120-001-021	B	Advertisements	R	02/10/26	02/10/26		2778432	N
3 ADA TRANSITION PLAN		\$20.65	5-01-20-120-001-021	B	Advertisements	R	02/10/26	02/10/26		2779022	N
4 ORD 2025-19 ADOPT		\$11.20	5-01-20-120-001-021	B	Advertisements	R	02/10/26	02/10/26		2781677	N
		\$68.95									
26-00190	02/11/26	PUBLIC NOTICES JANAURY 2026									
1 NOTICE TO BIDDERS		\$97.30	6-09-55-501-001-510	B	Advertisements	R	02/11/26	02/11/26		2785480	N
2 SUNSHINE NOTICE		\$7.70	6-01-20-120-001-021	B	Advertisements	R	02/11/26	02/11/26		2785583	N
3 SUNSHINE NOTICE		\$16.80	6-01-20-120-001-021	B	Advertisements	R	02/11/26	02/11/26		2786895	N
4 SUNSHINE NOTICE		\$11.90	6-01-21-180-001-021	B	Advertisements	R	02/11/26	02/11/26		2790488	N
		\$133.70									
Vendor Total:		\$202.65									
TRIST005	TRI STATE ENVIRONMENTAL SVCS										
26-00183	02/10/26	CAMERA REPAIR									
1 INV 1566-CAMERA REPAIR ON		\$1,042.00	6-09-55-501-002-529	B	Sewer Main Repair/Supplies	R	02/10/26	02/10/26		1566	N
Vendor Total:		\$1,042.00									
USBAN040	U.S. BANK NATIONAL ASSOCIATION										
26-00175	02/08/26	JANAURY 2026 PCARD PURCHASES									
1 AMAZON - RETURN MOUNT-IT!		117.42-	6-01-25-256-002-034	B	VEHICLE PARTS	R	02/08/26	02/08/26			N
2 AMAZON - JANITORIAL SUPPLIES		\$39.98	6-01-20-125-001-035	B	Paper Products/Janitorial	R	02/08/26	02/08/26			N
3 AMAZON - CENTRAL OFFICE SUPPL		\$9.97	6-01-20-125-001-036	B	Office Supplies	R	02/08/26	02/08/26			N
4 AMAZON - SCANSNAP SCANNER		\$389.61	6-01-20-120-001-053	B	EQUIPMENT	R	02/08/26	02/08/26			N
5 AMAZON - CENTRAL OFFICE SUPPL		\$23.71	6-01-20-125-001-036	B	Office Supplies	R	02/08/26	02/08/26			N
6 STAPLES - PRINTING BIZ CARDS		\$24.99	6-01-33-195-002-036	B	Office Supplies	R	02/08/26	02/08/26			N
7 AMAZON-WATER REPLACEMENT BL		\$16.98	6-09-55-501-001-503	B	Water Plant Maintenance	R	02/08/26	02/08/26			N
8 NJ GOVERNMENT SERVICES		\$404.59	C-04-55-902-010-447	B	2024-04 SUMMIT ST IMP SECTION	2R	02/08/26	02/08/26			N
9 AMAZON-RETURN SCANSNAP SCA		299.89-	6-01-20-120-001-053	B	EQUIPMENT	R	02/08/26	02/08/26			N
10 FBI NATIONAL ACADEMY ASSOC.		\$140.00	6-01-25-240-001-044	B	Professional Assoc. Dues	R	02/08/26	02/08/26			N
11 CANVA - CLERK'S OFFICE		\$120.00	5-01-20-140-001-054	B	Computer/Printers-Hardware & Softwar	R	02/08/26	02/08/26			N
12 AMAZON - DPW ELECTRIC UNIT		\$1,845.45	6-09-55-501-001-503	B	Water Plant Maintenance	R	02/08/26	02/08/26			N
13 UPS - POLICE DEPARTMENT		\$26.13	6-01-25-240-001-093	B	Medical Exams/Hepatitis B Shot	R	02/08/26	02/08/26			N
14 HARBOR FREIGHT - DPW		\$69.91	6-01-26-290-001-050	B	DPW Work Equipment	R	02/08/26	02/08/26			N
15 AMAZON - WATER PLANT		\$655.62	6-09-55-501-001-503	B	Water Plant Maintenance	R	02/08/26	02/08/26			N
16 AMAZON - PUBLIC WORKS		\$90.95	6-01-26-290-001-050	B	DPW Work Equipment	R	02/08/26	02/08/26			N

Vendor #	Name			Contract	PO Type			Invoice	1099	Excl	
P.O. #	PO Date	Description	Amount	Charge Account	Acct Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date		
Item Description											
USBAN040	U.S. BANK NATIONAL ASSOCIATION			Account Continued							
17 AMAZON - PUBLIC WORKS		\$90.95	6-01-26-290-001-050	B	DPW Work Equipment	R	02/08/26	02/08/26		N	
18 AMAZON - PUBLIC WORKS		\$19.50	6-01-26-290-001-034	B	Motor Vehicle Parts & Access.	R	02/08/26	02/08/26		N	
19 AMAZON - PUBLIC WORKS		\$17.81	6-01-26-310-001-024	B	Building Maintenance	R	02/08/26	02/08/26		N	
20 AMAZON - PUBLIC WORKS		\$54.19	6-01-26-290-001-034	B	Motor Vehicle Parts & Access.	R	02/08/26	02/08/26		N	
		\$3,623.03									
Vendor Total:		\$3,623.03									
UNIFI005	UNIFIRST CORPORATION										
26-00159	02/05/26	UNIFORMS JANUARY 2026									
1 UNIFORMS 1/1/26		\$57.68	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	02/05/26	02/10/26	1260857493	N	
2 UNIFORMS 1/8/26		\$57.68	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	02/05/26	02/10/26	1260860344	N	
3 UNIFORMS 1/15/26		\$57.68	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	02/05/26	02/10/26	1260863927	N	
4 UNIFORMS 1/22/26		\$57.68	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	02/05/26	02/10/26	1260867249	N	
5 UNIFORMS 1/29/26		\$57.68	6-09-55-501-002-507	B	Uniforms & Safety Equipment	R	02/05/26	02/10/26	1260870680	N	
		\$288.40									
Vendor Total:		\$288.40									
U0013	USA BLUE BOOK										
25-01670	12/27/25	REPLACEMENT PEN ARM KIT									
1 REPLACEMENT PEN ARM KIT		\$594.95	5-09-55-501-001-506	B	Laboratory Supplies	R	12/27/25	02/10/26	INV00898172	N	
2 SHIPPING		\$13.10	5-09-55-501-001-506	B	Laboratory Supplies	R	02/11/26	02/11/26	INV00898172	N	
		\$608.05									
26-00076	01/12/26	AWWTP QUOTE 195783-2									
1 ITEM NUMBER 201351 MACRO PIPE		\$120.80	6-09-55-501-002-506	B	Lab. Equipment & Supplies	R	01/12/26	02/02/26	INV00929699	N	
2 ITEM NUMBER 77250 HACH DR		\$317.00	6-09-55-501-002-506	B	Lab. Equipment & Supplies	R	01/12/26	02/02/26	INV00929699	N	
3 ITEM NUMBER 32123 SPECHECK		\$291.00	6-09-55-501-002-506	B	Lab. Equipment & Supplies	R	01/12/26	02/02/26	INV00929699	N	
		\$728.80									
Vendor Total:		\$1,336.85									
U0061	USALCO, LLC										
26-00099	01/28/26			ALUM SULFATE LIQ RES 2025-219		B					
2 ALUM SULFATE LIQ RES 2025-219		\$6,813.36	6-09-55-501-002-542	B	Aluminum Sulfate	R	01/28/26	02/02/26	910211763	N	
Vendor Total:		\$6,813.36									
VECTO010	VECTOR SECURITY, INC.										
26-00137	02/03/26	FIRE ALARM SYSTEM WTP 2026									

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											
VECTO010	VECTOR SECURITY, INC.	<i>Account Continued</i>									
5 ENHANCED COMM WTP 1/17-4/16/26		\$90.00	6-09-55-501-001-503	B Water Plant Maintenance		R	02/03/26	02/08/26		77228234	N
6 INSP FIRE SYS WTP 1/17-4/16/26		\$122.55	6-09-55-501-001-503	B Water Plant Maintenance		R	02/03/26	02/08/26		77228234	N
7 INSP FIRE SYS WTP 1/17-4/16/26		\$105.00	6-09-55-501-001-503	B Water Plant Maintenance		R	02/03/26	02/08/26		77228234	N
		\$317.55									
	Vendor Total:	\$317.55									
S0245	WEIGHTS AND MEASURES FUNDS										
26-00115	01/29/26	RADAR TUNING FORK INSPECTION									
1 RADAR TUNING FORK INSPECTION		\$240.00	6-01-25-240-001-116	B Traffic Bureau		R	01/29/26	02/11/26		01.23.2026	N
	Vendor Total:	\$240.00									
<hr/>											
Total Purchase Orders: 107 Total P.O. Line Items: 318 Total List Amount: \$2,713,775.10 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	5-01	\$1,066,402.30	\$0.00	\$1,066,402.30	\$0.00	\$0.00	\$0.00
	5-09	\$6,966.24	\$0.00	\$6,966.24	\$0.00	\$0.00	\$0.00
	Year Total:	\$1,073,368.54	\$0.00	\$1,073,368.54	\$0.00	\$0.00	\$0.00
CURRENT FUND	6-01	\$960,803.60	\$0.00	\$960,803.60	\$0.00	\$0.00	\$0.00
	6-09	\$203,021.54	\$0.00	\$203,021.54	\$0.00	\$0.00	\$0.00
	6-13	\$0.00	\$0.00	\$0.00	\$0.00	\$163.80	\$0.00
	6-21	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,799.55
	Year Total:	\$1,163,825.14	\$0.00	\$1,163,825.14	\$0.00	\$163.80	\$6,799.55
GENERAL CAPITAL	C-04	\$439,525.77	\$0.00	\$439,525.77	\$0.00	\$0.00	\$0.00
WATER/SEWER CAPITAL	C-08	\$20,067.50	\$0.00	\$20,067.50	\$0.00	\$0.00	\$0.00
	Year Total:	\$459,593.27	\$0.00	\$459,593.27	\$0.00	\$0.00	\$0.00
	G-02	\$310.00	\$0.00	\$310.00	\$0.00	\$0.00	\$0.00
TRUST OTHER - FUND #12	T-12	\$9,464.80	\$0.00	\$9,464.80	\$0.00	\$0.00	\$0.00
ANIMAL CONTROL TRUST FUN	T-13	\$250.00	\$0.00	\$250.00	\$0.00	\$0.00	\$0.00
	Year Total:	\$9,714.80	\$0.00	\$9,714.80	\$0.00	\$0.00	\$0.00
Total Of All Funds:		\$2,706,811.75	\$0.00	\$2,706,811.75	\$0.00	\$163.80	\$6,799.55

Project Description	Project No.	Rcvd Total
Easement Agreement	133MONMOUT	\$260.00
105 Main St - Concept Plan	2022-01	\$480.00
480 MERCER STREET WAREHOUSE	2022-06	\$637.50
Peddie Football Field & Track	2025-04	\$2,309.55
Site Plan Application #2020-01	3PRCLLC	\$1,312.50
AINR Mercer Street	AINR2025	\$1,800.00
Total Of All Projects:		\$6,799.55

Date: February 17, 2026

To: Mayor and Council

From: Finance Office

Re: Manual Bill List for 02/17/2026

<u>CURRENT ACCOUNT</u>	<u>DATE ISSUED</u>	<u>PO #</u>	<u>CHECK #</u>	<u>Amount</u>
AT &T Mobility	2/5/2026	26-00145	38942	\$ 123.43
Comcast	2/5/2026	26-00146	38944	\$ 195.30
Comcast Business	2/5/2026	26-00147	38943	\$ 641.75
JCP & L	2/5/2026	26-00156	38946	\$ 40.46
JCP & L	2/5/2026	26-00149	38945	\$ 1,000.76
JCP & L (STREET LIGHTING)	2/5/2026	26-00143	38947	\$ 2,685.74
PSE&G	2/5/2026	26-00150	38948	\$ 1,293.10
PSE&G	2/5/2026	26-00151	38949	\$ 1,276.55
Verizon	2/5/2026	26-00152	38940	\$ 429.46
Verizon Fios	2/5/2026	26-00154	38952	\$ 205.17
Verizon Wireless	2/5/2026	26-00155	38951	\$ 266.11
TOTAL				\$ 8,157.83
 <u>WATER AND SEWER OPERATING</u>				
At&T Mobility	2/5/2026	26-00145	17295	\$ 883.82
JCP&L	2/5/2026	26-00148	17296	\$ 42,948.31
JCP&L	2/5/2026	26-00149	17297	\$ 70.13
PSE&G	2/5/2026	26-00150	17298	\$ 3,502.08
PSE&G	2/5/2026	26-00151	17299	\$ 110.47
Verizon	2/5/2026	26-00152	17300	\$ 189.00
TOTAL				\$ 47,703.81
 <u>ESCROW</u>				
TOTAL				\$ -
 <u>GRANT</u>				
TOTAL				\$ -
 <u>TRUST- OTHER</u>				
TOTAL				\$ -
 <u>ANIMAL CONTROL TRUST</u>				
TOTAL				\$ -
 <u>LAW ENFORCEMENT TRUST</u>				
TOTAL				\$ -
 <u>UNEMPLOYMENT TRUST</u>				
TOTAL				\$ -
 <u>PUBLIC DEFENDER TRUST</u>				
TOTAL				\$ -
 <u>TAX LIEN TRUST</u>				
TOTAL				\$ -
 <u>GENERAL CAPITAL</u>				
TOTAL				\$ -
 <u>WATER AND SEWER CAPITAL</u>				
TOTAL				\$ -
MANUAL TOTAL				\$ 55,861.64

Borough of Hightstown
County of Mercer

Resolution 2026-55

**APPOINTING AND AUTHORIZING AGREEMENTS FOR EMERGENCY AND ON-
CALL SERVICES FOR WATER & SEWER UTILITIES**

WHEREAS, Five (5) bids were received for Emergency and On-Call Services for Water and Sewer Utilities on February 3, 2026; and

WHEREAS, the bids were prepared so a pool of contractors be created who were available for emergency and on-call work for water and sewer utilities;

WHEREAS, the Borough Council wishes to appoint the following contractors for emergency and on-call services for water and sewer utilities for 2026 and 2027:

Waters & Bugbee, Inc, Hamilton, New Jersey

J. Fletcher Creamer & Son, Inc. Hackensack, New Jersey

Earle Asphalt Company, Farmingdale, New Jersey

WHEREAS, the cost for the proposed services shall be determined by project on an as needed basis.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hightstown that the Mayor is authorized to execute and the Borough Clerk to attest the agreements as stated herein for emergency and on-call services for water and sewer utilities for the year 2026 and 2027.

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 February 17, 2026

Margaret Riggio, Borough Clerk



Roberts
ENGINEERING GROUP LLC
Women Business Enterprise Certified
February 9, 2026

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

John Francis Roman, Borough Administrator
Borough of Hightstown
156 Bank Street
Hightstown, New Jersey 08520
Email: administrator@hightstownborough.com

Re: Emergency and On-Call Services for Water and Sewer Utilities
Borough of Hightstown, Mercer County, New Jersey
Our File No.: H1537

Dear John:

Bids were received for the Emergency and On-Call Services for Water and Sewer Utilities Contract on Tuesday, February 3, 2026. A total of six (6) bidders picked up plans and specifications, and five (5) bidders submitted a bid. The bid consists of three (3) types of emergency and on-call services. The first type is for emergency services (Bid A). The second type is for critical but non-emergency services (Bid B) and the third type is for planned services that are neither critical nor an emergency (Bid C). The bid is based on a 2-year contract length. The bids received were as follows:

<u>Bidders</u>	<u>Bid A</u>	<u>Bid B</u>	<u>Bid C</u>	<u>Total Bid Cost</u>
Waters & Bugbee, Inc.	\$61,490.00	\$8,016.00	\$16,895.00	\$86,401.00
J. Fletcher Creamer & Son, Inc.	\$63,945.00	\$8,648.00	\$17,993.00	\$90,586.00
Earle Companies	\$65,837.13	\$8,456.00	\$16,720.00	\$91,013.13
Crest Construction Group, LLC	\$69,195.00	\$10,824.00	\$18,750.00	\$98,769.00
P.M. Construction Corp.	\$73,094.30	\$8,160.72	\$28,095.69	\$109,350.71

The bid was prepared so that the Borough could create a pool of contractors to be available for this work. We have worked with the contractors in the past and have found them to be efficient and responsive.

Subject to the review of the contract documents by the Borough Attorney, it is our recommendation that contracts be awarded to the three (3) lowest bidders, Waters and Bugbee, Inc., J. Fletcher Creamer & Son, Inc., and the Earle Companies in total amounts of \$86,401.00, \$90,586.00, and \$91,013.13 respectively. The three (3) low bidders have locations within 30-miles of the Borough as is required by the bid documents.

Upon award of contracts, this office will prepare a formal procedure for determining how the contractors will be contacted in case of an emergency.

By way of this letter the original bids are being returned to the Clerk.

Very truly yours,


Carmela Roberts, PE, CME, CPWM
Borough Engineer

cc: Mayor and Council
Mairead Thompson, Assistant Business Administrator
Peggy Riggio, RMC, CMR, Borough Clerk
Donna Condo, Borough CFO
Jonathan Cohen, Esq., Borough Attorney
Ken Lewis, Superintendent of Public Works
Cameron Corini, PE, CME, CPWM, Roberts Engineering Group, LLC
Justin Streleckis, PE, Roberts Engineering Group, LLC
Kelly Pham, EIT, Roberts Engineering Group, LLC



Emergency and On-Call Services for Water and Sewer Utilities
Tuesday, February 3, 2026 at 11:00 am

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

Summary of Bids Our File No.: H1537		Roberts Engineering Group, LLC 1670 Whitehorse-Hamilton Square Road Hamilton, New Jersey 08690 Phone: (609) 586-1141 Fax: (609) 586-1143		Waters & Bugbee, Inc. 75 South Gold Drive Hamilton, New Jersey 08691 Phone: (609) 584-1100 Fax: (609) 584-2200		J. Fletcher Creamer & Son, Inc. 101 East Broadway Hackensack, New Jersey 07601 Phone: (201) 678-2685 Fax: (201) 488-2901		Earle Companies 1800 Route 34, P.O. Box 556 Farmingdale, New Jersey 07726 Phone: (732) 308-1113 Ext. 206 Fax: (732) 308-1034		Crest Construction Group, LLC 880 Route 9 Little Egg Harbor, New Jersey 08087 Phone: (609) 698-2122 Ext. 105 Fax: (609) 698-2422		P.M. Construction Corp. 1310 Central Avenue Hillside, New Jersey 07205 Phone: (908) 965-2090 Ext. 102 Fax: (908) 964-9648		Montana Construction, Inc. 80 Contant Avenue Lodi, New Jersey 07644 Phone: (973) 478-5200 Fax: (973) 478-7604	
Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	
BID A - EMERGENCY CALL OUT (ECO) REPAIRS															
A-1	Supply Construction Superintendent of Foreman	HOURS	60	\$220.00	\$13,200.00	\$250.00	\$15,000.00	\$150.00	\$9,000.00	\$230.00	\$13,800.00	\$175.00	\$10,500.00	\$142.07	\$8,524.20
A-2	Supply Laborer	HOURS	120	\$190.00	\$22,800.00	\$165.00	\$19,800.00	\$135.00	\$16,200.00	\$195.00	\$23,400.00	\$275.00	\$33,000.00	\$135.15	\$16,218.00
A-3	Supply Operator	HOURS	30	\$190.00	\$5,700.00	\$300.00	\$9,000.00	\$475.00	\$14,250.00	\$205.00	\$6,150.00	\$175.00	\$5,250.00	\$157.57	\$4,727.10
A-4	Supply Backhoe	HOURS	45	\$50.00	\$2,250.00	\$1.00	\$45.00	\$1.00	\$45.00	\$30.00	\$1,350.00	\$1.00	\$45.00	\$100.00	\$4,500.00
A-5	Supply Dump Truck - 10 CY Capacity with Driver	HOURS	25	\$190.00	\$4,750.00	\$105.00	\$2,625.00	\$200.00	\$5,000.00	\$195.00	\$4,875.00	\$175.00	\$4,375.00	\$115.00	\$2,875.00
A-6	Supply Air Compressor and Jack Hammer	HOURS	5	\$1.00	\$5.00	\$100.00	\$500.00	\$150.00	\$750.00	\$1.00	\$5.00	\$1.00	\$5.00	\$50.00	\$250.00
A-7	Supply All Necessary Equipment for Base Paving Operations (Vibratory Plate, Dump, Saw, Etc.)	HOURS	10	\$1.00	\$10.00	\$1.00	\$10.00	\$75.00	\$750.00	\$1.00	\$10.00	\$1.00	\$10.00	\$50.00	\$500.00
A-8	Supply All Necessary Equipment for Final Paving Operations (Vibratory Plate, Dump, Saw, Milling Machine, Etc.)	HOURS	10	\$1.00	\$10.00	\$1.00	\$10.00	\$75.00	\$750.00	\$1.00	\$10.00	\$1.00	\$10.00	\$50.00	\$500.00
A-9	To Supply 8" Insertion Valve	UNIT	1	\$20,000.00	\$20,000.00	\$7,500.00	\$7,500.00	\$9,000.00	\$9,000.00	\$8,700.00	\$8,700.00	\$8,500.00	\$8,500.00	\$20,000.00	\$20,000.00
A-10	To Supply 6" Insertion Valve	UNIT	1	\$17,000.00	\$17,000.00	\$7,000.00	\$7,000.00	\$8,200.00	\$8,200.00	\$7,537.13	\$7,537.13	\$7,500.00	\$7,500.00	\$15,000.00	\$15,000.00
Total Cost:				\$85,725.00		\$81,490.00		\$63,945.00		\$65,837.13		\$69,195.00		\$73,094.30	Total Cost: No Bid Received

Description	Units	Quantity	Unit Price	Total	Unit Price	Total									
BID B - CRITICAL CALL OUT (ECO) REPAIRS															
B-1	Supply Construction Superintendent of Foreman	HOURS	8	\$190.00	\$1,520.00	\$225.00	\$1,800.00	\$150.00	\$1,200.00	\$190.00	\$1,520.00	\$175.00	\$1,400.00	\$142.07	\$1,136.56
B-2	Supply Laborer	HOURS	24	\$175.00	\$4,200.00	\$115.00	\$2,760.00	\$110.00	\$2,640.00	\$165.00	\$3,960.00	\$275.00	\$6,600.00	\$135.15	\$3,243.60
B-3	Supply Operator	HOURS	8	\$175.00	\$1,400.00	\$225.00	\$1,800.00	\$375.00	\$3,000.00	\$175.00	\$1,400.00	\$175.00	\$1,400.00	\$157.57	\$1,260.56
B-4	Supply Backhoe	HOURS	8	\$50.00	\$400.00	\$1.00	\$8.00	\$1.00	\$8.00	\$30.00	\$240.00	\$1.00	\$8.00	\$100.00	\$800.00
B-5	Supply Dump Truck - 10 CY Capacity with Driver	HOURS	8	\$170.00	\$1,360.00	\$105.00	\$840.00	\$100.00	\$800.00	\$165.00	\$1,320.00	\$175.00	\$1,400.00	\$115.00	\$920.00
B-6	Supply Air Compressor and Jack Hammer	HOURS	8	\$1.00	\$8.00	\$100.00	\$800.00	\$50.00	\$400.00	\$1.00	\$8.00	\$1.00	\$8.00	\$50.00	\$400.00
B-7	Supply All Necessary Equipment for Base Paving Operations (Vibratory Plate, Dump, Saw, Etc.)	HOURS	4	\$1.00	\$4.00	\$1.00	\$4.00	\$75.00	\$300.00	\$1.00	\$4.00	\$1.00	\$4.00	\$50.00	\$200.00
B-8	Supply All Necessary Equipment for Final Paving Operations (Vibratory Plate, Dump, Saw, Milling Machine, Etc.)	HOURS	4	\$1.00	\$4.00	\$1.00	\$4.00	\$75.00	\$300.00	\$1.00	\$4.00	\$1.00	\$4.00	\$50.00	\$200.00
Total Cost:				\$8,896.00		\$8,016.00		\$8,648.00		\$8,456.00		\$10,824.00		\$8,160.72	Total Cost: No Bid Received

Description	Units	Quantity	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	
BID C - SCHEDULED WORK ORDER REPAIRS															
C-1	Supply Construction Superintendent of Foreman	HOURS	12	\$190.00	\$2,280.00	\$200.00	\$2,400.00	\$134.00	\$1,608.00	\$190.00	\$2,280.00	\$175.00	\$2,100.00	\$142.07	\$1,704.84
C-2	Supply Laborer	HOURS	20	\$170.00	\$3,400.00	\$115.00	\$2,300.00	\$175.00	\$3,500.00	\$165.00	\$3,300.00	\$275.00	\$5,500.00	\$135.15	\$2,703.00
C-3	Supply Operator	HOURS	5	\$170.00	\$850.00	\$225.00	\$1,125.00	\$375.00	\$1,875.00	\$175.00	\$875.00	\$175.00	\$875.00	\$157.57	\$787.85
C-4	Supply Backhoe	HOURS	10	\$50.00	\$500.00	\$1.00	\$10.00	\$1.00	\$10.00	\$30.00	\$300.00	\$1.00	\$10.00	\$100.00	\$1,000.00
C-5	Supply Dump Truck - 10 CY Capacity with Driver	HOURS	10	\$170.00	\$1,700.00	\$105.00	\$1,050.00	\$100.00	\$1,000.00	\$165.00	\$1,650.00	\$175.00	\$1,750.00	\$115.00	\$1,150.00
C-6	Supply Air Compressor and Jack Hammer	HOURS	5	\$1.00	\$5.00	\$100.00	\$500.00	\$50.00	\$250.00	\$1.00	\$5.00	\$1.00	\$5.00	\$50.00	\$250.00
C-7	Supply All Necessary Equipment for Base Paving Operations (Vibratory Plate, Dump, Saw, Etc.)	HOURS	5	\$1.00	\$5.00	\$1.00	\$5.00	\$75.00	\$375.00	\$1.00	\$5.00	\$1.00	\$5.00	\$50.00	\$250.00
C-8	Supply All Necessary Equipment for Final Paving Operations (Vibratory Plate, Dump, Saw, Milling Machine, Etc.)	HOURS	5	\$1.00	\$5.00	\$1.00	\$5.00	\$75.00	\$375.00	\$1.00	\$5.00	\$1.00	\$5.00	\$50.00	\$250.00
C-9	To Supply 8" Insertion Valve	UNIT	1	\$15,000.00	\$15,000.00	\$9,500.00	\$9,500.00	\$9,000.00	\$9,000.00	\$8,300.00	\$8,300.00	\$8,500.00	\$8,500.00	\$20,000.00	\$20,000.00
Total Cost:				\$23,745.00		\$16,895.00		\$17,993.00		\$16,720.00		\$18,750.00		\$28,095.69	Total Cost: No Bid Received

TOTAL CONSTRUCTION COST (BID A + BID B + BID C)	Total Cost:	\$118,366.00	Total Cost:	\$86,401.00	Total Cost:	\$90,586.00	Total Cost:	\$91,013.13	Total Cost:	\$98,769.00	Total Cost:	\$109,350.71	Total Cost:	No Bid Received
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Carmela Roberts

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

Borough of Hightstown
County of Mercer

Resolution 2026-63

**RESOLUTION OF BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER,
STATE OF NEW JERSEY SUPPORTING VIVARIUM, LLC'S APPLICATION
TO THE CANNABIS REGULATORY COMMISSION FOR A CLASS 5
RECREATIONAL DISPENSARY LICENSE**

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

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

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

WHEREAS, the legalization of cannabis for recreational use will likely spawn a significant industry throughout the State of New Jersey; and

WHEREAS, the new industry can provide substantial financial and social benefits to the Borough of Hightstown (the "Borough"); and

WHEREAS, the new industry will create employment opportunities in the Borough through its sectors of growers, manufacturers, sale and distribution of recreational cannabis; and

WHEREAS, the Borough is in position to benefit from those sectors of the industry; and

WHEREAS, the Mayor and Borough Council have determined that it is appropriate to permit Class 5 Cannabis Retailers to operate in designated zone districts in the Borough, subject to sensible regulations to regulate such licensees in a responsible manner to protect the health, safety and welfare of the residents of the Borough and to enforce rules and regulations consistent with State law; and

WHEREAS, Ordinance No. 2023-20 created a Cannabis Committee to function as the body for local review for the Borough for all cannabis establishments and to advise the governing body as to all cannabis establishments that make application to operate a cannabis establishment in the Borough of Hightstown; and

Borough of Hightstown
County of Mercer

Resolution 2026-63

WHEREAS, Vivarium, LLC ("Vivarium") submitted its application to the Borough's Cannabis Advisory Committee and demonstrated proof that it has secured a location for its proposed operations at 315 Franklin Street, Block 24, Lot 17 (the "Location"); and

WHEREAS, the Borough has authorized the type of cannabis business license being sought by Vivarium within its jurisdiction namely a Class 5 Retail Recreational Cannabis Dispensary License; and

WHEREAS, the Borough has imposed a limit on the number of licensed cannabis businesses and the issuance of a license to Vivarium by the State of New Jersey Cannabis Regulatory Commission ("CRC") would not exceed that limit; and

WHEREAS, the Borough's Cannabis Advisory Committee has reviewed the application submitted by Vivarium and is in favor of the application; and

WHEREAS, the Mayor and Council are satisfied that Vivarium will have a positive impact on the Borough's community, and, subject to Vivarium's receipt of a Class 5 Cannabis Retail Recreational Dispensary License from the CRC, and its receipt of approval from the Hightstown Borough Planning Board, submission of the required annual application fee, and its receipt of a municipal license from the Borough in accordance with the applicable Ordinances, will satisfy all applicable requirements in the Borough's Ordinances to operate cannabis retail sales in the Borough.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hightstown, in the County of Mercer and State of New Jersey, that the Borough supports Vivarium's Class 5 Cannabis Retail Recreational Dispensary license application to the CRC and is satisfied that Vivarium's location is suitable for its proposed cannabis retail sales activities, subject to its compliance with the Borough's Ordinances and obtaining all necessary state, municipal and zoning approvals to conduct operations.

BE IT FURTHER RESOLVED, that Vivarium's ability to operate its proposed cannabis retail sales business in the Borough of Hightstown is subject to: (1) Vivarium's receipt of a Class 5 Cannabis Retail Recreational Dispensary License from the CRC; and (ii) Vivarium's compliance with the Borough's Ordinances and receipt of all necessary state, municipal and zoning approvals to conduct operations.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to the appropriate representatives of Vivarium, LLC.

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 February 7, 2026

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-56

RESOLUTION AUTHORIZING THE HIGHTSTOWN POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE 1033 PROGRAM TO ENABLE THE POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED Borough Council of the Borough of Hightstown in the County of Mercer, State of New Jersey that the Hightstown Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period with authorization to participate terminating on December 31 of the current calendar year from January 1, 2026 to December 31, 2026.

BE IT FURTHER RESOLVED that the Hightstown Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the

Borough of Hightstown
County of Mercer

Resolution 2026-56

Hightstown Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Hightstown Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes; and

BE IT FURTHER RESOLVED that the "DEMIL B thorough Q" controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

BE IT FURTHER RES OLVED that the Hightstown Police Depat1ment shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

IT FURTHER RESOLVED that the Hightstown Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year.

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 February 17, 2026

Margaret Riggio, Borough Clerk

	A	B	C	D	E	F	G	Q
AIRCRAFT, FIXED WING			1					
AIRCRAFT, ROTARY WING			1					
AIRPLANE,CARGO-TRANSPORT		1						5
AIRPLANE,FLIGHT T42A		1						
AIRPLANE,UTILITY	1	1						
AIRPLANE,UTILITY UBF		1						
ARMORED SECURITY VEHICLE			1					
ARMORED SECURITY VEHICLE			1	1				
AUTOMOBILE.SEDAN			1					
AUTOMOBILE,WAGON			1					
BATON,KINETIC ENERGY				5				
BODY SHIELD		1						1
BREACH SYSTEM				1				
BREACHING RAM	1							
BREACHING SYSTEM	1							
CAPABILITIES SET NON-LETHAL								1
CAR,ARMORED				1				
CAR.ARMORED.MINE DISPOSAL			7					
CAR,ARMORED,MINE DISPOSAL				2				
CARRIER.AMBULANCE			1					
CARRIER.CARGO			3					
CARRIRER,COMMAND POST			1					
CARTRIDGE, 12 GAGE SHOTGUN							2	
CARTRIDGE, 12 GAGE SHOTGUN,NON-LETHAL				1			11	
CARTRIDGE,40 MILLIMETER			1		1		1	
CHARGE.DIVERSIONARY							1	
CLUB,SELF-PROTECTION								7
COMMUN,EQUIP,SOMS-B						1		
CITTTTER HEAD,HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DEMOLITION KIT,BLASTING							1	
DEMOLITION KIT,BLASTING,PRACTICE							1	
DEMOLITION KIT.BREACHING SYSTEM.ANTI-PERSONNEL OBSTACLE				2			2	
DOOR OPENER.HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DRONE.TARGET				1				
DRONES			1					
FACESHIELD,MILITARY,RIOT CONTROL	1							

ITEM NAME	DEFINITION							
	A	B	C	D	E	F	G	Q
FACESHIELD,RIOT CONTROL								3
FACESHIELD,RIOT CONTROL	1							
FORCED ENTRY AND RESCUE EQUIPMENT.AIRCRAFT CRASH	1							
GLIDERS			1					
GOGGLES,PROTECTION,RIOT CONTROL	5							
GRENADE,HAND							1	
GRENADE,HAND,NON-LETHAL							2	
GROUND SENSOR SURVEILLANCE VEHICLE			1					
GUN,PORTABLE RIOT CONTROL				1				
HATBOX,RIOT CROWD	2							
HELICOPTER,FLIGHT TRAINER			1					
HELICOPTER,FLIGHT TRAINER TH55A		1						
HELICOPTER,MEDEVAC			1					
HELICOPTER,OBSERVATION			3					
HELICOPTER.SEARCH AND RESCUE		2						
HELICOPTER,UTILITY		1	3					
HELMET,POLICE	1							
HELMET,SAFETY	1							
KIT,MECHANICAL BREA	2							
KIT,RIOT PROTECTION	1							
LIGHT ARMORED VEHICLE			17	26				
MINE CLEARING VEHICLE				1				
MINE DETECTOR SYSTEM.VEHICLE MOUNTED			3	2		1		
MINE RESISTANT VEHICLE			63	3				
MISCELLANEOUS WEAPONS - LOGSA LSN		1						
MODIFICATION KIT,GUN,WEAPON				1				
MUNITION,CROWD CONTROL MODULAR.NON-LETHAL							2	
No Item Name Available			1					
NON-BALLISTIC BODY SHIELD	1							1
NON-LETHAL WEAPONS CAPABILITIES SET		2						
ONLY COMPLETE COMBAT/ASSAULT/TACTICAL WHEELED VEHICLES				1				
PROTECTIVE SHIELD,T	1							1
RAM,BATTERING	1							
RAM,DOOR,MINI	1							
RIOT CONTROL SHIELD	1							
SECURITY VEHICLE			1					

	4	B	C	D	E	F	G	Q
SHIELD,PERSONAL PROTECTIVE				1				3
SHIELD,SELF-PROTECTION								6
SHOP EQUIPMENT.CONTACT MAINTENANCE	1		2					
SHOP SET.CONTACT MAINTENANCE, TRUCK MOUNTED (ENGINEER)	1							
SHOP SET,CONTACT MAINTENANCE, TRUCK MOUNTED (ORDNANCE)	1							
SIGHT,THERMAL				1				
SLEDGE HAMMER	1							
TOOL,BREAKER,HINGE	1							
TRAINING KIT,DEMOLITION		1						
TRUCK TRACTOR			4			5		7
TRUCK,AMBULANCE			9					
TRUCK,ARMORED			3					
TRUCK.BOLSTER						2		1
TRUCK,BOMB SERVICE			2			2		
TRUCK.CARGO		3	28			17		30
TRUCK,CARRYALL			22					1
TRUCK,COMMAND RECONNAISSANCE			2					
TRUCK,DUMP			2			6		7
TRUCK.MAINTENANCE						3		
TRUCK,MATERIALS HANDLING-CONTAINER HOISTING			1					
TRUCK,PALLETIZED LOADING			8					2
TRUCK,PANEL			2					
TRUCK,STAKE								2
TRUCK,TANK			5			13		8
TRUCK,UTILITY			84					4
TRUCK,VAN		1				14		1
TRUCK,WRECKER		1	2			3		2
TRUCKS AND TRUCK TRACTORS, DEMIL C			1					1
UNMANNED AIRCRAFT			1					
UNMANNED VEHICLE			1					
UP ARMORED NTVS			1					
UTILITY VEHICLE.OFF ROAD		1	2	1	1	1	1	1

4.

Borough of Hightstown
County of Mercer

Resolution 2026-57

**RESOLUTION AUTHORIZING AND APPROVING AMENDMENT NO. 1
TO THE EMPLOYMENT AGREEMENT FOR
JOHN FRANCIS ROMAN, BOROUGH ADMINISTRATOR**

WHEREAS, on August 18, 2025, the Borough Council adopted Resolution 2025-164, appointing John Francis Roman as Borough Administrator for the term August 18, 2025 through August 17, 2026, and authorizing execution of the Employment Agreement associated therewith; and

WHEREAS, the Parties executed the Employment Agreement governing the 2025–2026 term, which established the Administrator’s compensation, hours of work, benefits, and other conditions of employment; and

WHEREAS, the Borough has determined that clarification and modification of Section 5 – Hours of Employment is necessary and appropriate, as reflected in Amendment No. 1 to Employment Agreement, which provides updated language regarding regular hours, meeting attendance, flex-time, and the non-accrual of overtime or compensatory time; and

WHEREAS, the Borough Council finds that approving Amendment No. 1 is in the best interests of the Borough and ensures consistency with operational expectations and current administrative needs.

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, that Amendment No. 1 to the Employment Agreement between the Borough of Hightstown and Borough Administrator John Francis Roman is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute, and the Borough Clerk is authorized to attest, Amendment No. 1 in the form attached hereto.

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 February 17, 2026.

Margaret Riggio, Borough Clerk

AMENDMENT #1 TO EMPLOYMENT AGREEMENT
Between the Borough of Hightstown and
John Francis Roman, Borough Administrator

This Amendment (“Amendment”) is made this ____ day of _____, 2026, by and between: The Borough of Hightstown, a municipal corporation of the State of New Jersey (“Borough”), and John Francis Roman, Borough Administrator (“Administrator”).

WHEREAS, on August 18, 2025, the Borough Council adopted Resolution 2025-164, appointing John Francis Roman as Borough Administrator for the term August 18, 2025, through August 17, 2026, and authorizing execution of an Employment Agreement associated therewith; and

WHEREAS, the Parties executed the Employment Agreement for the 2025–2026 term, setting forth compensation, hours of work, benefits, and related conditions of employment; and

WHEREAS, the Borough has determined that clarification and modification of Section 5 – Hours of Employment is necessary and appropriate based on updated language; and

WHEREAS, on _____, 2026, the Borough Council adopted Resolution 2026-____, approving and authorizing this Amendment.

NOW, THEREFORE, the Parties agree as follows:

1. Amendment to Section 5 – Hours of Employment

Section 5 is replaced in its entirety with the following:

“The Administrator shall work the normal hours of operation of the Municipal Offices. In addition, the Administrator shall attend any and all Governing Body meetings unless otherwise excused, as well as other meetings required to perform the duties of the position.

Consistent with paragraph 7 of this Agreement, the Administrator shall not be entitled to accrue or earn overtime or compensatory time under the Fair Labor Standards Act.

In lieu of overtime or compensatory time, the Administrator shall be permitted to ‘flex’ his work hours in a manner that results in a thirty-five (35) hour work week, while ensuring continued accessibility to employees, officials, and the public.

Flex-time shall consist of hours worked beyond regularly scheduled hours during the workweek, including attendance at meetings of Borough boards, committees, councils, commissions, and Borough-sanctioned functions.

Flex-time must be used no later than the immediately following pay period. Flex-time has no financial value and is forfeited if not used within the permitted time.”

2. No Other Changes

All other provisions of the Employment Agreement remain unchanged and in full force and effect.

3. Effective Date

This Amendment takes effect upon adoption of Resolution 2026-___ and execution by both Parties.

BOROUGH OF HIGHTSTOWN

Margaret Riggio, RMC/CMC
Borough Clerk

Susan Bluth
Mayor

John Francis Roman

Borough of Hightstown
County of Mercer

Resolution 2026-58

**ACCEPTING MEMBERSHIP OF SEAN J. ONDICH IN
HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Sean J. Ondich of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

WHEREAS Sean Ondich has undergone and passed the required physical examination, and her membership application has been reviewed and approved by Fire Chief Gary Evers.

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

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

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 February 17, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-59

**ACCEPTING MEMBERSHIP OF JOSEPH J. PRZYBYLOWSKI
HIGHTSTOWN ENGINE CO. NO. 1**

WHEREAS, Joseph J. Przybylowski of Hightstown, New Jersey has applied for membership in Hightstown Engine Company No. 1; and

WHEREAS Joseph Przybylowski has undergone and passed the required physical examination, and her membership application has been reviewed and approved by Fire Chief Gary Evers.

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

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

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 February 17, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-60

**RESOLUTION AUTHORIZING A TAX REFUND FOR AN OVERPAYMENT OF 2025
FOURTH QUARTER PROPERTY TAXES FOR 565 SOUTH MAIN STREET, BLOCK
63.01, LOT 6.01, DUE TO A COUNTY BOARD OF TAXATION JUDGMENT**

WHEREAS, the Tax Collector has reported an overpayment on the 2025 Fourth Quarter property taxes for the property located at 565 South Main Street, designated as Block 63.01, Lot 6.01, on the official tax map of the Borough of Hightstown; and

WHEREAS, this overpayment resulted from a Mercer County Board of Taxation judgment, which reduced the assessed valuation for the property for tax year 2025; and

WHEREAS, as a result of said judgment, the property owner is entitled to a refund of the overpayment of taxes for the 4th Quarter of 2025 in the amount of \$259.86; and

WHEREAS, the Tax Collector has confirmed the amount due and recommends that a refund be issued to the property owner in accordance with State law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Hightstown, County of Mercer, State of New Jersey, that the Tax Collector is hereby authorized and directed to refund the overpayment of 2025 Fourth Quarter taxes for Brian & Madeline Tokar, 565 South Main Street, Hightstown, NJ 08520 Block/Lot: 63.01 / 6.01; in the amount of \$259.86

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Tax Collector and the Chief Financial Officer for processing.

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 February 17, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-61

**SUPPORTING EAST WINDSOR TOWNSHIP’S FY2026 NJDOT LOCAL
FREIGHT IMPACT FUND GRANT APPLICATION FOR THE
PROBASCO ROAD FREIGHT BYPASS PROJECT**

WHEREAS, the Borough of Hightstown recognizes the increasing truck and freight traffic on local roads due to significant economic development and warehouse growth in East Windsor; and

WHEREAS, this influx of heavy vehicles has created safety risks for residents and pedestrians, increased congestion, and diminished overall quality of life in the Borough; and

WHEREAS, the proposed “Probasco Road Freight Bypass” project seeks to create a direct bypass truck route to divert freight traffic away from Hightstown’s roads, thereby reducing congestion, noise pollution, and the likelihood of accidents; and

WHEREAS, the implementation of this project will enhance community safety and livability, while also supporting regional economic growth and improving transportation efficiency; and

WHEREAS, the New Jersey Department of Transportation created a grant funding program for improvements to and new construction for truck routes called “Local Freight Impact Fund” and has allocated a FY2026 funding round; and

WHEREAS, the Township of East Windsor seeks funding under the FY2026 Local Freight Impact Fund for construction of the Probasco Road Freight Bypass project.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Hightstown hereby expresses its full support for the Township of East Windsor’s request for New Jersey Department of Transportation funding for the “Probasco Road Freight Bypass” project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the appropriate State agencies and to the Township of East Windsor to demonstrate the Borough’s commitment to this important initiative.

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 February 17, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-62

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 February 17, 2026, at the Hightstown Firehouse Hall, 140 North Main Street, 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

Attorney Client Privilege

Stated as precisely as presently possible the following is the time when and the circumstances under which the discussion conducted at said meeting can be disclosed to the public May 17, 2026, 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 February 17, 2026.

Margaret Riggio, Borough Clerk

HIGHTSTOWN PLANNING BOARD

To: Peggy Riggio, Borough Clerk
From: Beverly Asselstine, Chair
CC: John Roman, Borough Administrator, Jane Davis, Planning Board Secretary
Date: February 8, 2026
Subject: 4th Round Affordable Housing Zoning Changes

Attached please find the following materials in support of the Planning Board's recommended changes to the Borough of Hightstown's zoning, in order to fulfill the Borough's obligations for affordable housing:

- A draft zoning ordinance with redlined changes to the existing Chapter 28 of the Borough Code,
- An exhibit prepared by Brian Slauch, PP, AICP, Borough Planner, showing Blocks and Lots where specific zoning changes are recommended, and
- A new zoning map dated November 2025 prepared by Roberts Engineering Group reflecting these changes.

The Planning Board took the following actions to develop these recommendations:

- The Fourth Round Housing Element and Fair Share Plan was developed by the Borough Planner, reviewed at a Public Hearing on May 12, 2025 and adopted by the Planning Board.
- As required, the plan was filed with the courts on June 4, 2025 and a 90-day challenge period began. On September 2, 2025, the Borough received a challenge letter from the Fair Share Housing Center, which was determined to be a request for documentation related to the implementation of the plan and not a formal challenge under the law.
- On November 10, 2025 the Planning Board adopted the 2025 Amendment to the 2024 Master Plan Reexamination Report that updated the Third Round Housing content, in order to address the municipality's 4th round affordable housing obligations. No public notice is required for zoning changes under a Master Plan Reexamination.

The next steps are for Council to introduce the ordinance and then formally refer back to the Planning Board for review, followed by Council adoption. Mayor Bluth has requested that a letter of notification be sent to commercial property owners impacted by these changes for the Council meeting where action will be taken on final adoption. We're happy to answer any questions. Thank you.

DRAFT 2/8/26

Ordinance 2026-____

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

ORDINANCE AMENDING CHAPTER 28 – ZONING OF THE CODE OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER TO MODIFY THE DTC AND HC DISTRICTS AND LOCATIONS OF THE R-MF DISTRICTS TO IMPLEMENT INCLUSIONARY AFFORDABLE HOUSING ZONING FOR THE FOURTH ROUND

WHEREAS, the Hightstown Borough Council desires to implement the Housing Element and Fair Share Plan of the municipality for the Fourth Round of affordable housing obligations by modifying certain district regulations in the Zoning Ordinance and Zoning Map 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 DTC and HC zoning districts and the application of the R-MF in its various sub-zones 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 the 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 May 12, 2025 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 Planning Board of Hightstown adopted the 2025 Amendment to the 2024 Mater Plan Reexamination Report on November 10, 2025 that incorporates the municipality's affordable housing obligations in a manner which will promote the public health, safety, morals, and general welfare; and

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

WHEREAS, the Hightstown Borough Council formally refers this Ordinance to the Planning

Board for examination, discussion, and recommendations in accordance with N.J.S.A. 40:55D-26; and

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

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Hightstown that the Zoning Ordinance is hereby amended as follows (deletions are shown with **strikeout**, additions are shown with **underline**):

Section 1. 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:

Chapter 28

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; Ord. No. 2025-07, 6-16-2025]

A. Purpose and Intent. 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. The purpose and intent of the DTC, Downtown Core Zoning District, is to create a cohesive mixed use district that allows for incremental change to the historic fabric and character of Hightstown by providing for a wide range of uses for the enjoyment of its citizens and visitors thereto while being supportive of the needs of the business community.

A.B. 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-through facilities.
- (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 above ground-floor non-residential uses.~~

- (k) Art galleries and artist studios.
- (2) Accessory uses and structures:
 - (a) Signs in accordance with Chapter 29.
 - (b) Parking facilities not located in front of the building line.
 - (c) Fences, walls and landscaping.
 - (d) Amusement machines, subject to the licensing and regulation provisions of Chapter 4, General Licensing, Article 4-7, Amusement Machines, of the Code of the Borough of Hightstown.
 - (e) Satellite dishes, subject to the restrictions and requirements set forth in § 28-10-19.
 - (f) Accessory uses and structures customarily incidental and on the same lot as a principal or conditional use.
- (3) Conditional uses. The following uses shall be permitted when authorized as a conditional use by the Planning Board when meeting their associated criteria:
 - (a) Cannabis retail, subject to the following criteria:
 - [1] Such use shall operate fully within an enclosed building.
 - [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 § 4-13-6G 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 § 4-13-6 shall apply.

C. Required Use.

- (1) In order to effectuate the purposes of the Borough of Hightstown's constitutional obligation to provide for affordable housing, any site development of Block 39, Lot 28 (140 Mercer Street) that increases the existing square footage in existence as of June 30, 2025, or is a redevelopment of the site, shall include a mixed use building consisting of a non-residential use fronting on Mercer Street and multi-family residential units.
- (a) 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.).
- (b) Notwithstanding any other provision herein, the maximum height shall be four (4) stories and fifty-five (55) feet.
- (c) The required number of parking spaces on-site shall be one for each studio or one-bedroom unit, one and one-half space for each two-bedroom unit and two spaces for each three-bedroom unit. Non-residential spaces shall be as otherwise required herein.

B.D. Other restrictions.

- (1) Lot area. A lot area of not less than two thousand (2,000) square feet shall be required.
- (2) Lot width. A lot width of not less than twenty (20) feet shall be required.

- (3) Lot depth. A lot depth of not less than fifty (50) feet shall be required.
- (4) Front yard. None shall be required, except that building locations shall comply with Borough requirements for providing adequate sight ~~triangles~~distance at street and driveway intersections.
- (5) Side yards. None shall be required, except that building locations shall comply with Borough requirements for providing adequate sight ~~triangles~~distance at street and driveway intersections.
- (6) Rear yard; principal buildings. There shall be a rear yard not less than ten (10) feet deep.
- (7) Rear yard; accessory buildings. There shall be a rear yard not less than three (3) feet deep behind accessory buildings.
- (8) Height. The maximum height shall be three (3) stories or fifty-five (55) feet.
- (9) Coverage. No building shall cover more than ninety percent (90%) of the lot area.
- (10) Parking. Parking shall be provided in accordance with § 28-10-11. Parking is not required for individual uses situated within three hundred (300) feet of a public facility or designated private parking facility subject, however, to demonstration that the facility has adequate parking to accommodate the individual use while maintaining sufficient parking for existing uses already utilizing the parking facility.
- (11) Signs. Signs for individual business establishments shall be permitted in accordance with § 29-1-18.

E. Additional Requirements.

~~(12)~~1) Sight triangles. The regulations for adequate sight ~~triangles~~distances at street and driveway intersections shall be in accordance with § 28-10-9.

~~12)~~2) Residential district buffer. For lots which adjoin a residential district, a buffer area of at least ten (10) feet shall be provided, and the buffer area shall be landscaped to provide for continuous, year-round visual screening of the property. The buffer area may contain a fence provided said fence is in accordance with § 28-10-4. The fence shall be provided only to supplement necessary landscaping.

Section 2. Section 28-3-9, entitled “R-MF, Multi-Family District,” of Article 28-3, “Districts Established; Zoning Map,” of Chapter 28, “Zoning,” of the Borough Code is hereby amended and supplemented as follows:

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-9. R-MF Multifamily District. [1991 Code §§ 233-14, 233-15; Ord. No. 93-852; Ord. No. 2025-05, 5-19-2025; Ord. No. 2025-10, 7-21-2025]

- A. Purpose and intent. The purpose and intent of the R-MF Multifamily 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 subdistricts 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 § 28-10-7 and in addition to the prohibited uses listed in Subsection 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 Chapter 9.
- (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 § 28-10-19.
- (j) Small satellite dish antennas in accordance with the standards of § 28-10-19.
- (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 subdistrict 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.

[3][4] These conditional use criteria shall not apply to any R-MF18 zoned property that does not contain garden apartments, but shall be considered a principal permitted use.

- (b) Uses permitted in § 28-3-15, the DTG Downtown Gateway district, listed as Subsection A(1)(b) through (i) and (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 Subsection A(1), (2) and (3).
 - [1] Any such use shall front on Mercer Street.
- (d) Cannabis retail uses permitted subject to 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.
 - [3] Such use shall operate fully within an enclosed building.
 - [4] 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 through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
 - [5] All criteria set forth in the licensing regulations at § 4-13-6 shall apply.

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:

Chapter 28. Zoning

Article 28-3. Districts Established; Zoning Map

§ 28-3-14. HC Highway Commercial District. [1991 Code §§ 233-24, 233-25; Ord. No. 93-852; Ord. No. 860; Ord. No. 2013-13; Ord. No. 2014-16; Ord. No. 2019-15; Ord. No. 2023-20, 12-18-2023; Ord. No. 2025-07, 6-16-2025; Ord. No. 2025-19, 12-15-2025]

A. Permitted uses. In the HC 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.
- (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.

- (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:

(a) Cannabis cultivation, manufacturing, wholesaling, distribution or retail, subject to the following criteria:

- [1] With the exception of cannabis retail, such use or uses shall be located on a tract of land comprising at least 10 contiguous acres. The vertically integrated operation of cannabis cultivation and cannabis manufacturing shall be permitted on the same tract of land.
- [2] Such use shall operate fully within an enclosed building.
- [3] Excepting emergency egress doors, each entrance and exit, including loading docks doors, shall be designed to prevent interior air from escaping out of doors unless properly treated as required under § 4-13-6G through air locks, negative pressurization or other means of preventing untreated air from exiting the building.
- [4] All criteria set forth in the licensing regulations at § 4-13-6 shall apply.

- (b) 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.

- (1) Lot area. A lot area of not less than 20,000 square feet shall be required.
- (2) Lot width. A lot width of not less than 100 feet shall be required.
- (3) Lot depth. A lot depth of not less than 200 feet is required.
- (4) Front yard. No portion of any building shall be located nearer to any street line that 25 feet, except that projections such as window sills, cornices, cantilevered roofs, open one-story porches, balconies, other roof overhangs, canopies, bay windows and others of the same nature may project not more than five feet into a required front yard. In addition, no building erected on any lot need be set back farther from the street line that the average alignment of existing buildings within 200 feet on each side of the lot and within the same block front and district; however, regardless of the alignment of neighboring buildings, no building erected between two existing buildings on immediately adjacent lots need be set back farther than that of the two buildings which is farther from the street line.
- (5) Perimeter setback. A setback of 25 feet from all lot lines other than street lines is required.
- (6) Height. The maximum height shall be 2.5 stories, not to exceed 35 feet.
- (7) Lot coverage. The total lot coverage of all buildings shall not exceed 30% of the gross lot area, and total lot coverage of all buildings, structures and other lot improvements shall not exceed 70% of the gross lot area.
- (8) Parking. See § 28-10-11, Off-Street parking and off-street loading facilities.
- (9) Signs.
 - (a) Freestanding signs shall be permitted for all permitted uses, provided that:
 - [1] There shall be no more than one sign for each street, other than a residential service street, on which the use fronts.
 - [2] The total area of such signs shall not exceed 75 square feet, nor shall they exceed a height of 55 feet.
 - [3] All bare incandescent light sources (neon lights shall not be considered as such) and immediately adjacent reflecting surfaces shall be shielded from view. Flashing, moving, intermittently illuminated advertising devices shall be prohibited.
 - (b) Signs for individual business establishments in designed shopping centers shall be permitted in addition to the center's sign, provided that:
 - [1] The total area of all signs shall not exceed two square feet for each foot of building frontage; the maximum shall not exceed 40 square feet.
 - [2] No sign shall exceed two feet in height.
 - [3] Such sign shall be applied flat against a wall and shall not project beyond the side or

top of the wall to which it is affixed nor more than eight inches in front of such wall.

[4] All bare incandescent light sources (neon lights shall not be considered as such) and immediately adjacent reflecting surfaces shall be shielded from view; flashing, moving, intermittently illuminated signs, reflection signs or signs painted in luminous materials that glow in the dark and advertising devices shall be prohibited.

[5] Not more than one sign shall be permitted for each tenant on the premises on each wall fronting on a street.

(10) Sight triangles. The regulations for sight triangles shall be the same as for the R-1 District.

(11) Landscaping and buffers. All portions of lots not used for buildings, parking or other improvements shall be suitably landscaped with lawns, shrubs and/or trees. Lot lines which abut residential uses or residential district lines shall provide a landscape buffer strip at least 10 feet in width, and the buffer strip shall be suitably landscaped to provide a continuous, year-round, visual screening of the property. The buffer area may contain a fence provided in accordance with § 28-10-5, but the fence shall be provided to only supplement necessary landscaping. A landscaped strip at least five feet in width shall be provided along all street right-of-way lines as a setback for parking of motor vehicles. The landscape strip and any adjoining landscape area of the right-of-way shall be landscaped with suitable shrubbery not exceeding 30 inches in height, street trees and other suitable landscaping improvements.

C. Required Use.

(1) In order to effectuate the purposes of the Borough of Hightstown's constitutional obligation to provide for affordable housing, any site development of Block 61.01, Lots 39, 41-43 (397-413 Mercer Street) that increases the existing square footage in existence as of June 30, 2025, or is a redevelopment of the site, shall include a mixed use building consisting of a non-residential use fronting on Mercer Street and multi-family residential units.

(a) 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.).

(b) The maximum residential density shall be eighteen (18) units per acre.

(c) Notwithstanding any other provision herein, the maximum height shall be four (4) stories and fifty-five (55) feet.

(d) The required number of parking spaces shall be one for each studio or one-bedroom unit, one and one-half space for each two-bedroom unit and two for each three-bedroom unit. Non-residential spaces shall be as otherwise required herein.

Section 4. §28-3-1, Zoning Map, shall be amended to rescind the existing zoning districts and apply the following zoning districts and subdistricts to the tax assessment blocks and lots, and associated half width of streets as appropriate:

R-MF Block 60; Lots 1-5

R-MF18 Block 24, Lot 9 (278 Monmouth St.)

§ 28-3-2. Zoning Map. [1991 Code § 233-5; Ord. No. 2000-29; Ord. No. 2002-05; Ord. No. 2003-29; Ord. No. 2005-07; Ord. No. 2019-15; Ord. No. 2020-02]

The boundaries of the districts are hereby established as shown on the Zoning Map, Borough of Hightstown, Mercer County, New Jersey, dated ~~June 2020~~ November 2025, which, with all explanatory matter thereon, is hereby adopted and made a part of this chapter by reference. Such map shall be kept on file in the offices of the Borough Clerk for the use and benefit of the public.

Section 5. Continuation. In all other respects, the Zoning Ordinance of the Borough of Hightstown shall remain unchanged.

Section 6. 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.

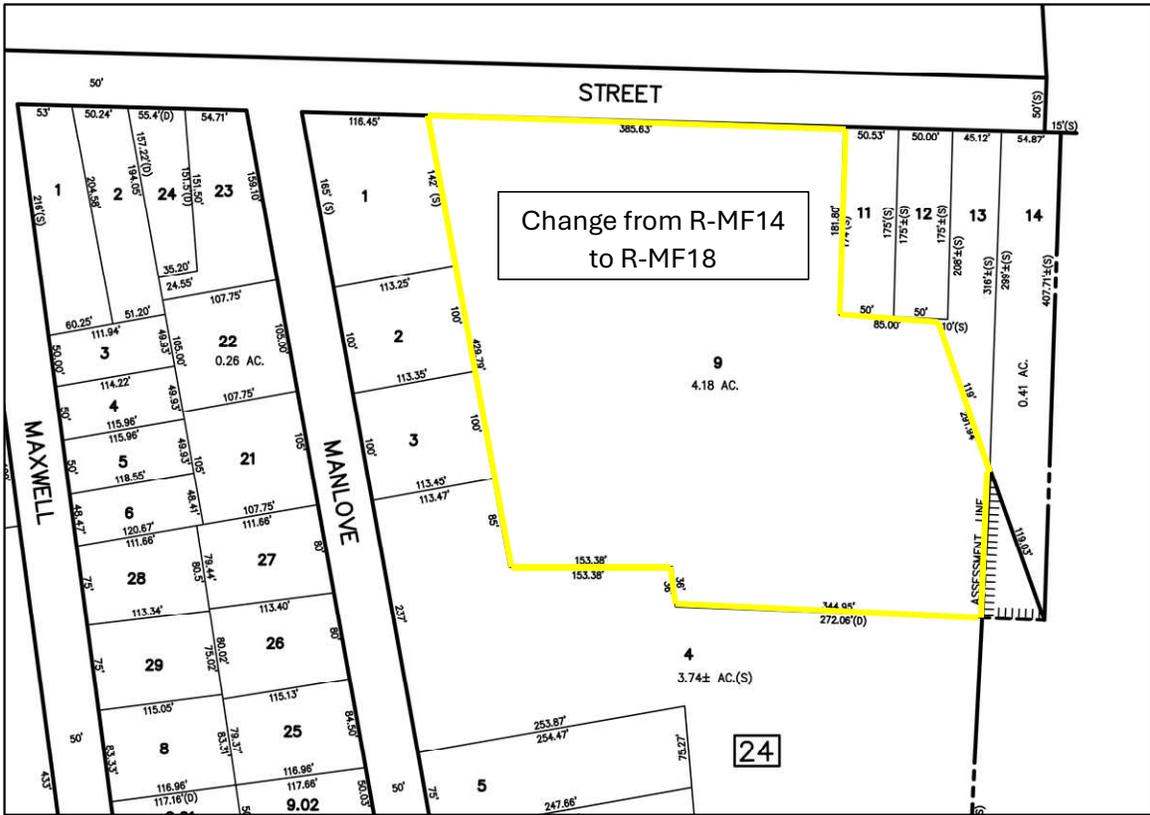
Section 7. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Borough of Hightstown, then the restriction which imposes the greater limitation shall be enforced.

Section 8. 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.

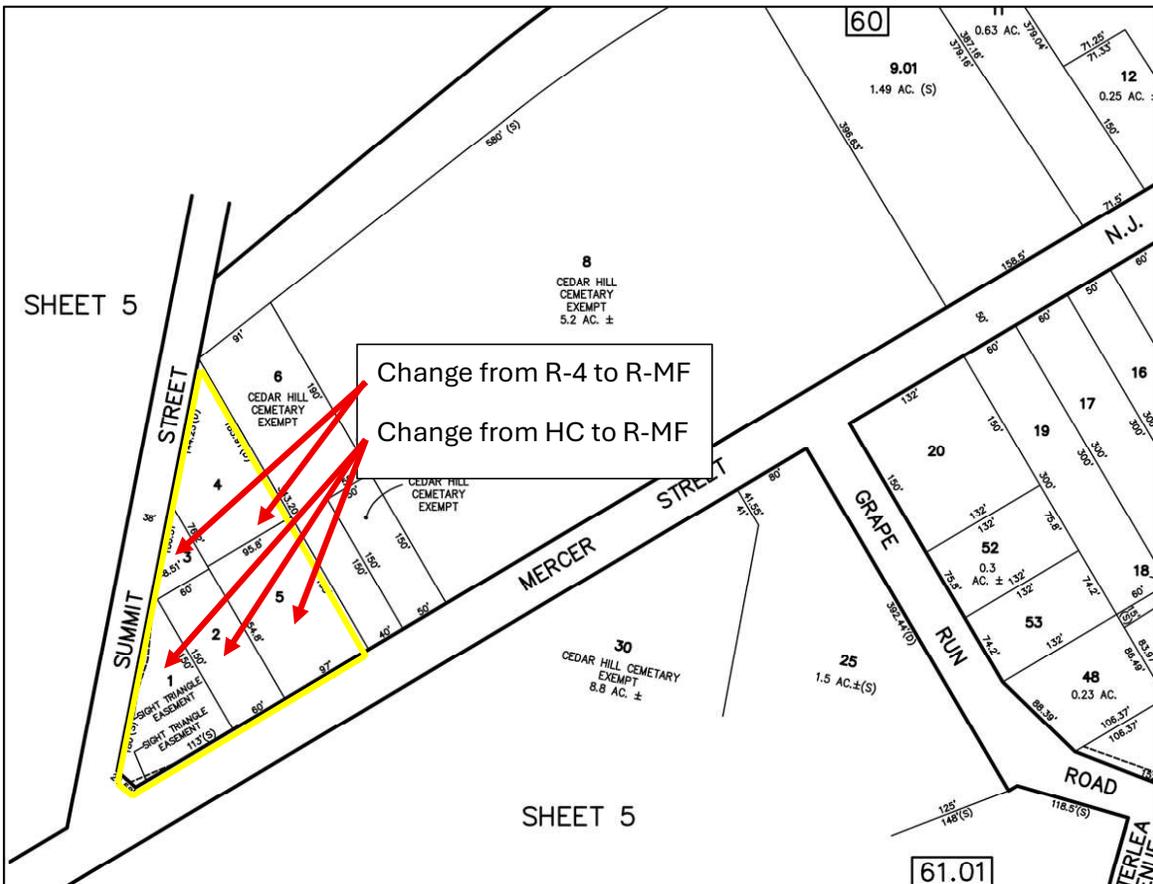
Section 9. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Borough Clerk of the Borough of Hightstown in the manner prescribed by law.

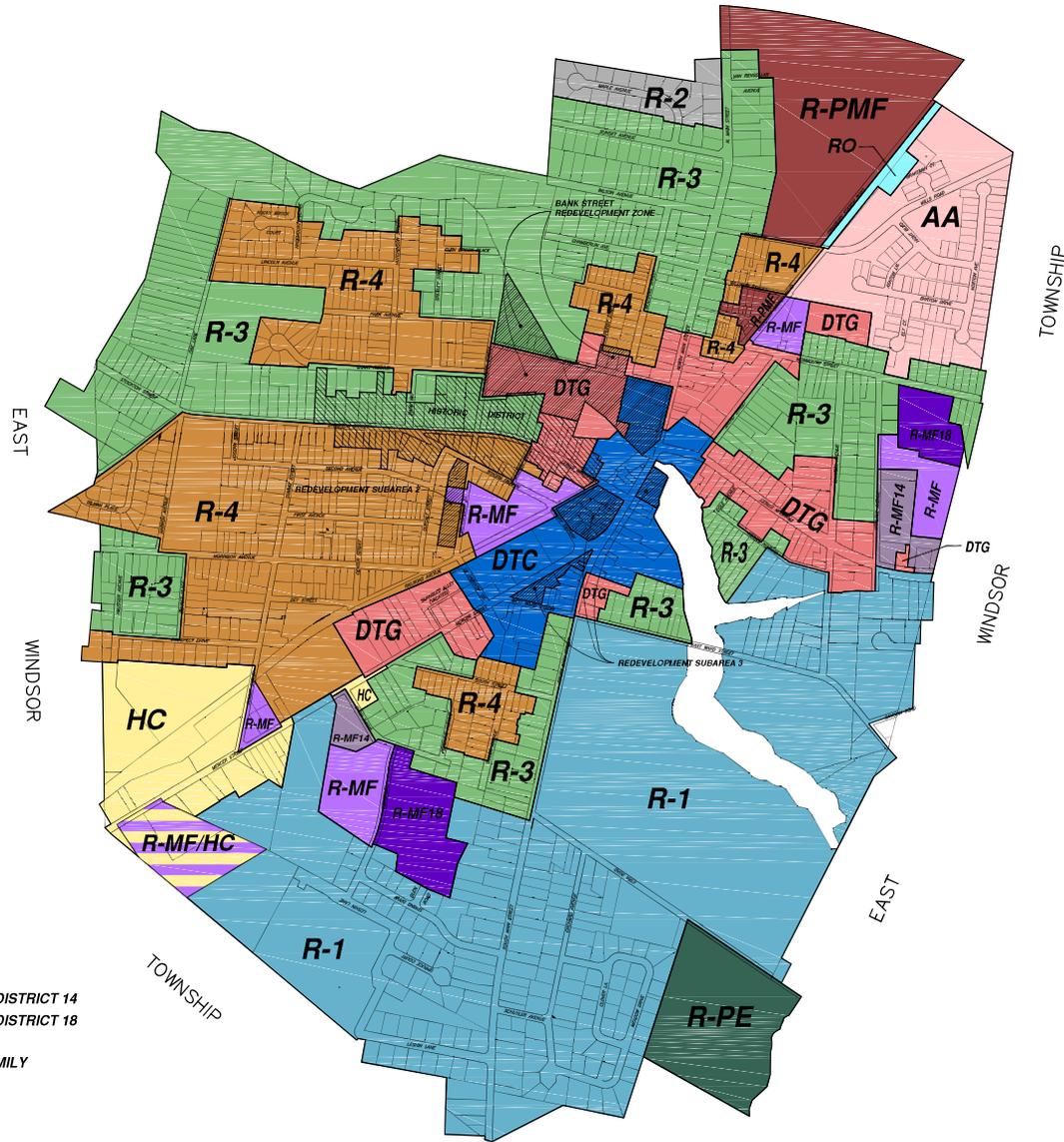
Section 10. Continuation and codification. This ordinance shall be a part of the “Revised General Ordinances of the Borough of Hightstown,” as through codified and fully set forth herein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Borough Code. 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.

Zoning Change 1, Block 24, Lot 9



Zoning Change 2, Block 60; Lots 1-5





EAST WINDSOR TOWNSHIP

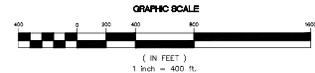
ZONES

-  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



ZONING MAP
HIGHTSTOWN BOROUGH
MERCER COUNTY, NEW JERSEY

NOVEMBER 2025



Roberts
ENGINEERING GROUP LLC
WEAPON PRODUCTION AUTHORITY CERTIFIED
CERTIFICATE OF AUTHORIZATION: 24GA2859100
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BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
ORDINANCE NO. _____

**ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE BOROUGH OF HIGHTSTOWN
TO REPEAL AND REPLACE THE AFFORDABLE HOUSING
PROCEDURAL AND ELIGIBILITY REQUIREMENTS, TO
IMPLEMENT THE FOURTH ROUND OF AFFORDABLE HOUSING
IN ACCORDANCE WITH THE FAIR HOUSING ACT OF 1985**

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA") that every municipality in New Jersey has an affirmative obligation to facilitate the provision of low and moderate income housing; and

WHEREAS, the Mayor and Borough Council of the Borough of Hightstown are desirous of ensuring the proper implementation of the Fair Housing Act and associated rules through the adoption of land use regulations by the governing body; and

WHEREAS, the Borough of Hightstown desires to implement policies established by the New Jersey Legislature in P.L. 2024, c. 2 amending the Fair Housing Act to foster affordable housing opportunities for the production of dwellings and their occupancy by low and moderate income households; and

WHEREAS, the Mayor and Borough Council of the Borough of Hightstown recognize the need to amend the Affordable Housing Procedural and Eligibility Requirements within the Zoning Ordinance of the Borough of Hightstown to implement the Fourth Round Housing Element and Fair Share Plan; and

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

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

Section 1. Article 28-2, entitled, Definitions and Word Usage, of the Zoning Ordinance of the Borough of Hightstown, shall be amended by eliminating [thus], modifying or adding the following definitions:

ACT: The New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

ADAPTABLE: Constructed in compliance with the technical design standards of the barrier-free subcode adopted by the Commissioner of Community Affairs pursuant to the “State Uniform Construction Code Act,” N.J.S.A. 52:27D-119 et seq. and in accordance with the provisions of N.J.S.A. 52:27D-123.15.

ADMINISTRATIVE AGENT: The entity approved by Local Planning Services of DCA responsible for the administration of affordable units, in accordance with N.J.A.C. 5:99-7, and UHAC at N.J.A.C. 5:80-26.15.

AFFIRMATIVE MARKETING: A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

AFFORDABILITY ASSISTANCE: The use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, common maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

AFFORDABLE: In the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

AFFORDABLE DWELLING UNIT: A very low, low or moderate income dwelling unit.

~~**AFFORDABLE DEVELOPMENT:** A housing development all or a portion of which consists of income restricted units.~~

AFFORDABLE HOUSING DEVELOPMENT: A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development, which may be provided on-site or off-site as the case may be.

AFFORDABLE HOUSING MONITORING SYSTEM OR AHMS: DCA’s cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

AFFORDABLE HOUSING PROGRAM: Any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

AFFORDABLE RENTAL CHARGES: A monthly rent including utilities charged to an eligible very low, low or moderate income family which shall not exceed 30% of their monthly gross income as calculated by N.J.A.C. 5:93-7.4(f).

AFFORDABLE HOUSING TRUST FUND (MUNICIPAL): A separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing previously approved prior to March 20, 2024 (per P.L. 2024, c.2), barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

AFFORDABLE HOUSING TRUST FUND (NJ): *See* New Jersey Affordable Housing Trust Fund.

AFFORDABLE UNIT: A housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

AGENCY: The New Jersey Housing and Mortgage Finance Agency as established in N.J.S.A. 55:14K-1 et seq.

COMMISSIONER: the Commissioner of the Department of Community Affairs.

COMPLIANCE CERTIFICATION: the certification obtained by a municipality pursuant to N.J.S.A. 52:27D-304.1, that protects the municipality from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year the next round begins, which is also known as a “judgment of compliance” or “judgment of repose.” The term “compliance certification” shall include a judgment of repose granted in an action filed pursuant to N.J.S.A. 52:27D-313.

CONSTRUCTION: New construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act as codified in N.J.S.A. 52:27D-119 et seq.

DCA: The State of New Jersey Department of Community Affairs

DEPARTMENT (Housing): The New Jersey Department of Community Affairs.

DEVELOPMENT: The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

DEVELOPMENT FEE: means money paid by a developer for the improvement of property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through -8.7 and N.J.A.C. 5:99-3.

EMERGENT OPPORTUNITY: A circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

EQUALIZED ASSESSED VALUE or EAV: The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with N.J.S.A. 54:1-35a, -35b, and -35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

EQUITY SHARE AMOUNT: The product of the price differential and the equity share, with the equity share being the whole number of years that have elapsed since the last non-exempt sale of a restricted ownership unit, divided by 100, except that the equity share may not be less than five percent and may not exceed 30 percent.

EXIT SALE: The first authorized non-exempt sale of a restricted unit following the end of the control period, which sale terminates the affordability controls on the unit.

FAIR SHARE PLAN: The plan or proposal, with accompanying ordinances and resolutions, by which a municipality proposes to satisfy its constitutional obligation to create a realistic opportunity to meet its fair share of low- and moderate-income housing needs of its region and which details the affirmative measures the municipality proposes to undertake to achieve its fair share of low- and moderate-income housing, as provided in the municipal housing element, and which addresses the development regulations necessary to implement the housing element, including, but not limited to, inclusionary requirements and development fees, and the elimination of unnecessary housing cost-generating features from the municipal land use ordinances and regulations.

FHA: The New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.

GREEN BUILDING STRATEGIES: The strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

HOUSING ELEMENT or HOUSING PLAN ELEMENT: The portion of the Borough's Master Plan, required by the Municipal Land Use Law in N.J.S.A. 40:55D-28b(3) and the Act, consisting of reports, statements proposals, maps, diagrams, and text designed to meet the municipality's fair share of its region's present and prospective housing needs, particularly with regard to low- and moderate-income housing, which shall include the municipal present and prospective obligation for affordable housing, determined pursuant to subsection f. at N.J.S.A. 52:27D-304.1.

INCLUSIONARY DEVELOPMENT: A development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

JUDGMENT OF COMPLIANCE or JUDGMENT OF COMPLIANCE AND REPOSE: A determination issued by the Superior Court approving a municipality's fair share plan to satisfy its affordable housing obligation for a particular 10-year round.

MIXED USE DEVELOPMENT: Any development that includes both a non-residential development component and a residential development component, and shall include developments for which: (1), there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities maybe considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2), the residential and non-residential developments are located on the same lot or adjoining lots, including, but not limited to, lots separated by a street, a river, or another geographical feature.

MUNICIPAL HOUSING LIAISON or MHL: An appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality.

NEW JERSEY AFFORDABLE HOUSING TRUST FUND: That non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the "Neighborhood Preservation Non-lapsing Revolving Fund" and "Balanced Housing" mean the NJAHTF.

NEW JERSEY HOUSING RESOURCE CENTER or HOUSING RESOURCE CENTER - The online affordable housing listing portal, or its successor, overseen by the Agency pursuant to N.J.S.A. 52:27D-321.3 et seq.

95/5 RESTRICTION: A deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the closing of a sale at market price.

NONPROFIT: An organization granted nonprofit status in accordance with §501(c)(3) of the Internal Revenue Code.

NON-RESIDENTIAL DEVELOPMENT: Shall include any of the following:

- A. Any building or structure, or portion thereof, including, but not limited to, any

appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., including any subsequent amendments or revisions thereto;

- B. Hotels, motels, vacation timeshares, and child-care facilities; and
- C. The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A.52:27D-330 et seq.

PERSON WITH A DISABILITY: A person with a physical disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, aging, or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, the inability to speak or a speech impairment, or physical reliance on a service animal, wheelchair, or other remedial appliance or device.

PRICE DIFFERENTIAL: The difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

PRIOR ROUND UNIT: A housing unit that addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that:

- A. Received substantive certification from COAH; or
- B. Is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; or
- C. Is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item -A or -B above; or
- D. Otherwise addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations. A unit created after March 20, 2024, is not a prior round unit unless:
 - 1. It is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before June 30, 2025 (the end of the Third Round), or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and

2. Its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

PROSPECTIVE NEED: A projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual determination of public and private entities. Prospective need shall be determined by the methodology set forth pursuant to N.J.S.A.52:27D-304.2 and -304.3 for the Fourth Round and all future rounds of housing obligations.

RANDOM SELECTION PROCESS: A lottery process by which currently income-eligible applicant-households are selected, at random, for placement in affordable housing units such that no preference is given to one applicant over another, except in the case of a veterans' preference where such an agreement exists; for purposes of matching household income and size with an appropriately priced and sized affordable unit; or another purpose allowed pursuant to N.J.A.C. 5:80-26.7(k)3. This definition excludes any practices that would allow affordable housing units to be leased or sold on a first-come, first-served basis.

RECONSTRUCTION: Any project where the extent and nature of the work is such that the work area cannot be occupied while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied, pursuant to the Rehabilitation Subcode of the Uniform Construction Code, N.J.A.C. 5:23-6. Reconstruction shall not include projects comprised only of floor finish replacement, painting or wallpapering, or the replacement of equipment or furnishings. Asbestos hazard abatement and lead hazard abatement projects shall not be classified as reconstruction solely because occupancy of the work area is not permitted.

REGIONAL ASSET LIMIT: The maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median as defined by adopted/approved Regional Income Limits.

ROOM: A living room, dining room, recreation room, kitchen or bedroom. Closets, bathrooms, cellars and attics shall be excluded, except where portions of cellars and attics have been improved to meet housing and building code requirements for rooms.

SPENDING PLAN: A method of allocating funds contained in an affordable housing trust fund account, which includes, but is not limited to, development fees collected and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1 et seq., for the purpose of meeting the housing needs of low- and moderate-income individuals

SUBSTANTIAL CHANGE: Any increase in an approved structure's bulk or floor area where the result exceeds any of the requirements of the zoning district in which it is located, and where any changes exceed the limitations necessary to qualify as an insubstantial change. An "insubstantial change" means a revision to a preliminary or final plat which does not violate any requirements of the Borough's ordinances, does not alter the amount of lower-income housing or other forms of participating in the lower-income housing program as set forth in the approved development and does not have changes which exceed any of the following: setback in any yard of five feet;

seven feet in building height; one percent in the approved floor area ratio; one percent in the approved lot coverage (building, paving and other coverages); five feet in building spacing; three parking spaces; one loading space; five feet in driveway locations; and one percent of the area of the approved site disturbance. A substitution of similar landscaping material, lighting fixture and signage is not a substantial change, provided that there is no change in approved quantities and/or dimensions.

SUPPORTIVE HOUSING HOUSEHOLD: A very low-, low- or moderate-income household certified as income eligible by an administrative agent in accordance with N.J.A.C. 5:80-26.14, in which at least one member is an individual who requires supportive services to maintain housing stability and independent living and who is part of a population identified by federal or state statute, regulation, or program guidance as eligible for supportive or special needs housing. Such populations include, but are not limited to: persons with intellectual or developmental disabilities, persons with serious mental illness, person with head injuries (as defined in Section 2 of P.L. 1977), persons with physical disabilities or chronic health conditions, persons who are homeless as defined by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 578, survivors of domestic violence, youth aging out of foster care, and other special needs populations recognized under programs administered by the U.S. Department of Housing and Urban Development, the Low-Income Housing Tax Credit Program, the McKinney–Vento Act, or the New Jersey Department of Human Services. A supportive housing household may include family members, unrelated individuals, or live-in aides, provided that the household meets the income eligibility requirements of this subchapter, except that in the case of unrelated individuals not operating as a family unit, income eligibility shall be tested on an individual basis rather than in the aggregate; the unit is leased or sold subject to the affordability controls established herein; and the supportive services available to the household are designed to promote housing stability, independent living, and community integration. The determination of whether unrelated individuals are operating as a family unit shall be made based on the applicant’s self-identification of household members on the affordable housing application.

SUPPORTIVE HOUSING SPONSORING PROGRAM: A grant or loan program which provided financial assistance to the development of the unit.

SUPPORTIVE HOUSING UNIT: A restricted rental unit, as defined by N.J.S.A. 34:1B-21.24, that is affordable to very low-, low- or moderate-income households and is reserved for occupancy by a supportive housing household. Supportive housing units are also referred to as permanent supportive housing units.

UNIT: *See* “Dwelling”

UNIT TYPE: The type of dwelling unit with various building standards including but not limited to single family detached, single family attached/townhouse, stacked townhouse (attached building containing 2 units each with separate entrances), duplex (detached building containing 2 units each with separate entrances), triplex (3 units each with separate entrance), quadplex (4 units each with separate entrance), multifamily / flat (2 or more units with a shared entrance). Inclusion of a garage, or not, shall not define the unit type.

Section 2. Article 28-17, AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS, of the Zoning Ordinance of the Borough of Hightstown, shall be replaced in its entirety, as follows:

28-17 AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS

28-17-1 Purpose and General Provisions.

- A. This chapter is designed to implement the Borough's adopted housing element and fair share plan for low- and moderate-income housing adopted pursuant to the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) (the "Act"); the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et seq.) ("UHAC"); statutorily upheld existing regulations of the now-defunct Council on Affordable Housing ("COAH") at N.J.A.C. 5:93 and -5:97, and judicial decisions, as they may be amended or superseded. This Chapter is designed to ensure that affordable housing created under the Fair Housing Act is occupied by low- and moderate-income households for the appropriate period of time with controls on affordability over time and that very low- low- and moderate-income households shall occupy these units pursuant to statutory requirements.. All words, phrases, and terms not otherwise defined herein shall have the same meanings and usages as in the Act and UHAC. This chapter provides rules for the establishment and administration of affordability controls on each income restricted dwelling unit for which the Borough receives credit.
- B. This Ordinance implements and incorporates the relevant provisions of the HEFSP and addresses the requirements of P.L 2024, Chapter 2, the FHA, N.J.A.C. 5:99, NJ Supreme Court upheld COAH regulations at N.J.A.C. 5:93 and 5:97, and UHAC at N.J.A.C. 5:80-26.1, as it may be amended and supplemented.
- C. Master Plan Consistency. The Planning Board has adopted a Housing Element and Fair Share Plan ("HEFSP") pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-28. The Fair Share Plan describes the ways the municipality shall address its fair share of very low-, low- and moderate-income housing as approved by the Superior Court and documented in the Housing Plan Element.
- D. The provisions of this Article shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Borough of Hightstown pursuant to the Borough's most recently adopted Housing Element and Fair Share Plan, as well as any future, unanticipated developments meeting the parameters herein. All developers with sites identified for affordable housing pursuant to the most recent Housing Element and Fair Share Plan adopted by the Planning Board and Borough Council of Hightstown, according to their respective duties, shall provide affordable housing units in accordance with the plan. All development that falls within the time period of the present round of affordable housing obligation shall construct units or pay a development fee in accordance with this Article.

- E. Projects receiving federal Low Income Housing Tax Credit financing and are proposed for credit shall comply with the low/moderate split and bedroom distribution requirements, maximum initial rents and sales prices requirements, affirmative fair marketing requirements of UHAC at N.J.A.C. 5:80-26.16 and the length of the affordability controls applicable to such projects shall be not less than a 30-year compliance period plus a 15-year extended-use period, for a total of not less than 45 years.
- F. All new construction units shall be adaptable in conformance with N.J.S.A. 52:27D-311a and -311b and all other applicable law.

28-17-2 Affordable Housing Required.

- A. Any residential development approved by the Planning Board of the Borough of Hightstown, including those developments consisting in whole or in part of beds counted as a residential dwelling, shall set aside dwelling units for persons of low and moderate income as defined in this Article, except for development within a redevelopment district. Affordable housing within a redevelopment district shall be as established in a redevelopment agreement between the Borough and the redeveloper. Unless otherwise stated or as may be required within specific zoning districts, the minimum set aside shall be 15% of the total number of units if the affordable units will be for rent and 20% of the total number of units if the affordable units will be for sale. In assisted living residence developments, the set-aside shall be a minimum of 10% of the total number of units. At least half of all affordable units shall be affordable to low or very low income households. Except when part of a larger development of a tract zoned or otherwise permitted to be developed at a residential density of 6 units per acre or more, developments of single-family detached and/or duplex or two-family dwellings shall be exempt from the inclusionary development requirements of this section, but shall pay an affordable housing development fee. Properties shall not be permitted to be subdivided to avoid compliance with the inclusionary development requirements of this section.
- B. All developers with sites identified for affordable housing pursuant to the most recent Housing Element and Fair Share Plan adopted by the Planning Board and Borough Council of Hightstown, according to their respective duties, shall provide affordable housing units in accordance with the plan. All development, whether residential, commercial, or industrial shall construct units or pay a development fee in accordance with this Article, except as otherwise exempted.
- C. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Borough of Hightstown to grant such rezoning, variance or other relief.
- D. This Borough-wide mandatory set-aside requirement shall not supersede the effects or requirements of any inclusionary overlay zoning districts for any inclusionary multi-family residential development that occurs within the boundaries of those districts.

28-17-3 Borough Municipal Housing Liaison and Administrative

Agent.

- A. The Borough Council shall yearly appoint a Municipal Housing Liaison and Borough Administrative Agent to monitor sales and resales of affordable housing units, and the leasing of units to tenants, pursuant to N.J.A.C. 5:99-5. The Municipal Housing Liaison may be the Borough Administrative Agent, but is not required to be the same person. The Borough Administrative Agent may be a third party under a contractual agreement with the municipality, provided such agent has the requisite experience as explicated in N.J.A.C. 5:80-26.15 and 5:99-7 in the duties enumerated herein.
- B. The Municipal Housing Liaison shall be approved by the DCA Division of Local Planning Services, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in N.J.A.C. 5:99-1 et seq.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Borough of Hightstown and shall undertake the following duties and responsibilities. Such duties and responsibilities shall not be contracted out to the Borough Administrative Agent.
 - (1) Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
 - (2) The oversight of the Affirmative Marketing Plan and affordability controls.
 - (3) When applicable, overseeing and monitoring any contracting Administrative Agent.
 - (4) Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
 - (5) Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
 - (6) Coordinating meetings with affordable housing providers and administrative agents, as needed.
 - (7) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
 - (8) Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
 - (9) Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.

- (10) Listing on the municipal website contact information for the MHL and Administrative Agents.
- D. The Borough Administrative Agent shall monitor the designated Administrative Agent of the developer in the initial sales and rental transactions for low- and moderate-income dwellings in accordance with N.J.A.C. 5:80-26.14, as it may be amended or superseded. The developer's Administrative Agent shall have all of responsibilities as put forth in this rule. The affordability controls set forth in this chapter shall be administered and enforced by the Administrative Agent regardless of association. The primary responsibility of the Administrative Agent shall be to ensure that the restricted units are sold or rented, as applicable, only to very low-, low- and moderate-income households in accordance with the Fair Housing Act.
- E. The fees for administrative agents shall be paid as follows:
- (1) Administrative agent fees related to rental units shall be paid by the developer/owner.
 - (2) Administrative agent fees related to initial sale of units shall be paid by the developer.
 - (3) Administrative agent fees related to resales shall be paid by the seller of the affordable home.
 - (4) Administrative agent fees related to ongoing administration and enforcement shall be paid by the municipality.
- F. The Borough Council shall approve the credentials of any person who is an Administrative Agent by resolution prior to such person engaging in such work in the Borough of Hightstown.
- G. The Administrative Agent, whether the Borough Administrative Agent, developer's agent, or a delegated agent, shall have the duties and responsibilities as are set forth below and which shall described in full detail in any necessary Operating Manual, including those set forth in UHAC, including:
- (1) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division;
 - (2) Affirmative marketing:
 - (a) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the municipality and the provisions of N.J.A.C. 5:80-26.16.
 - (b) Providing counseling, or contracting to provide counseling services, to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements; and

landlord/tenant law.

- (3) Household certification.
 - (c) Soliciting, scheduling, conducting and following up on interviews with interested households.
 - (d) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (e) Providing written notification to each applicant as to the determination of eligibility or non-eligibility within 5 days of the determination thereof.
 - (f) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in the Appendices J and K of N.J.A.C. 5:80-26.1, et seq.
 - (g) Creating and maintaining a referral list of eligible applicant households living in the housing region, and eligible applicant households with members working in the housing region, where the units are located.
 - (h) Employing a random selection process as provided in the Affirmative Marketing Plan when referring households for certification to affordable units.
- (4) Affordability controls.
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for the recording at the time of conveyance of title of each restricted unit.
 - (b) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and filed properly with the County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit in accordance with UHAC.
 - (c) Communicating with lenders and the Municipal Housing Liaison regarding foreclosures.
 - (d) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.11.
- (5) Records retention.
 - (a) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage,

and note, as appropriate.

- (b) Records received, retained, retrieved, or transmitted in furtherance of crediting affordable units of a municipality constitute public records of the municipality as defined by N.J.S.A. 47:3-16, and are legal property of the municipality.
- (6) Resales and re-rentals.
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental.
 - (b) Instituting and maintaining an effective means of communicating information to very low-, low-, or moderate-income households regarding the availability of restricted units for resale or re-rental.
- (7) Processing requests from unit owners.
- (a) Reviewing and approving requests from owners of restricted units who wish to refinance or take out home equity loans during the term of their ownership to determine that the amount of indebtedness to be incurred will not violate the terms of this ordinance.
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems.
 - (c) Notifying the municipality of an owner's intent to sell a restricted unit.
 - (d) Making determinations on requests by owners of restricted units for hardship waivers.
- (8) Enforcement.
- (a) Securing annually from the municipality a list of all affordable ownership units for which property tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

- (c) Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4;
 - (d) Establishing a program for diverting unlawful rent payments to the municipal Affordable Housing Trust Fund; and
 - (e) Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent setting forth procedures for administering the affordability controls.
 - (f) The Administrative Agent(s) shall, as delegated by the municipality, have the authority to take all actions necessary and appropriate to carry out its/their responsibilities, herein.
- H. The Municipal Housing Liaison shall supervise the work of the Administrative Agent(s) and shall coordinate his or her activities with the Borough Administrative Agent to ensure the accurate tracking of the progress of the occupancy of affordable housing in the municipality, answer inquiries regarding affordable housing from the public or direct same to the appropriate official or agency, and comply with the affordable housing monitoring and reporting requirements of the state.
- I. In order to ensure an orderly transfer of control responsibility from a municipality to an Administrative Agent, from one Administrative Agent to another Administrative Agent, or other transfer, the requirements as set forth in *N.J.A.C. 5:80-26.18* and *N.J.A.C. 5:99-7.4* shall apply as are necessary before or during the transition. The Administrative Agent's enforcement responsibility for implementing such practices and procedures shall not be delegated or otherwise transferred to any other party, except to a successor administrative agent.
- J. The Borough Administrative Agent shall keep records of the affirmative marketing activities undertaken in accordance with the affirmative marketing plan established by any developer's Administrative Agent. The records shall include, but not be limited to, the following:
- (1) Electronic reporting of affordable housing activity; any required paper forms;
 - (2) Copies of any press releases, brochures, flyers, print advertisements and application forms used in the affirmative marketing program.
 - (3) The income and demographic characteristics of each household applying for and occupying income-restricted housing.
 - (4) An evaluation of any necessary adjustments required to the affirmative marketing program as communicated by the Administrative Agent.
- K. An operating manual for each affordable housing program shall be provided by the Borough Administrative Agent or developer's Administrative Agent and approved by the

Municipal Housing Liaison prior to being placed into use. Such operating manual shall be a public record.

28-17-4 Affirmative Marketing

- A. The municipality shall adopt, by resolution, an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age, or number of children, to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 4 and is required to be followed throughout the period of deed restriction.
- C. The Affirmative Marketing Plan provides the following preferences, provided that units that remain unoccupied after these preferences are exhausted may be offered to households without regard to these preferences.
 - (1) Where the municipality has entered into an agreement with a developer or residential development owner to provide a preference for very-low-, low-, and moderate-income veterans who served in time of war or other emergency, pursuant to N.J.S.A. 52:27D-311.j, there shall be a preference for veterans for up to 50 percent of the restricted rental units in a particular project.
 - (2) There shall be a regional preference for all households that live and/or work in Housing Region 4 comprising Mercer, Monmouth and Ocean Counties.
 - (3) Subordinate to the regional preference, there shall be a preference for households that live and/or work in New Jersey.
 - (4) With respect to existing restricted units undergoing approved rehabilitation for the purpose of preservation or to restricted units newly created to replace existing restricted units undergoing demolition, a preference for the very-low-, low-, and moderate-income households that are displaced by the rehabilitation or demolition and replacement.
- D. The municipality shall have the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Process, including the marketing of initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the municipality shall implement the Affirmative Marketing Process to ensure the Affirmative Marketing of all affordable units, with the exception of affordable programs that are exempt from Affirmative Marketing as noted

herein.

- E. The Affirmative Marketing Process shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Process, the Administrative Agent shall consider the use of language translations where appropriate.
- F. Applications for affordable housing or notices thereof, if offered online, shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and municipal library in the municipality in which the units are located; and the developer's rental or sales office. The developer shall mail applications to prospective applicants upon request and shall make applications available through a secure online website address.
- G. In addition to other Affirmative Marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units on the New Jersey Housing Resource Center website. Any other entities, including developers or persons or companies retained to implement the Affirmative Marketing Process, shall comply with this paragraph.
- H. In implementing the Affirmative Marketing Process, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- I. The Affirmative Marketing Process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.
- J. The cost to affirmatively market the affordable units shall be the responsibility of the developer, sponsor or owner, with the exception of Affirmative Marketing for resales.

28-17-5 Monitoring and Reporting Requirements

- A. The municipality shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its court-approved Housing Element and Fair Share Plan.
- B. The municipality shall provide electronic monitoring data with the Department pursuant to P.L. 2024, Chapter 2 and N.J.A.C. 5:99 through the Affordable Housing Monitoring System (AHMS). All monitoring information required to be made public by the FHA shall be available to the public on the Department's website at <https://www.nj.gov/dca/dlps/hss/MuniStatusReporting.shtml>
- C. On or before February 15 of each year, the municipality shall provide annual reporting of its municipal Affordable Housing Trust Fund activity to the Department on the AHMS portal. The reporting shall include an accounting of all municipal Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and

purposes for which any funds have been expended, for the previous year from January 1st to December 31st.

- D. On or before February 15 of each year, the annual reporting of the status of all affordable housing activity shall be provided to the Department on the AHMS portal, for the previous year from January 1st to December 31st.

28-17-6 Submission of Affordable Housing Plan.

- A. The developer of low- and moderate-income housing units shall submit to the Borough Administrative Agent a description of the means to be used to insure that the required low- and moderate-income units are sold or rented only to low- and moderate-income households for a period of not less than 30 years, that such units meet bedroom distribution and phasing requirements, and comports with the requirements of this Article pertaining to the provisions, leasing, selling and transferring units among eligible low- and moderate-income households.
- B. The Affordable Housing Plan shall indicate how the developer will comply with the procedures of this Article for selecting occupants of low- and moderate-income housing and the required affirmative marketing requirements. The requirements for affirmative marketing are found in §28-17-4. Whenever a developer proposes a third party operator or manager of affordable housing units, the Borough Council shall specifically approve such operator and manager. The Borough Council may delegate this approval to the Borough Administrative Agent.
- C. The following information shall promptly be provided to the Borough Administrative Agent by the developer or sponsor of any project containing any affordable units' subject to the requirements of this Article, upon the later of either final municipal land use approval or issuance of a grant contract by a governmental authority and no later than 45 days prior to the advertising of the availability of the units. The Administrative Agent will approve or modify the plan within 30 working days of receipt of the plan or within such time as additionally granted by the developer.
 - (1) The total number of units in the project, and number of restricted units, broken down by bedroom size, identifying which are low- and which are moderate-income dwellings, and including street addresses of restricted dwellings;
 - (2) Floor plans of all affordable dwellings, including complete and accurate identification of uses and dimensions of all rooms;
 - (3) A project map identifying the locations of low- and moderate-income and market dwellings;
 - (4) A list of project principals or partners, together with a list of all other affordable projects in which they have been involved over the previous five years;
 - (5) Projected construction schedule;
 - (6) Proposed pricing for all units, including any purchaser options and add-on items;

- (7) A list of all public funding sources and copies of grant or loan agreements for those sources;
 - (8) Condominium fees or homeowner association and any other maintenance or other fees;
 - (9) Estimated real property taxes for sale units;
 - (10) Sewer, trash disposal and any other utility assessments;
 - (11) Flood insurance requirement, if applicable;
 - (12) A description of all HVAC systems;
 - (13) Location of any common areas and elevators;
 - (14) Proposed form of lease for any rental units;
 - (15) The name of the person who will be responsible for official contact with the Borough Administrative Agent for the duration of the project;
 - (16) The name and qualifications of the developer's administrative agent, if applicable; and
 - (17) The State-approved Planned Real Estate Development public offering statement and/or master deed where available or applicable.
- D. The developer shall submit the affirmative marketing plan to the Borough Administrative Agent at least 45 days prior to the advertising of the availability of the units. The Borough Administrative Agent will approve or modify the plan within 30 working days of receipt of the plan or within such time as additionally granted by the developer.

28-17-7 Regional Income Limits, Maximum Initial Rents and Sales Prices.

- A. Administrative agents shall use the current regional income limits for the purpose of pricing affordable units and determining income eligibility of households.
- B. Regional income limits are based on regional median income, which is established by a regional weighted average of the "median family incomes" published by HUD. The procedure for computing the regional median income is detailed in N.J.A.C. 5:80-26.3.
- C. Updated regional income limits are effective as of the effective date of the regional Section 8 income limits for the year, as published by HUD, or 45 days after HUD publishes the regional Section 8 income limits for the year, whichever comes later. The new income limits may not be less than those of the previous year.
- D. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC N.J.A.C. 5:80-26.4.
- E. The average rent for all restricted units within each affordable housing development shall be affordable to households earning no more than 52 percent of regional median income.

- F. The maximum rent for restricted rental units within each affordable housing development shall be affordable to households earning no more than 60% of regional median income.
- G. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13% of all low- and moderate-income rental units shall be affordable to households earning no more than 30% of median income. These very low-income units shall be part of the low-income requirement and very-low-income units should be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count.
- H. The maximum sales price of restricted ownership units within each affordable housing development shall be affordable to households earning no more than 70% of median income, and each affordable housing development must achieve an affordability average that does not exceed 55% for all restricted ownership units. In achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type when the number of low- and moderate-income units permits.
- I. The master deeds and declarations of covenants and restrictions for affordable developments may not distinguish between restricted units and market-rate units in the calculation of any condominium or homeowner association fees and special assessments to be paid by low- and moderate-income purchasers and those to be paid by market-rate purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
- J. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted family units, the following standards shall be met:
- (1) A studio or efficiency unit shall be affordable to a one-person household;
 - (2) A one-bedroom unit shall be affordable to a one and one-half person household;
 - (3) A two-bedroom unit shall be affordable to a three-person household;
 - (4) A three-bedroom unit shall be affordable to a four and one-half person household;
and
 - (5) A four-bedroom unit shall be affordable to a six-person household.
- K. In determining the initial rents and sales prices for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted and special needs and supportive housing developments, the following standards shall be met:
- (1) A studio or efficiency unit shall be affordable to a one-person household;

- (2) A one-bedroom unit shall be affordable to a one and one-half person household; and
 - (3) A two-bedroom unit shall be affordable to a two-person household or to two one-person households. Where pricing is based on two one-person households, the developer shall provide a list of units so priced to the Municipal Housing Liaison and the Administrative Agent.
- L. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Freddie Mac 30-Year Fixed Rate-Mortgage rate of interest), property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 30 percent of the eligible monthly income of the appropriate size household as determined pursuant to N.J.A.C. 5:80-26.7, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.
- M. The initial rent for a restricted rental unit shall be calculated so that the total monthly housing expense, including an allowance for tenant-paid utilities, does not exceed 30 percent of the gross monthly income of a household of the appropriate size whose income is targeted to the applicable percentage of median income for the unit, as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented. The rent shall also comply with the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented. The initial rent for a restricted rental unit shall be calculated so the eligible monthly housing expenses/income, including an allowance for tenant-paid utilities does not exceed 30 percent of gross income of and the appropriate household size as determined pursuant to N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- N. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following proper notice provided to the occupant household pursuant to N.J.S.A. 2A:18-61.1.f, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." Rent increases for units constructed pursuant to Low-Income Housing Tax Credit regulations shall be indexed pursuant to the regulations governing Low-Income Housing Tax Credits.

28-17-8 Low/Moderate Split and Bedroom Distribution and Selection of Occupants.

- A. Affordable units shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit.
- B. In each affordable housing development, at least 50% of the restricted units within each bedroom distribution rounded up to the nearest whole number shall be very low- or low-

income units.

- C. Within rental developments, of the total number of affordable rental units, at least 13%, rounded up to the nearest whole number, shall be affordable to very low-income households. The very low-income units shall be distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count, and counted as part of the required number of low-income units within the development.
- D. Affordable housing developments that are not age-restricted or supportive housing shall be structured such that:
- (1) At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - (2) Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - (3) The combined number of efficiency and one-bedroom units shall be no greater than 20%, rounded down, of the total number of low- and moderate-income units. The municipality has chosen not to allow rounding.
 - (4) At least 30% of all low- and moderate-income units, rounded up (or down) shall be two-bedroom units. The municipality has chosen to allow rounding.
 - (5) At least 20% of all low- and moderate-income units, rounded up shall be three-bedroom units. The municipality has chosen not to allow rounding.
 - (6) The remaining units may be allocated among two- and three- bedroom units at the discretion of the developer.
- E. Affordable housing developments that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangements, shall be structured such that, at a minimum, the number of bedrooms shall equal the number of age-restricted or supportive housing low- and moderate-income units within the inclusionary development. Supportive housing units whose sponsoring program determines the unit arrangement shall comply with all requirements of the sponsoring program. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit. In affordable housing developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must comprise at least 5% of those restricted units.
- F. The Administrative Agent shall use a random selection process to select occupants of very low-, low- and moderate-income housing.
- G. A pool of interested households will be maintained in accordance with the provisions of N.J.A.C. 5:80-26.16.

- H. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
- (1) Ensure each bedroom is occupied by at least one person, except for age-restricted and supportive and special needs housing units;
 - (2) Provide a bedroom for every two adult occupants;
 - (3) With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
 - (4) Avoid placing a one-person household into a unit with more than one bedroom.

§ 28-17-9 Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the controls on affordability for a period of at least 30 years subject to the requirements of N.J.A.C. 5:80-26.6, as may be amended and supplemented.
- B. Rehabilitated housing units that are improved to code standards shall be subject to affordability controls for a period of not less than 10 years (crediting towards present need only).
- C. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit. The date of commencement shall be identified in the deed restriction.
- D. If existing affordability controls are being extended, the extended control period for a restricted ownership unit commences on the effective date of the extension, which is the end of the original control period.
- E. After the end of any control period, the restricted ownership unit remains subject to the affordability controls set forth in this subchapter until the owner gives notice of their intent to make an exit sale, at which point:
- (1) If the municipality exercises the right to extend the affordability controls on the unit, no exit sale occurs and a new control period commences; or
 - (2) If the municipality does not exercise the right to extend the affordability controls on the unit, the affordability controls terminate following the exit sale.
- F. Prior to the issuance of any building permit for the construction/rehabilitation of restricted ownership units, the developer/owner and the municipality shall record a preliminary instrument provided by the Administrative Agent.

- G. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- H. At the time of the initial sale of the unit and upon each successive price-restricted sale, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obliging the purchaser, as well as the purchaser's heirs, successors, and assigns, to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- I. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to price-restricted ownership units.
- J. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
- (1) The initial purchase price and affordability percentage for a restricted ownership unit shall be set by the Administrative Agent.
 - (2) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the standards set forth in N.J.A.C 5:80-26.7.
 - (a) If the resale occurs prior to the one-year anniversary of the date on which title to the unit was transferred to a certified household, the maximum resale price for a is the most recent non-exempt purchase price.
 - (b) If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3
 - (3) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital improvements. Eligible capital improvements shall be:
 - (a) those that render the unit suitable for a larger household or the addition of a bathroom.
 - (b) The maximum resale price may be further increased by an amount up to the cumulative dollar value of approved capital improvements made after the last non-exempt sale for improvements and/or upgrades to the unit,

excluding capital improvements paid for by the entity favored on the recapture note and recapture lien described at N.J.A.C. 5:80-26.6(d);

- (2) No increase for capital improvements is permitted if the maximum resale price prior to adjusting for capital improvements already exceeds whatever initial purchase price the unit would have if it were being offered for purchase for the first time at the initial affordability percentage. All adjustments for capital improvements are subject to 10-year, straight-line depreciation.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase but shall be separate and apart from any contract of sale for the underlying real estate. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price of the air conditioning equipment, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The seller and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.
- C. Buyer income eligibility for restricted ownership units shall be established pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented, such that very low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 30% of median income, low-income ownership units shall be reserved for occupancy by households with a gross household income less than or equal to 50% of median income and moderate-income ownership units shall be reserved for occupancy by households with a gross household income less than 80% of median income.
- D. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the municipality, and subject to the Division's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low-income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. In such instances, the purchased unit must be maintained as a very-low-income unit and sold at a very-low-income price point such that on the next resale the unit will still be affordable to very-low-income households and able to be purchased by a very-low-

income household. A very-low-income unit that is seeking bonus credit pursuant to N.J.S.A. 52:27D-311.k(9) must first be advertised exclusively as a very-low-income unit according to the Affirmative Marketing requirements at N.J.A.C. 5:80-26.16, then advertised as a very-low-income or low-income unit for at least 30 additional days prior to referring any low-income household to the unit.

- E. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- F. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, property taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 35 percent of the household's eligible monthly income; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
- (1) The household currently pays more than 35% (40% for households eligible for age-restricted units) of its gross household income for housing expenses, and the proposed housing expenses will reduce its housing costs;
 - (2) The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for housing expenses in the past and has proven its ability to pay; or
 - (3) The household is currently in substandard or overcrowded living conditions;
 - (4) The household documents the existence of assets, within the asset limitation otherwise applicable, with which the household proposes to supplement the rent payments.
- G. Limitations on Indebtedness Secured by Ownership Unit; Subordination.
- (1) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
 - (2) With the exception of original purchase money mortgages, neither an owner nor a lender shall at any time during the control period cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C. 5:80-26.7(c).

28-17-10 Rent Restrictions for Rental Units; Leases and Fees.

- A. The initial rent for a restricted rental unit shall be set by the Administrative Agent.
- B. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be retained on file by the Administrative Agent.
- C. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent. Operating costs, for the purposes of this section, include certificate of occupancy fees, move-in fees, move-out fees, mandatory internet fees, mandatory cable fees, mandatory utility submetering fees, and for developments with more than one and a half off-street parking spaces per unit, parking fees for one parking space per household.
- D. Any fee structure that would remove or limit affordable unit occupant access to any amenities or services that are required or included for market-rate unit occupants is prohibited. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- E. Fees for unit-specific, non-communal items that are charged to market-rate unit tenants on an optional basis, such as pet fees for tenants with pets, storage spaces, bicycle-share programs, or one-time rentals of party or media rooms, may also be charged to affordable unit tenants, if applicable.
- F. Pet fees may not exceed \$30.00 per month and associated one-time payments for optional fees pertaining to pets, such as a pet cleaning fee, are prohibited.
- G. Fees charged to affordable unit tenants for other optional, unit-specific, non-communal items shall not exceed the amounts charged to market-rate tenants.
- H. For any prior round rental unit leased before December 20, 2024, elements of the existing fee structure that are consistent with prior rules, but inconsistent with 5:80-26.13(c)1, may continue until the occupant household's current lease term expires or that occupant household vacates the unit, whichever occurs later.
- I. Tenant Income Eligibility.
 - (1) Tenant income eligibility shall be determined pursuant to N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
 - (a) Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30% of the regional median income by household size.

- (b) Low-income rental units shall be reserved for households with a gross household income less than or equal to 50% of the regional median income by household size.
- (2) Moderate-income rental units shall be reserved for households with a gross household income less than 80% of the regional median income by household size.
- (3) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income or moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - (a) The household currently pays more than 35% (40% for households eligible for age- restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - (b) The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - (c) The household is currently in substandard or overcrowded living conditions;
 - (d) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - (e) The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- (4) The applicant shall file documentation sufficient to establish the existence of any of the circumstances in -3(a) through -3(3e) above with the Administrative Agent, who shall counsel the household on budgeting.

28-17-11 Responsibilities of Affordable Housing Development Owner.

- A. The owner of all developments containing affordable units subject to this subchapter or the assigned management company thereof shall provide to its administrative agent and the Borough Administrative Agent:
 - (1) The information in §28-17-6.C and any settlement agreement, or other applicable document regulating the location of affordable units. The Administrative Agent shall determine the location of affordable units if not set forth in the site plan approval, settlement agreement, or other applicable document.

- (2) The total number of units in the project and the number of affordable units.
 - (3) The breakdown of the affordable units by or identification of affordable unit locations by bedroom count and income level, including street addresses / unit numbers, if subject to the site plan approval, settlement agreement, or other applicable document regulating the breakdown of affordable units. The administrative agent shall determine the bedroom and income distribution if not set forth in the site plan approval, settlement agreement, or other applicable document.
 - (4) Floor plans of all affordable units, including complete and accurate identification of all rooms and the dimensions thereof.
 - (5) A projected construction schedule.
 - (6) The location of any common areas and elevators.
 - (7) The name of the person who will be responsible for official contact with the administrative agent for the duration of the project, which must be updated if the contact changes.
- B. In addition to -A above, the owner of rental developments containing affordable rental units subject to this subchapter or the assigned management company thereof shall:
- (1) Send to all current tenants in all restricted rental units an annual mailing containing a notice as to the maximum permitted rent and a reminder of the requirement that the unit must remain their principal place of residence, which is defined as residing in the unit at least 260 days out of each calendar year, together with the telephone number, mailing address, and email address of the administrative agent to whom complaints of excess rent can be issued.
 - (2) Provide to the administrative agent a description of any applicable fees.
 - (3) Provide to the administrative agent a description of the types of utilities and which utilities will be included in the rent.
 - (4) Agree and ensure that the utility configuration established at the start of the rent-up process remain unaltered throughout the restricted period.
 - (5) Provide to the administrative agent a proposed form of lease for any rental units.
 - (6) Ensure that the tenant selection criteria for the applicants for affordable units remain no more restrictive than the tenant selection criteria for applicants for non-restricted units.
 - (7) Strive to maintain the continued occupancy of the affordable units during the entire restricted period.

- C. In addition to -A, above, the owner of affordable for-sale developments containing affordable for-sale units subject to this subchapter or the assigned management company thereof shall provide the administrative agent:
- (1) Proposed pricing for all units, including any purchaser options and add-on items.
 - (2) Condominium or homeowner association fees and any other applicable fees.
 - (3) Estimated real property taxes.
 - (4) Sewer, water, trash disposal, and any other utility assessments.
 - (5) Flood insurance requirement, if applicable.
 - (6) The State-approved planned real estate development public offering statement and/or master deed, where applicable, as well as the full build-out budget.

28-17-12 New Construction.

- A. Applicability. This section governs the creation of new affordable housing units regardless of the means by which the units are created, whether from ground up construction, alteration of existing residential buildings, conversion of non-residential buildings, or other means.
- B. The developer of affordable housing units shall submit an affordable housing plan in accordance with §28-17-6.
- C. The following requirements shall apply to all new or planned developments that contain very low-, low- and moderate-income housing units. To the extent possible, details related to the adherence to the requirements below shall be outlined in the resolution granting municipal subdivision or site plan approval of the project to assist municipal representatives, developers and Administrative Agents.
- D. Completion Schedule/Phasing. Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following completion schedule for very low-, low- and moderate-income units whether developed in a single-phase development, or in a multi-phase development, as depicted in the following table:

Percentage of Affordable Housing Units Completed	Percentage of Market Housing Units Completed
0%	25%
10%	25% + 1
50%	50%
75%	75%
100%	90%

E. Design. The following design requirements apply to affordable housing developments, excluding prior round units.

- (1) Design of 100 percent affordable developments:
 - (a) Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
 - (b) Each bedroom in each restricted unit must have at least one window.
 - (c) Restricted units must include adequate air conditioning and heating.
- (2) Design of developments comprising market-rate rental units and restricted rental units. The following does not apply to prior round units, unless stated otherwise.
 - (a) Restricted units must use the same building materials and architectural design elements (for example, plumbing, insulation, or siding) as market-rate units of the same unit type (for example, flat or townhome) within the same development, except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - (b) Restricted units and market-rate units within the same affordable development must be sited such that restricted units are not concentrated in less desirable locations.
 - (c) Restricted units may not be physically clustered so as to segregate restricted and market-rate units within the same development or within the same building, but must be interspersed throughout the development, except that age-restricted and supportive housing units may be physically clustered if the clustering facilitates the provision of on-site medical services or on-site social services. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - (d) Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable

development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.

- (e) Restricted units must include adequate air conditioning and heating and must use the same type of cooling and heating sources as market-rate units of the same unit type. This shall apply to prior round units.
 - (f) Each bedroom in each restricted unit must have at least one window.
 - (g) Restricted units must be of the same unit type as market-rate units within the same
 - (h) Restricted units and bedrooms must be no less than 90 percent of the minimum size prescribed by the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
- (3) Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:
- (a) Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - (b) Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development and are not concentrated in an undesirable location or in undesirable locations. Prior round affordable units shall be integrated with market rate units to the extent feasible.
 - (c) Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Penthouses and higher priced end townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be subject to municipal ordinance or, if not specified, shall be determined at the time of site plan approval.
 - (d) Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.

- (e) Penthouse and end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively affected by such reservation(s).
- (f) Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
- (g) Each bedroom in each restricted unit must have at least one window; and
- (h) Restricted units must include adequate air conditioning and heating.

F. Utilities.

- (1) Affordable units shall utilize the same type of cooling and heating source as market-rate units within the affordable housing development.
- (2) Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance in accordance with N.J.AC 5:80-26.13(e).

G. Accessibility requirements.

- (1) Any new construction shall be adaptable; however, elevators shall not be required in any building or within any dwelling unit for the purpose of compliance with this section. In buildings without elevator service, only ground floor dwelling units shall be required to be constructed to conform with the technical design standards of the barrier free subcode. "Ground floor" means the first floor with a dwelling unit or portion of a dwelling unit, regardless of whether that floor is at grade. A building may have more than one ground floor.
- (2) Notwithstanding the exemption for townhouse dwelling units in the barrier free subcode, the first floor of all townhouse dwelling units and of all other multi-floor dwelling units that are attached to at least one other dwelling unit shall be subject to the technical design standards of the barrier free subcode and shall include the following features:
 - (a) An adaptable toilet and bathing facility on the first floor;
 - (b) An adaptable kitchen on the first floor;
 - (c) An interior accessible route of travel however an interior accessible route of travel shall not be required between stories;
 - (d) An adaptable room that can be used as a bedroom, with a door, or the casing

for the installation of a door that is compliant with the Barrier Free Subcode, on the first floor;

- (e) If not all of the foregoing requirements in –(2)(a) through –(2)(d) can be satisfied, then an interior accessible route of travel shall be provided between stories within an individual unit; and
- (f) An accessible entranceway as set forth in N.J.S.A. 52:27D-311a et seq. and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the municipality has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:

[1] Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

[2] To this end, the builder of restricted units shall deposit funds within the Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.

[3] The funds deposited shall be expended for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

[4] The developer of the restricted units shall submit to the Construction Official a design plan and cost estimate for the conversion from adaptable to accessible entrances.

[5] Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Affordable Housing Trust Fund and earmarked appropriately.

- (3) The minimum size of affordable housing units, which is necessary to ensure the public health, safety, and welfare of its occupants, shall be as indicated in the following table:

Type of Unit	Minimum Size (gross square feet)
Efficiency	500
One-bedroom	600
Two-bedroom	750
Three-bedroom	900

28-17-13 Rehabilitation Program Requirements.

- A. The rehabilitation program shall be designed to renovate deficient housing units occupied or intended to be occupied by very low-, low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28-1.1 et seq or the Rehabilitation Subcode, N.J.A.C. 5:23-6 to the extent applicable.
- B. Both ownership and rental units shall be eligible for rehabilitation funds as set forth in the adopted rehabilitation manuals.
- C. All rehabilitated units shall remain affordable to very low-, low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units, the control period shall be enforced with a mortgage and note and for renter-occupied units the control period will be enforced with a deed restriction.
- D. The municipality shall dedicate a minimum average hard cost of \$10,000 for each unit to be rehabilitated through this program and in addition shall dedicate associated rehabilitation program soft costs such as case management, inspection fees and work write-ups.
- E. The municipality shall designate, subject to the approval of the Department, one or more Administrative Agents to administer the rehabilitation program in accordance with this Chapter. The Administrative Agent(s) shall provide rehabilitation manuals for ownership and rental rehabilitation programs. Manuals shall be adopted by resolution of the Borough Council. Both rehabilitation manuals shall be available for public review in the Moorestown Department of Community Development and on the municipal affordable housing web page.
- F. Households determined to be very low-, low-, or moderate-income may participate in a rehabilitation program. Rehabilitated units shall be exempt from the very low-income requirements, low/mod split, and bedroom distribution requirements of UHAC, but shall be administered in accordance with the following:
 - (1) If a unit is vacant at the time of rehabilitation, or if a rehabilitated unit becomes vacant and is re-rented before the expiration of the affordability controls, the deed restriction shall require that the unit be rented to a low- or moderate-income household at an affordable rent.
 - (2) If a rental unit is occupied by a tenant at the time rehabilitation is completed, the rent charged after rehabilitation shall not exceed the lesser of the tenant's current rent or the maximum rent permitted under UHAC.
 - (3) Rents in rehabilitated units may increase annually based on the standards in UHAC.
 - (4) At the time of application, applicant households and/or tenant households shall be

subject to income eligibility determinations in accordance with UHAC.

28-17-14 Supportive Housing and Group Homes Program Requirements.

- A. The following provisions shall apply to group homes, residential health care facilities, and supportive shared living housing:
- B. Units are subject to Affirmative Marketing requirements, household certification, and administrative agent oversight; and may, with the approval of the municipal housing liaison and the administrative agent, be leased either by the bedroom or to a single household in the case of multi-bedroom configurations, provided such arrangement is consistent with the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968).
- C. Units may, with the approval of the administrative agent, be subject to a master lease by an approved supportive housing operator, provided that all subleases are to be certified supportive housing households and remain fully subject to the affordability controls of this subchapter. Rents for supportive housing units shall not exceed the rent standards established and published by the New Jersey Department of Human Services.
- D. The unit of credit shall be the bedroom. However, the unit of credit shall be the unit if occupied by a single person or household.
 - (1) Housing that is age-restricted shall be included with the maximum number of units that may be age-restricted pursuant to the Act.
 - (2) Occupancy shall not be restricted to youth under 18 years of age.
 - (3) In affordable developments with 20 or more restricted units that are supportive housing, two-bedroom units must compose at least five percent of those restricted units.
 - (4) The bedrooms and/or units shall comply with UHAC with the following exceptions:
 - (a) Affirmative marketing; however, group homes, residential health care facilities, permanent supportive housing, and supportive shared living housing shall be affirmatively marketed to broadest possible population of qualified individuals with special needs in accordance with a plan approved by the sponsoring program;
 - (b) Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4).
- E. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, group homes, residential health care facilities, supportive shared living housing and permanent supportive housing shall have the appropriate controls on affordability in accordance with the Act. In the event that a supportive housing provider is unable to record

or execute a long-term deed restriction, the units shall be subject to annual recertification by the Municipal Housing Liaison to confirm continued occupancy and compliance with this Section.

- F. Objective standards shall be applied in the selection of tenants for supportive housing units and shall be designed to ensure that individuals are not excluded in an arbitrary or capricious manner.
- G. The following documentation shall be submitted by the sponsor to the municipality prior to marketing the completed units or facility:
 - (1) An Affirmative Marketing Plan in accordance with -D(1) above; and
 - (2) If applicable, proof that the supportive and/or special needs housing is regulated by the New Jersey Department of Health and Senior Services, the New Jersey Department of Human Services or another State agency in accordance with the requirements of this section, which includes validation of the number of bedrooms or units in which low- or moderate-income occupants reside.
- H. The sponsor/owner shall complete annual monitoring as directed by the MHL.

28-17-15 Assisted Living Residence Requirements.

In accordance with N.J.A.C. 5:97-6.11, the following requirements shall apply to any assisted living residences (or facilities).

- A. An assisted living residence is a facility licensed by the New Jersey Department of Health to provide apartment-style housing and congregate dining and to assure that assisted living services are available. All or a designated number of apartments in the facility shall be restricted to low- and moderate-income households.
- B. The unit of credit shall be the apartment. However, a two-bedroom apartment shall be eligible for two units of credit if it is restricted to two unrelated individuals.
- C. A recipient of a Medicaid waiver shall automatically qualify as a low- or moderate-income household.
- D. Assisted living units shall be considered age-restricted housing shall be included in the accounting of the maximum number of units that may be age-restricted.
- E. Low- and moderate-income residents shall not be charged any upfront fees.
- F. The units shall comply with UHAC with the following exceptions:
 - (1) Affirmative marketing (N.J.A.C. 5:80-26.16); provided that the units are restricted to recipients of Medicaid waivers;
 - (2) The deed restriction may be on the facility, rather than individual apartments or rooms;
 - (3) Low/moderate income split and affordability average (N.J.A.C. 5:80-26.4); only if all of the affordable units are affordable to households at a maximum of 60 percent

of median income; and

- G. Tenant income eligibility (N.J.A.C. 5:80-26.14); up to 80 percent of an applicant's gross income may be used for rent, food and services based on occupancy type and the affordable unit must receive the same basic services as required by the Agency's underwriting guidelines and financing policies. The cost of non-housing related services shall not exceed one and two-thirds times the rent established for each unit.

28-17-16 Effect on Landlord and Tenant Relationship.

- A. Nothing in these rules should be construed to limit the rights and duties of the owner and tenant to maintain the dwelling in accordance with all appropriate New Jersey State or municipal construction and property maintenance codes.
- B. Notwithstanding anything to the contrary in this Article, any member of a household occupying a dwelling under this Article and subject to the regulations of the Borough of Hightstown is subject to eviction for any reasons allowed under applicable New Jersey law. The provisions of this Article are not intended to confer any additional rights or obligations on property owners or tenants other than those mandated by statute or required by the courts of the State of New Jersey or the duly adopted regulations of any of its agencies.

28-17-17 Enforcement and Violations of Affordable Housing Regulations.

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an owner, developer or tenant of an affordable unit and advising the owner, developer or tenant of the penalties for such violations, the municipality may take the following action against the owner, developer or tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
 - (1) The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the owner, developer or tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the owner, developer or tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
 - (a) A fine of not more than \$2,000.00 or imprisonment for a period not to exceed 90 days, or both, unless otherwise specified below, provided that

each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

- (b) In the case of an owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (c) In the case of an owner who has rented his or her affordable unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
- C. The municipality shall have the authority to levy fines against the owner of the development for instances of noncompliance with NJHRC advertising requirements (N.J.S.A. 52:27D-321.6.e.(2)), following written notice to the owner. The fine for the first offense of noncompliance shall be \$5,000, the fine for the second offense of noncompliance shall be \$10,000, and the fine for each subsequent offense of noncompliance shall be \$15,000.
- D. The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the first purchase money mortgage and shall constitute a lien against the low- or moderate-income unit.
 - (1) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the affordable unit of the violating owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any first purchase money mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 - (2) The proceeds of the Sheriff's sale shall first be applied to satisfy the first purchase money mortgage lien and any prior liens upon the low- or moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus shall be placed in escrow by the municipality for the owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the owner shall make a claim with the municipality for such. Failure of the owner to claim such balance within the two

year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the owner or forfeited to the municipality.

- (3) Foreclosure due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as they apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
 - (4) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the first purchase money mortgage and any prior liens, the municipality may acquire title to the affordable unit by satisfying the first purchase money mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the first purchase money mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the affordable unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess that would have been realized from an actual sale as previously described.
 - (5) Failure of the low- or moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the owner to accept an offer to purchase from any qualified purchaser that may be referred to the owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- or moderate-income unit as permitted by the regulations governing affordable housing units.
 - (6) The affordable unit owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the owner.
- E. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the 30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a

comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.

- F. Banks and other lending institutions are prohibited from issuing any loan secured by owner occupied real property subject to the affordability controls set forth in this subchapter if such loan would be in excess of amounts permitted by the restriction documents recorded in the deed or mortgage book in the county in which the property is located. Any loan issued in violation of this subsection is void as against public policy.
- G. The Agency and the Department hereby reserve, for themselves and for each administrative agent appointed pursuant to this subchapter, all of the rights and remedies available at law and in equity for the enforcement of this subchapter, including, but not limited to, fines, evictions, and foreclosures as approved by a county-level housing judge.
- H. Appeals. Appeals from all decisions of an administrative agent appointed pursuant to this subchapter must be filed, in writing, with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

Section 3. Continuation. In all other respects, the Zoning Ordinance of the Borough of Hightstown shall remain unchanged.

Section 4. 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 the Zoning Ordinance as a whole, or any other part thereof.

Section 5. 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 6. 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.

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
ORDINANCE NO. _____

**ORDINANCE AMENDING THE LAND USE PROCEDURES ORDINANCE
OF THE BOROUGH OF HIGHTSTOWN
TO REVISE MANDATORY DEVELOPMENT FEES, TO
IMPLEMENT THE FOURTH ROUND OF AFFORDABLE HOUSING
IN ACCORDANCE WITH THE FAIR HOUSING ACT OF 1985**

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA") that every municipality in New Jersey has an affirmative obligation to facilitate the provision of low and moderate income housing; and

WHEREAS, the Mayor and Borough Council of the Borough of Hightstown are desirous of ensuring the proper implementation of the Fair Housing Act and associated rules through the adoption of land use regulations by the governing body; and

WHEREAS, the Borough of Hightstown desires to implement policies established by the New Jersey Legislature in P.L. 2024, c. 2 amending the Fair Housing Act to foster affordable housing opportunities for the production of dwellings and their occupancy by low and moderate income households; and

WHEREAS, the Mayor and Borough Council of the Borough of Hightstown recognize the need to amend the Mandatory Development Fee requirements within the Land Use Procedures Ordinance of the Borough of Hightstown to implement the Fourth Round Housing Element and Fair Share Plan; and

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

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

Section 1. Article 26-10, entitled, Mandatory Development Fees, of the Land Use Procedures Ordinance of the Borough of Hightstown, shall be amended as follows:

Chapter 26. Land Use Procedures

Article 26-10 Mandatory Development Fees

§ 26-10-1 Purpose.

- A. This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan. The municipality previously adopted a development fee ordinance, which established the Hightstown Borough Affordable Housing Trust Fund.
- B. The municipality shall not spend development fees until the court has approved a plan for spending such fees.

§ 26-10-2 Definitions.

Terms within this Section shall the meanings assigned to them by §28-2, Definitions and Word Usage, of the Code of the Borough of Hightstown.

§ 26-10-3 Residential Development Fees.

- A. Imposition of fees.
 - (1) Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.
 - (2) When an increase in residential density is permitted pursuant to a "d" variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a bonus development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage of 6% of the equalized assessed value

for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

B. Eligible exactions, ineligible exactions and exemptions for residential development.

- (1) Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units (prior to March 20, 2024 only), or by redevelopment agreement or other agreement with the Borough of Hightstown, shall be exempt from the payment of development fees and in the case of development projects that are the subject of redevelopment agreements, development fee obligations shall be negotiated as part of the redevelopment agreement.
- (2) Developments that received preliminary or final site plan or subdivision approval prior to January 1, 2005, shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.
- (3) Developers who demolish and replace or renovate and re-occupy abandoned housing units shall be exempt from paying development fees, provided the number of housing units on the property does not increase.
- (4) Home improvements or expansions shall be exempt from development fees, provided the improvements or expansions do not create any new housing units.
- (5) No development fee shall be collected for a demolition and replacement of a residential building resulting from fire, war, or a natural disaster.

§ 26-10-4 Nonresidential development fees.

A. Imposition of fees.

- (1) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted below, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new nonresidential construction on an unimproved lot or lots.
- (2) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted below, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.

- (3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this article results in a negative number, the nonresidential development fee shall be zero.
- B. Eligible exactions, ineligible exactions and exemptions for nonresidential development.
- (1) The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
 - (2) The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - (3) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to the Statewide Nonresidential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Nonresidential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.
- C. A developer of a nonresidential development exempted from the nonresidential development fee pursuant to the Statewide Nonresidential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.
- D. If a property that was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this article within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable by the Borough of Hightstown as a lien against the real property of the owner.

§ 26-10-5 Appeal of Development Fees.

- A. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

- B. A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 26-10-6 Collection Procedures.

- A. Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- B. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- C. The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
- D. Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
- E. The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- F. Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- G. Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in N.J.S.A. 40:55D-8.6.
- H. Fifty percent (50%) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that

determined at the time of issuance of certificate of occupancy.

§ 26-10-7. Affordable Housing Trust Fund.

- A. A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- B. The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - (1) Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;
 - (2) Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - (3) Rental income from municipally operated units;
 - (4) Repayments from affordable housing program loans;
 - (5) Recapture funds;
 - (6) Proceeds from the sale of affordable units; and
 - (7) Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
- C. The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- D. Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
 - (1) Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - (2) Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;
 - (3) Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;

- (4) Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - (5) Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - (6) Revocation of compliance certification or a judgment of compliance and repose;
 - (7) Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, -7, and -8;
 - (8) Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
- E. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

§ 26-10-8 Use of Funds.

- A. The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
- B. Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
- C. At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.
- D. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.

- E. Affordability assistance for very low income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.
- F. No more than 20% of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.
- G. Ongoing Collection of Fees.
 - (1) The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.
 - (2) If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to N.J.S.A. 52:27D-320.
- H. Emergent Affordable Housing Opportunities. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

Section 3. Continuation. In all other respects, the Land Use Procedures Ordinance of the Borough of Hightstown shall remain unchanged.

Section 4. 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 the Land Use Procedures Ordinance as a whole, or any other part thereof.

Section 5. 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 6. 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.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Hightstown, in the County of Mercer, State of New Jersey, held on _____. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council to be held in the Hightstown Fire House, 140 Main Street, in the Borough of Hightstown on _____, and during the week prior and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

Peggy Riggio, RMC, Borough Clerk

Discussion Item