

AGENDA
Hightstown Borough Council
November 2, 2026 | 6:30 p.m.
Hightstown Engine Company No. 1
140 North Main Street, Hightstown

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

Meeting called to order by Mayor Susan Bluth

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

Roll Call

Flag Salute

Approval of Agenda

Approval of Minutes October 19, 2026 – Public Session
October 19, 2026 – Executive Session

Presentation Planning Board – Downtown Hightstown Parking & Economic Development Plan

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

Ordinances **Ordinance 2026-22 Final Reading and Public Hearing** An Ordinance of the Borough of Hightstown, County of Mercer, State of New Jersey, Amending and Supplementing Chapter 14, Entitled “Property Maintenance” Article 14-10, of the Revised General Ordinances of the Borough of Hightstown

Ordinance 2026-23 Final Reading and Public Hearing An Ordinance of the Borough of Hightstown, County of Mercer, State of New Jersey, Amending Chapter 26, “Land Use Procedures,” of the Revised General Ordinances of the Borough of Hightstown, to Revise Development Application Submission Requirements and Provide for Electronic Submissions

Ordinance 2026-24 Final Reading and Public Hearing An Ordinance of the Borough of Hightstown, County of Mercer, State of New Jersey, Amending Chapter 28, “Zoning” Article 28-10-11, “Off-Street Parking and Off-Street Loading Facilities” to Revise

Residential Parking Requirements in the Downtown Core and
Downtown Gateway District

Ordinance 2026-25 Introduction and First Reading An Ordinance
Amending and Supplementing Chapter 25, Entitled “Stormwater
Control,” of “The Revised General Ordinances of the Borough of
Hightstown”

Resolutions

2026-225 Resolution Awarding a Two-Year Contract for Sludge
Cake Removal, Transportation, Delivery and Disposal to Waste
Management of New Jersey

2026-226 Resolution of Compliance Regarding the 2025 Audit

2026-227 Resolution of the Borough of Hightstown, County of
Mercer, State of New Jersey, Approving the Corrective Action Plan
in Response to the Annual Audit Report

2026-228 Authorizing the Execution of an Employment
Agreement with Frank Gendron as Chief of Police

Consent Agenda

2026-229 Resolution Appointing a Fund Commissioner

2026-230 Resolution Appointing a Risk Management Consultant

2026-231 A Resolution Approving a Paint and Sip Organized by the
Hightstown Borough Cultural Arts Commission

2026-232 A Resolution Confirming the Hire of Patricia Nielsen as
an Administrative Assistant for the Borough of Hightstown, DPW

Discussion

Best Practices 2026

E-bikes in Hightstown

Dawes Park

NJDOT Grant – Various Sidewalks

Subcommittee Reports

Mayor/Council/Administrative Updates

Executive Session **Resolution 2026-233** Authorizing a Meeting that Excludes the Public
Real Property

Adjournment



Downtown Hightstown Parking & Economic Development Plan

Recommendations – November 2, 2026

Bev Asselstine – Planning Board Chair

Matt Morgan – Planning Board Vice Chair

Georges Jacquemart – Principal, BFJ Planning

Steering Committee:

Complete Streets Committee – Steve Misiura, Chair, Joe Cicalese, Alex Costantino, Henry Wang

Planning Board – Beverly Asselstine, Chair, Andrew Galbraith Ryer (Complete Streets liaison), Sofia Kyle, Matt Morgan

Borough Staff – John Francis Roman, Mairead Thompson, Jane Davis

BFJ Planning



HORIZON 54

RESGroup
REAL ESTATE SOLUTIONS



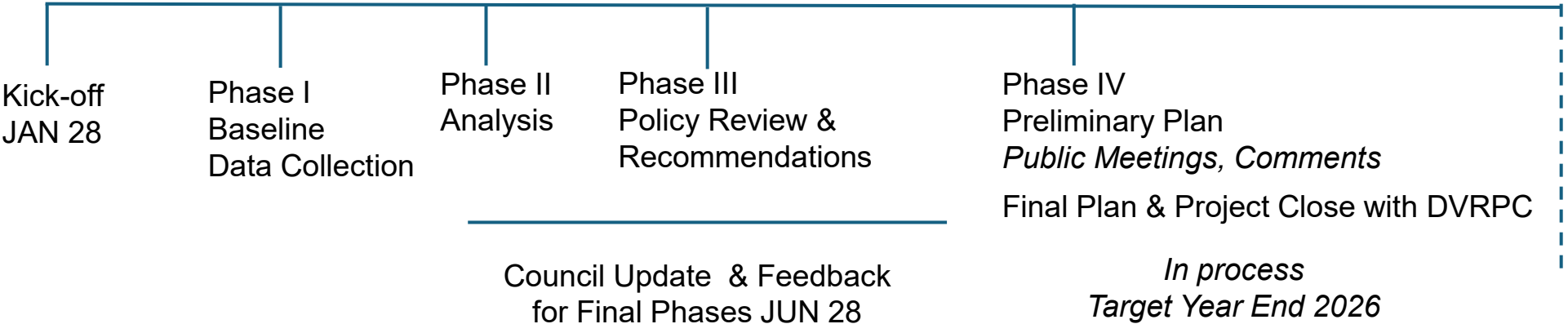
Background

- Funded by DVRPC under the Transportation & Community Development Initiative (TCDI), which is focused on linking land use, transportation, and economic development planning
- Hightstown’s project goals, aligned with the Master Plan Reexamination:
 - Gather baseline data on the business community and parking usage,
 - Evaluate existing ordinances for parking hours, parking permits, taxi stands, zoning, building design standards and incentives for business investment and
 - Identify strategies that can be implemented by the Borough independently, or in partnership with local businesses and developers that will enhance our tax base and create a more vibrant and thriving downtown.

BFJ Planning

RESGroup
REAL ESTATE SOLUTIONS

HORIZON 54



- Implementation Phase
- Planning Board
 - Economic Development Committee
 - Borough Council



Recommendations: Economic Development Support

- Establish formal Business Improvement District (BID)
 - Implementation roadmap for the Economic Development Committee:
 - Engage peer Boroughs that have created a BID/SID to identify best practices and approaches to funding, staffing, and programming in the early years.
 - Perform a high-level feasibility check
 - Draft a strategic plan to develop the service and improvement program
 - Outreach to local landlords and businesses to obtain buy-in and address concerns
 - Develop proof of concept projects to demonstrate the value of a BID
 - Create BID Board
 - Hire Director and initial staffing

Recommendations: Economic Development Activities for Public / Private Partnerships



- Increase marketing and number of community events
- Investigate and monitor State and County programs to support small business recruitment and retention
- Create and facilitate funding programs for storefront/signage, façade improvements and other upgrades
- Expand food and beverage options
- Recruit independent specialty retail

Recommendations: Economic Development Borough Actions



- Continue timely and responsive review and approval process for future developments
- Increase dwelling units through density bonuses
- Obtain funding for crosswalks and sidewalk improvements
- Provide funding for façade or building improvements, including tax abatements
- Attract “anchor” tenants for redevelopment areas



Recommendations: Signage Policy

- Improve enforcement of signage regulations
- Provide examples of approved signage typologies
- Educate businesses on intentional window displays
- Update signage ordinance



Recommendations: Design Guidelines

- Be more flexible regarding building heights:
 - Current voluntary guidelines call for staying within 10% of adjacent building height, but 3-story or 4- story construction for in-fill construction may be more appropriate
- Consider adding voluntary guidelines for lighting, infill building frontage, screening, landscaping and pedestrian-friendliness standards to code.
- Phase in requiring optional guidelines as downtown redevelopment advances and economic activity increases



Recommendations: Parking Management

- Establish parking oversight committee (maybe Planning Board Master Plan sub-committee)
- Update local parking ordinance
 - Right-size parking ratios
 - Allow, encourage and regulate shared parking
- Partner with downtown property owners and organizations to encourage shared parking
- Implement a 2-hour parking limit in Municipal Lot #1

Parking ratios proposed for Downtown and Gateway Zoning Districts

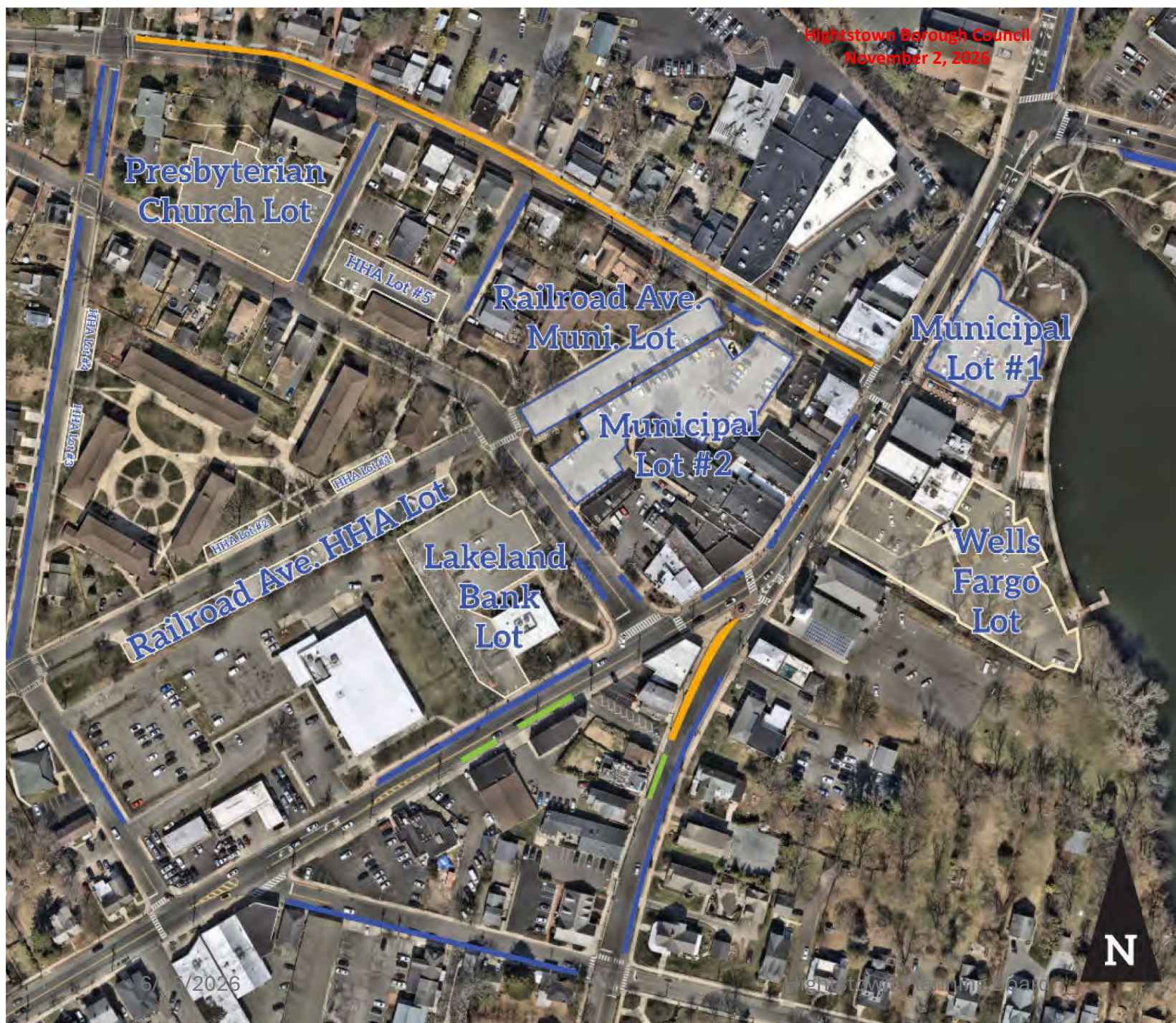
Use		Ratio		
Multi-family Residential	Studios	1	Per DU	
	1-bedr	1.25	Per DU	
	2-bedr	1.5	Per DU	
	3+ bedr	2	Per DU	
Senior Citizen Housing		0.7	Per DU	
		Parking spaces per 1,000 sf gross floor area		Or 1 parking space per:
Retail		3	Per 1,000 sf	333 sf
Restaurants		12	Per 1,000 sf	83 sf
Offices		2.5	Per 1,000 sf	400 sf
Medical Offices		4	Per 1,000 sf	250 sf
Banks		4	Per 1,000 sf	250 sf



Recommendations: Parking Management

- Consider expanding parking enforcement
- Improve parking wayfinding in the downtown core
- Clarify availability of on-street parking
- Add on-street parking





Existing On-Street Parking

On-Street Parking
Requiring Clarification

Areas for Additional On-
Street Parking

N

Recommendations: Pedestrian Improvements



- Implement additional pedestrian crossings
- Revitalize existing streetscape
- Plant additional street trees along Mercer St.
- Implement Rectangular Rapid Flashing Beacon (RRFB)



Proposed Rectangular Rapid Flashing Beacon



Proposed Area for Street Trees

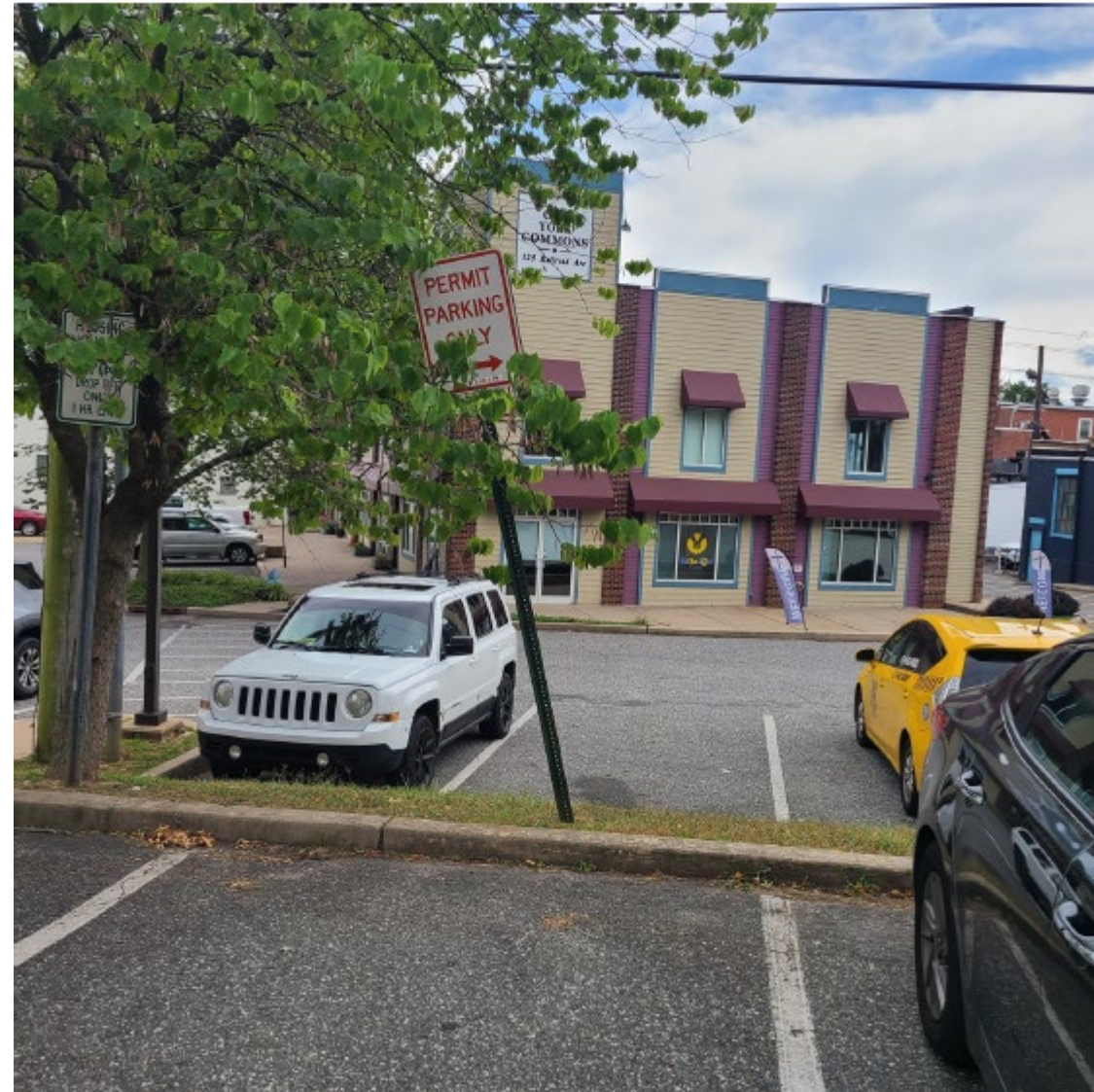


Proposed Pedestrian Crossing





Thank you!





Hightstown Parking & Economic Development Plan September 2026

Full plan can be found:

<https://ecode360.com/HI1169/document/753296122.pdf>

AN ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 14, ENTITLED “PROPERTY MAINTENANCE” ARTICLE 14-10, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN

WHEREAS, the Borough of Hightstown seeks to protect the public health, safety, and welfare by ensuring the proper registration, maintenance, and security of properties in foreclosure; and

WHEREAS, properties in foreclosure, particularly those that become vacant and abandoned, may deteriorate without adequate oversight, creating unsafe conditions, contributing to neighborhood blight, and placing additional demands upon municipal resources; and

WHEREAS, P.L. 2021, c. 444 authorizes municipalities to establish property registration programs for residential and commercial properties in foreclosure and to impose registration fees and related requirements; and

WHEREAS, the Mayor and Council wish to amend and supplement Article 14-10 of the Borough Code to clarify registration requirements for residential and commercial properties in foreclosure, whether occupied or vacant and abandoned, and to provide for annual renewals and updated creditor and property contact information; and

WHEREAS, the proposed amendments further establish registration fees, address creditor responsibilities for property maintenance and security, and provide procedures for notice, enforcement, and penalties; and

WHEREAS, the Mayor and Council find that these amendments will assist the Borough in identifying and monitoring properties in foreclosure, promoting accountability, and protecting surrounding properties and the community.

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 14, entitled “Property Maintenance,” 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~~):

Article 14-10 Registration and Maintenance of ~~Vacant and Abandoned Residential~~ Properties in Foreclosure

§ 14-10-1. Definitions. [Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord.

Borough of Hightstown
County of Mercer

Ordinance 2026-22

No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02;
Ord. No.

2018-04]

As used in this article, the following terms shall have the meanings indicated:

CREDITOR — ~~A state chartered bank, savings bank, savings and loan association or credit union, any person or entity required to be licensed under the provisions of the "New Jersey Residential Mortgage Act," P.L. 2009, c. 53 (N.J.S.A. 17:11C-51 et seq.), any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended from time to time) and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers. A mortgagee, or an agent or assignee of a mortgagee, including a servicer, that has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the foreclosing entity changes by assignment, transfer, or otherwise after filing, the new entity is the creditor. Creditor excludes the State, its political subdivisions, State, county, and local government entities, and their agents or assignees.~~

PROPERTY IN FORECLOSURE - A residential or commercial property in the Borough for which a summons and complaint in an action to foreclose on a mortgage has been filed in the Superior Court.

VACANT AND ABANDONED RESIDENTIAL PROPERTY — ~~Consistent with Section 1 of P.L. 2012, c. 70 (N.J.S.A. 2A:50-73), residential real estate with respect to which the mortgagee proves, by clear and convincing evidence, that the mortgaged real estate is vacant and has been abandoned or where a notice of violation has been issued pursuant to § 14-10-5A of this article and Section 3 of P.L. 2021, c. 444 (N.J.S.A. 40:48-2.12s3). Where a notice of violation has not been issued pursuant to § 14-10-5A of this article and Section 3 of P.L. 2021, c. 444 (N.J.S.A. 40:48-2.12s3), real property shall be deemed vacant and abandoned if the court finds that the mortgaged property is not occupied by a mortgagor or tenant as evidenced by a lease agreement entered into prior to the service of a notice of intention to commence foreclosure according to Section 4 of the Fair Foreclosure Act, P.L. 1995, c. 244 (N.J.S.A. 2A:50-56), and at least two of the following conditions exist:~~ **Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)** A residential or commercial property that is not legally occupied by a mortgagor or tenant and is in such condition that it cannot be legally reoccupied because at least two of the following conditions are present or found:

- A. Overgrown or neglected vegetation;
- B. The accumulation of newspapers, circulars, flyers or mail on the property;

Borough of Hightstown
County of Mercer

Ordinance 2026-22

- C. Disconnected gas, electric, or water utility services to the property;
- D. The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- E. The accumulation of junk, litter, trash or debris on the property;
- F. The absence of window treatments such as blinds, curtains or shutters;
- G. The absence of furnishings and personal items;
- H. Statements of neighbors, association management, delivery persons, or government employees indicating that the residence is vacant and abandoned;
- I. Windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepaired;
- J. Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- K. A risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- L. An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- M. The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- N. A written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property;
- O. Any other reasonable indicia of abandonment.

§ 14-10-2. Registration of ~~vacant and abandoned properties~~properties in foreclosure.
[Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No.

2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

~~A. A creditor filing a summons and complaint in an action to foreclose on a vacant and abandoned property, or a creditor who has previously filed a summons and complaint to foreclose on a residential property which subsequently becomes vacant and abandoned, shall within 30 calendar days after the building becomes vacant and abandoned or within 30 calendar days after assuming ownership of the vacant and abandoned property, whichever is later; or within 10 calendar days of receipt of notice from the Borough, and annually thereafter, file a registration statement for such vacant and abandoned property with the municipal clerk on forms provided by the Borough for such purposes. Any failure to receive notice from the Borough shall not constitute grounds for failing to register the vacant and abandoned property.~~

- A. A creditor filing a summons and complaint to foreclose a residential or commercial mortgage shall register the property as a property in foreclosure, whether or not vacant and abandoned, within 10 calendar days after service of the summons and complaint. Lack of Borough notice does not excuse registration.
- B. Each ~~vacant and abandoned property~~ property in foreclosure having a separate block and lot number as designated in the official tax maps of the Borough shall be registered separately.
- ~~B.C.~~ The registration shall identify the filing date, court and docket number; state whether the property is vacant and abandoned; provide the property street address, block and lot; and provide the creditor and contact information required by N.J.S.A. 46:10B-51 (residential) or N.J.S.A. 40:48-2.12s2 (commercial).
- ~~C.D.~~ The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person 21 years or older, designated by the creditor as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such creditor in connection with the enforcement of any applicable code.
- ~~D.E.~~ The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the ~~abandoned and vacant~~ property. The individual or representative of the firm responsible for maintaining the ~~abandoned and vacant~~ property shall be available by telephone or in person on a twenty-four-hour-per-day, seven-day-per-week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- ~~E. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31 of the year in which it was filed. The creditor shall be required to renew the registration annually as long as the building~~
- ~~remains vacant and abandoned and shall pay a registration or renewal fee in the amount prescribed in § 14-10-3 of this article for each vacant and abandoned property registered.~~
- F. Registration shall be renewed annually for as long as the property remains in foreclosure, regardless of occupancy. It terminates upon dismissal of the action, vesting of title in a party other than the creditor, or another event permitted by law; the creditor shall promptly report the event.
- ~~F.G.~~ The annual renewal shall be completed by January 1 each year. The initial registration fee shall be pro-rated for registration statements received less than 10 months prior to that date.

Borough of Hightstown
County of Mercer

Ordinance 2026-22

~~G. The creditor shall notify the municipal clerk within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the municipal clerk for such purpose.~~

~~H. Changes to representative, agent, or service-contact information are due within 10 days. If the property later becomes vacant and abandoned, the creditor shall promptly update its status.~~

~~H.I.~~ The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the creditor.

§ 14-10-3. Fee schedule. [Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No.

2018-04]

~~The initial registration fee for each vacant and abandoned property under the provisions of this article shall be \$500. The fee for the first annual renewal shall be \$1,500 and the fee for the second annual renewal shall be \$3,000. The fee for any subsequent annual renewal beyond the second renewal shall be \$5,000.~~

Annual fee: \$500 for each registered property in foreclosure, plus an additional \$2,000 annually if the property is vacant and abandoned when the complaint is filed or becomes vacant and abandoned while in foreclosure. The additional fee is due when that status is identified and on each annual renewal while it continues. Registration fees are municipal charges under the Tax Sale Law, N.J.S.A. 54:5-1 et seq.

§ 14-10-4. Creditor responsibility for vacant and abandoned properties. [Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10;

Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04]

A. A creditor filing a summons and complaint in an action to foreclose on a residential property within the Borough shall be immediately responsible for the care, maintenance, security and upkeep of the exterior of the property, after the property becomes vacant and abandoned as defined in this article.

B. Where a creditor is located out-of-state, the creditor shall be responsible for appointing an in-state representative or agent to act on the creditor's behalf for the purpose of satisfying the requirements of Subsection A of this section. Notice of said representative or agent shall be provided to the municipal clerk pursuant to § 14-10-2C and D and pursuant to Paragraph (1) of Subsection a of Section 17 of P.L. 2008, c. 127 (N.J.S.A. 46:10B-51). (N.J.S.A. 46:10B-51 for residential property and N.J.S.A. 40:48-2.12s2 for commercial property.

~~B.C. The creditor shall secure the property against unauthorized entry; comply with State and~~

Borough exterior-maintenance codes; and maintain liability insurance, including a vacancy policy when applicable, covering harm caused by a physical condition of the property while registered.

§ 14-10-5. Notice. [Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No.

2018-04]

A. The enforcement officers designated in this article shall be authorized to issue a notice to a creditor that has filed a summons and complaint in an action to foreclose on a residential or commercial property within the Borough if the enforcement officer determines that the creditor has violated any provision of this article.

~~A.□ The enforcement officers designated in this article shall be authorized to issue a notice to a creditor that has filed a summons and complaint in an action to foreclose on a residential or commercial property within the Borough, if the enforcement officer determines that the creditor has violated this article by failing to provide for the care, maintenance, security, and upkeep of the exterior of a vacant and abandoned property. Where a Creditor is an out-of-state creditor, the notice shall be issued to the representative or agent that has been identified by the creditor pursuant to § 14-10-4B and Paragraph (1) of Subsection a of Section 17 of P.L. 2008, c. 127~~

(N.J.S.A. 46:10B-51).

B. A notice concerning a violation of the requirements for the care, maintenance, security, or upkeep of the exterior of a vacant and abandoned property shall require the creditor to correct the violation within 30 days.~~The notice referenced in Subsection A of this section shall require the creditor to correct the violation(s) within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.~~

~~B.—~~

C. The issuance of a notice pursuant to Subsection A of this section shall ~~constitute proof that a residential property is vacant and abandoned for the purposes of this article.~~ describe the violation and identify the applicable correction period.

§ 14-10-6. Enforcement officers. [Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02; Ord. No. 2018-04; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]

Borough of Hightstown
County of Mercer

Ordinance 2026-22

The duty of administering and enforcing the provisions of this article is conferred upon the municipal clerk, Construction Official, Zoning Officer, Housing Inspector, Health Officer, Borough police, and any other duly appointed representatives, including all municipal officials referenced in § 14-12-1 of the Borough Code.

§ 14-10-7. Violations and penalties. [Ord. No. 2002-23; Ord. No. 2003-05; Ord. No. 2005-11; Ord. No. 2012-08; Ord. No. 2014-03; Ord. No. 2015-10; Ord. No. 2015-16; Ord. No. 2017-02;

Ord. No. 2018-04]

- A. A creditor subject to this article that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this article shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following the receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.
- B. An out-of-state creditor subject to this article that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-state representative or agent pursuant to this article shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-state representative or agent shall commence on the day after the ten-day period set forth in Paragraph (1) of Subsection a of Section 17 of P.L. 2008, c. 127 N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s2(N.J.S.A. 46:10B-51) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.
- C. A creditor subject to this article that is found by the municipal court of the Borough, or by any other court of competent jurisdiction, to be in violation of the requirement to register a vacant and abandoned property pursuant to § 14-10-2 shall be subject to a fine not exceeding ~~\$2,000~~\$1,500 per day. Any fines imposed on a creditor under this subsection shall commence ~~41~~31 days following receipt of notice from the Borough pursuant to § 14-10-~~2A~~5.
- D. No less than 20% of any money collected by the Borough pursuant to this article shall be utilized by the Borough for Municipal Code enforcement purposes.

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.

Borough of Hightstown
County of Mercer

Ordinance 2026-22

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

Introduction: October 19, 2026

Adoption: Scheduled for Public Hearing November 2, 2026

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Borough of Hightstown
County of Mercer

Ordinance 2026-23

**AN ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER,
STATE OF NEW JERSEY, AMENDING CHAPTER 26, “LAND USE PROCEDURES,”
OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF
HIGHTSTOWN TO REVISE DEVELOPMENT APPLICATION SUBMISSION
REQUIREMENTS AND PROVIDE FOR ELECTRONIC SUBMISSIONS**

WHEREAS, Chapter 26 of the Revised General Ordinances of the Borough of Hightstown establishes procedures and submission requirements for applications to the Planning Board, including applications involving subdivisions, site plans, variances and sign variances; and

WHEREAS, the Mayor and Council desire to update these requirements to provide for the submission of application materials in electronic PDF format and to revise the number and size of required paper copies; and

WHEREAS, the proposed amendments establish an initial electronic submission process for completeness review by the Planning Board Secretary and Borough Engineer, followed by submission of the required electronic and paper copies upon a determination of completeness; and

WHEREAS, these amendments will facilitate the review and distribution of application materials, reduce paper submissions and improve the efficiency of the development application process; and

WHEREAS, the Mayor and Council find that amending Chapter 26 as set forth herein is in the best interests of the Borough of Hightstown.

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 26, entitled “Land Use Procedures,” 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~~):

**ARTICLE 26-5
Appeals**

**§ 26-5-1. Appeals and applications to Planning Board acting as Zoning Board of Adjustment.
[Ord. No. 2006-28]**

A. Appeals to the Planning Board may be taken by any interested party affected by any decision of any administrative officer of the municipality based on or made in the enforcement of the Zoning Ordinance or Official Map. Such appeal shall be taken within 20 days by filing a notice of appeal with the officer from whom the appeal is taken, together with three copies of such notice, with the Secretary of the Planning Board. The notice of appeal shall specify the grounds for such appeal. The officer from whom the appeal is taken shall immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

B. Applications to the Planning Board based upon the original jurisdiction of the Board of Adjustment without prior application to an administrative officer shall be filed with the Secretary of the Planning Board. One PDF format version of all complete materials and 15 half size and 4 full size paper ~~Twenty-one~~ copies of the application shall be filed. At the time of filing the appeal or application, but in no event less than 10 days prior to the date set for hearing, the applicant shall also file all plot plans, maps or other papers required by virtue of any provision of this chapter or any rule of the Planning Board. The applicant shall obtain all necessary forms from the Secretary of the Planning Board. The Secretary of the Board shall inform the applicant of the steps to be taken to initiate proceedings and of the regular meeting dates of the Board. All applications filed in accordance with this section shall be accompanied by 21 copies of the checklist as set forth in § 26-9-4. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**

C. An appeal stays all proceedings in furtherance of the action in respect of which the decision appealed from was made, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal shall have been filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the Superior Court of New Jersey on application, on notice to the officer from whom the appeal is taken and on due cause shown.

ARTICLE 26-9

Checklists for Development Applications

§ 26-9-1. Filing and completeness of all applications. [Ord. No. 2009-12; Ord. No. 2010-12]

A. Applicants seeking subdivision, site plan and/or variance approvals shall file with the Planning Board Secretary one PDF format version of all complete materials and 15 half size and 4 full size paper ~~21 completed~~ copies of a completed application and the applicable checklist with all plans, information and documents required therein. Applicants must organize and collate all information presented into 21-19 individual packages and all plans shall be folded with the title block showing. No application will be accepted and/or deemed complete and placed on a Planning Board agenda until the appropriate checklist is completed in full, all fees and escrow (if applicable) are paid, a completed W-9 provided, and plans and documents presented in collated form. Notices of hearings shall not be published or served until the application is deemed to be complete and a date scheduled for public hearing. All New Jersey corporations and business entities, except sole proprietorships, must be represented by a New Jersey licensed attorney in appearances before the Planning Board involving the practice of law, as defined by the New Jersey Supreme Court, where witnesses are examined, legal authority is cited and laws and ordinances are interpreted.

B. All complete applications must be submitted no less than 31 calendar days prior to the next available Planning Board meeting date or will not be considered until the following meeting date. However, the scheduling of a complete application on a Planning Board agenda shall depend on the Board's business and shall be at the discretion of the Board Chair.

C. N.J.S.A. 40:55D-48.1 and 40:55D-48.2 require that corporations or partnerships applying to the Planning Board for permission to subdivide land into six or more lots, a variance to construct

Borough of Hightstown
County of Mercer

Ordinance 2026-23

a multiple dwelling of 25 or more units, or to use a site for commercial purposes, must disclose the names and address of all stockholders or individual partners owning at least 10% stock or a 10% or greater interest in the partnership.

C.D. Applicants shall submit for initial completeness review an electronic version in PDF format of all required materials in the required sequence for review and comment by Planning Board Secretary and Borough Engineer. After it is determined that the application is complete, the applicant shall submit a PDF format version of all complete materials and 15 half size and 4 full size paper copies.

§ 26-9-2. Checklist for subdivisions. [Ord. No. 2005-15; Ord. No. 2006-28; Ord. No. 2009-12; Ord. No. 2010-12; Ord. No. 2012-12]

A. Requirements for preliminary major subdivision.

(1) Designed, drawn, signed and sealed by a New Jersey licensed P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.

(2) Title block as prescribed by N.J.A.C. 13:40-8. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**

(3) A North arrow with reference meridian.

(4) One PDF format version of all complete materials and 15 half size and 4 full size paper ~~Twenty-one~~ copies of a complete application and all drawings and documents. Fifteen sets of drawings shall be half-size with graphical scale and ~~six~~ four sets of drawings shall be full-size.

(5) List of all waivers requested.

(6) List of all variances requested from the Planning Board by section of ordinance.

(7) Key map showing the tract in question; north arrow; zoning; tax lot numbers, tax block numbers, owners names as identified on certified list provided by Borough and all lots within 200 feet of total tract; municipal boundaries; signature and seal of licensed professional; names and addresses of owner, applicant and professional preparing the map; owner's certification of title and consent to file application; zoning data for each zone with all proposed data and deficiencies listed; number of proposed lots.

(8) A boundary and topographic survey of the total tract as required by N.J.A.C. 13:40-7.2 signed and sealed by the preparing New Jersey licensed land surveyor in accordance with N.J.A.C. 13:40-5. Topography within 200 feet from the subdivision boundary shall be shown. All topography shall be based on NGVD 1929 datum.

(9) Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.

(10) Subdivision plan showing existing topography; all existing and proposed lot lines, lot dimensions, locations of on-site structures with dimensions to proposed lots (if remaining after

Borough of Hightstown
County of Mercer

Ordinance 2026-23

subdivision); wetland boundaries and areas; flood hazard boundaries and areas; all easement boundaries and areas; all proposed streets showing name; right-of-way width and cartway widths; common driveway locations; proposed widened roadway widths along frontage of lot; sight triangle easements and boundaries; and a tabulation of zoning requirements showing zone(s) in which lot is located, bulk requirements of zone(s), bulk requirements proposed by application (including conditional or accessory use requirements) and density.

(11) Grading and drainage plan detailing all provisions for collecting and discharging storm water runoff shall be made. A composite grading and drainage plan of the entire development identifying the individual NGVD 1929 elevations at all high and low points, breaks in grade, corners of tentative house locations on each lot and lot corners shall be shown. Existing and proposed contours with intervals of one foot.

(12) A plan and centerline profile for all proposed roadways showing existing and proposed elevations; storm and sanitary sewer piping, storm water inlet locations, inverts, slopes, horizontal offset dimensions, grate or rim elevations; curb lines and locations; proposed contours; water mains and valves.

(13) Profiles for all diversion swales, waterways, storm sewer pipe and any other conduit not shown on roadway plan and profile sheets shall be provided.

(14) Stormwater management submission, including the following in accordance with Chapter 25 of the Borough Code: **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**

- (a) Topographic base map.
 - (b) Environmental impact assessment, pursuant to Article 26-8 of the Borough Code.
 - (c) Project description and site plan.
 - (d) Land use planning and source control plan.
 - (e) Stormwater management facilities map.
 - (f) Hydrologic and hydraulic calculations
 - (g) Maintenance and repair plan.
 - (h) A stormwater management plan incorporating as many nonstructural stormwater management measures as can feasibly be accommodated on the site, including but not limited to rain gardens, pervious pavement, rain barrels, native vegetative swales, and the required nonstructural stormwater management strategies incorporated at N.J.A.C. 7:8-5.9(a)1, and an explanation as to why additional nonstructural measures could not be used, subject to the review and approval of the Borough Engineer, if so requested by the Planning Board.
- (15) Plan and centerline profiles for widening of all existing roadways.
- (16) Half cross sections along the side of all existing roadways to be widened.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

(17) Typical construction details. Details shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared-end section; underdrain; curb; curb end treatment, depressed curb; sidewalk; handicap ramp; street signs; warning and regulatory signs; sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; sanitary main; manholes and laterals; water main, valves and house services; and other details deemed appropriate by the Borough Engineer.

(18) A landscaping plan showing the site, all existing and proposed topography, existing on-site tree groupings and off-site tree groupings within 200 feet; typical planting details; landscaping notations and details showing detailed locations of proposed plant materials; and enlarged details for individual units, landscaped islands, and landscaped berms. All trees and tree groups shown shall be classified as to greater size and species. The landscape plan shall be signed and sealed by a New Jersey certified landscape architect.

(19) Proposed lighting. Fixtures shall be placed at all intersections and at permanently located culs-de-sac. Details shall include the proposed fixture type, height, color, wattage and type of light.

(20) Architectural plans showing, as a minimum, the first floor plan and front, rear and side elevations of all proposed principal buildings and structures and all accessory buildings and structures, and their materials and treatment.

(21) Community impact statement, pursuant to Article 26-7.

(22) Environmental impact assessment pursuant to Article 26-8.

(23) A traffic report and analysis including but not limited to existing and background peak hour traffic volumes and distribution patterns; peak hour on-site generated traffic volumes and distribution patterns; existing and proposed traffic composition; analysis of adequacy of proposed on-site circulation patterns including adequacy of truck and automobile turning radii; analyses of need for and number of loading bays; existing and proposed levels of service and volume/capacity ratios; adequacy of proposed sight distances; analyses of need for roadway striping, signage of reflectorization; need for signalization and a summary recommendation and conclusions for the analysis. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**

(24) Contribution disclosure statement, pursuant to § 26-9-6 of the Borough Code.

(25) Owner's certification or affidavit of title prepared by a New Jersey attorney at law or New Jersey title company with commitment to insure and consent to file the application.

(26) A draft public notice.

(27) Places for signatures of Chair, Secretary and Borough Engineer.

(28) Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

(29) Disclosure of ownership, if required, pursuant to N.J.S.A. 40:55D-48.1 and 40:55D-48.2.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

(30) Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

B. Additional instructions and notes for all applicants (major subdivision).

(1) Plans may be reviewed by the Borough Engineer, Zoning Officer, planning consultants and other interested parties.

(2) In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

(3) The applicant shall give public notice by publication in the official newspaper of the Borough at least 10 days prior to the date of the hearing.

(4) Affidavits.

(a) Affidavit of service of notice of hearing on all owners of property within 200 feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8 1/2 by 11 inches bond paper, six receipts to a page), shall be submitted to the Planning Board Secretary at least 48 hours prior to the hearing.

(b) Affidavit of publication of notice of hearing in the official newspaper of the Borough at least 10 days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least 48 hours prior to the scheduled hearing).

(5) Notice shall be sent to the following:

(a) Adjoining municipality (Clerk) if the property is located within 200 feet.

(b) The County Planning Board if the property is adjacent to a county road or affects a County drainage facility.

(c) The Commissioner of Transportation, if the property is adjacent to a state highway.

(d) All public utilities in the municipality registered pursuant to N.J.S.A. 40:55D-12.1.

(6) The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with state or federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

C. Requirements for minor subdivision.

(1) Designed, drawn, signed and sealed by a New Jersey licensed .P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.

(2) Title block as prescribed by N.J.S.A. 13:40-8.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

- (3) Place for signature of owner with owner's certification of title and consent to file the application, and name and address of applicant.
- (4) One PDF format version of all complete materials and 15 half size and 4 full size paper ~~Twenty-one~~ copies of a complete application and all drawings and documents. Fifteen sets of drawings shall be half-size with graphical scale and ~~six~~four sets of drawings shall be full-size.
- (5) Place for signature of Chair and Secretary of Planning Board.
- (6) Place for signature of Borough Engineer.
- (7) Tax map lot and block numbers.
- (8) Date, scale and North arrow with reference meridian (scale must be not less than one inch equal 50 feet).
- (9) Key map showing the tract in question; all tax lots and blocks within 200 feet; municipal boundaries; streams, waterways and public roadways within 200 feet.
- (10) A boundary survey of the total tract signed and sealed by the preparing New Jersey licensed land surveyor in accordance with N.J.A.C. 13:40-5.
- (11) Plan of existing and proposed lot lines showing bearings and dimensions of all lots including the lands remaining to nearest 1/100 foot and areas to nearest 1/100 acre; all setbacks with typical dimensions; and dimensions to all existing structures; wetlands boundaries; 100-year flood hazard limit line.
- (12) Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data proposed by the application. This tabulation shall also identify compliance or noncompliance for all existing structures.
- (13) List of tax blocks and lots with owners within 200 feet of lot being subdivided as shown on certified list provided by Borough.
- (14) Location and general specific classification of all existing on-site tree masses.
- (15) Identification of existing on-site physical features including soils, geology, stream and water courses, rock out-crops and 100-year flood hazard area.
- (16) Delineation of on-site wetlands as field identified by a qualified expert in accordance with the NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.
- (17) All rights-of-way, easements and lands to be dedicated to the municipality or reserved for specific uses shall be shown and dimensioned with areas to the nearest 1/10 acre.
- (18) Provisions for collecting and discharging storm water runoff. A composite grading and drainage plan of the entire development shall accompany each submission. This plan shall identify finished floor elevations, all high and low points and breaks in grade and tentative elevation at the corners of house locations on each lot. A stormwater management plan incorporating as many non-

Borough of Hightstown
County of Mercer

Ordinance 2026-23

structural stormwater management measures as can feasibly be accommodated on the site, including but not limited to rain gardens, pervious pavement, rain barrels, native vegetative swales, and the required non-structural stormwater management strategies incorporated at N.J.A.C. 7:8-5.9(a)1., and an explanation as to why additional non-structural measures could not be used, subject to the review and approval of the Borough Engineer, if so requested by the Planning Board.

(19) All existing and proposed utility service lines and laterals on-site and along the frontage of the site. This shall include storm drainage, water mains, sanitary mains, connections and underground electric and phone service.

(20) Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

(21) A draft public notice.

(22) List of all waivers and variances requested.

(23) Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

D. Additional instructions and notes for all applicants (minor subdivision).

(1) Plans may be reviewed by the Borough Engineer, Zoning Officer, planning consultants and other interested parties.

(2) In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

(3) The applicant shall give public notice by publication in the official newspaper of the Borough at least 10 days prior to the date of the hearing.

(4) Affidavits.

(a) Affidavit of service of notice of hearing on all owners of property within 200 feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8 1/2 by 11 inches bond paper, six receipts to a page), shall be submitted to the Planning Board Secretary at least 48 hours prior to the hearing.

(b) Affidavit of publication of notice of hearing in the official newspaper of the Borough at least 10 days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least 48 hours prior to the scheduled hearing).

(5) Notice shall be sent to the following:

(a) Adjoining municipality (Clerk) if the property is located within 200 feet.

(b) The County Planning Board if the property is adjacent to a county road or affects a County drainage facility.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

- (c) The Commissioner of Transportation, if the property is adjacent to a state highway.
- (d) All public utilities in the municipality registered pursuant to N.J.S.A. 40:55D-12.1.
- (6) The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with state or federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

§ 26-9-3. Checklist for site plans. [Ord. No. 2005-15; Ord. No. 2006-28; Ord. No. 2009-12; Ord. No. 2010-12; Ord. No. 2012-12]

A. Requirements.

- (1) Designed, drawn, signed and sealed by a New Jersey licensed P.E., L.S., R.A., L.L.A. or P.P. as permitted by N.J.A.C. 13:40-7.1 et seq.
- (2) Title block as prescribed by N.J.A.C. 13:40-8.
- (3) Name, title and address of applicant, owner and person preparing application.
- (4) Place for signature of Chair and Secretary of Planning Board.
- (5) Place for signature of Borough Engineer.
- (6) One PDF format version of all complete materials and 15 half size and 4 full size paper ~~Twenty-one~~ copies of a complete application and all drawings and documents. Fifteen sets of drawings shall be half-size with graphical scale and ~~six~~ four sets of drawings shall be full-size.
- (7) List of all waivers requested.
- (8) List of all variances requested from the Planning Board by section of ordinance.
- (9) Tax map lot and block numbers.
- (10) Date, scale and North arrow with reference meridian.
- (11) Key map of the site with reference to surrounding areas and to existing street locations, containing existing buildings and lot lines within 200 feet of the site.
- (12) Boundary and topographic survey of the total tract as required by N.J.A.C. 13:40-7.2, signed and sealed by the preparing New Jersey licensed land surveyor in accordance with N.J.A.C. 13:40-5. Topography within 200 feet of the boundary shall be shown and a reference datum indicated.
- (13) Zone district in which property in question falls, zone district of adjoining properties and all property within a 200-foot radius of the property in question.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

- (14) Names of owners of all contiguous land and adjacent property within 200 feet as per certified list obtained from the Borough.
- (15) Zoning requirements tabulated to show all bulk requirements of the zone and the bulk data existing and proposed. All variance conditions are to be noted as such.
- (16) The entire property in question even though only a portion of said property is involved in the site plan.
- (17) The outside dimensions of existing and/or proposed principal buildings(s) and all accessory structures.
- (18) Delineation of on-site wetlands as field identified by a qualified expert in accordance with the Borough of Hightstown, NJ

§ 26-9-3 LAND USE PROCEDURES § 26-9-3

NJDEP standards, or statement by qualified expert that no wetlands or wetlands transition areas exist on-site. Copy of wetlands delineation report to accompany site plan submission.

- (19) Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc.
- (20) All driveways, streets, buildings and lot lines within 200 feet of site.
- (21) All existing and proposed curbs and sidewalks.
- (22) All existing and proposed utility lines within and adjacent to the subject property and full explanation of source of water supply and means of sewage disposal.
- (23) Rights-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses.
- (24) A grading plan with existing and proposed contours at one-foot intervals and finished first floor elevations. Additional spot elevations may be required to determine slopes in "critical" areas as deemed appropriate by the Borough Engineer.
- (25) Plans and centerline profiles shall be provided for widening of all existing roadways.
- (26) Half cross sections, 50 feet on center, shall be provided along the side of all widened existing roadways.
- (27) Dimensions of lot, setbacks, front yard, side yards and rear yard; size, kind and location of fences.
- (28) Drainage plan showing location of existing and proposed manholes, inlets, pipes, inverts, rims, grates, swales, berms, and other storm drainage facilities, including roof leaders. All pipe slopes, lengths and materials are to be identified.
- (29) Storm drainage profiles for all diversion swales, waterways, storm sewer pipe and any

Borough of Hightstown
County of Mercer

Ordinance 2026-23

other conduit not shown on roadway plan and profile sheets shall be provided.

(30) Stormwater management submission, including the following in accordance with Article 25-9 of the Borough Code:

- (a) Topographic base map.
- (b) Environmental impact assessment, pursuant to Article 26-8 of the Borough Code.
- (c) Project description and site plan.
- (d) Land use planning and source control plan.
- (e) Stormwater management facilities map.
- (f) Hydrologic and hydraulic calculations.
- (g) Maintenance and repair plan.
- (h) A stormwater management plan incorporating as many nonstructural stormwater management measures as can feasibly be accommodated on the site, including but not limited to rain gardens, pervious pavement, rain barrels, native vegetative swales, and the required nonstructural stormwater management strategies incorporated at N.J.A.C.

7:8-5.9(a)1., and an explanation as to why additional nonstructural measures could not be used, subject to the review and approval of the Borough Engineer, if so requested by the Planning Board.

(31) Location, dimensions and details of all signs.

(32) Typical construction details shall be provided. Details to be shown shall include: typical roadway cross section; storm sewer inlets and manholes (each type proposed); storm sewer headwalls, storm sewer trench; storm sewer flared-end section; underdrain; curb; curb end treatment, depressed curb; sidewalk; handicap ramp; street signs; warning and regulatory signs; sump pump/underdrain to storm sewer connection; any "poured in place" concrete details and reinforcing schedules; and all retaining wall details; and other details deemed appropriate by the Borough Engineer.

(33) A landscaping plan showing the site, all existing and proposed topography, existing on-site tree groupings and off-site tree groupings within 200 feet; typical planting details; detailed locations of proposed plant materials; and enlarged details for individual multi-family units, landscaped islands, and landscaped berms. All trees and tree groups shown shall be classified as to general size and species. Proposed materials with a fall planting hazard are to be noted as such.

(34) Plans of off-street parking, parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress.

(35) Details of all proposed outdoor lighting including site lighting stanchion locations including the

Borough of Hightstown
County of Mercer

Ordinance 2026-23

0.5 foot-candle boundary limit in plan form, details showing type of light(s), height of light(s), style of light(s), typical footing detail; typical illumination pattern (to Scale); color and wattage of lights; all lighting details may be included on the landscaping plan.

(36) Architectural plans showing, as a minimum, the first floor plan and front, rear and side elevations of all proposed principal buildings and structures and all accessory buildings and structures, and their materials and treatment.

(37) Submission of community impact statement, pursuant to Article 26-7.

(38) Submission of environmental impact assessment, pursuant to Article 26-8.

(39) Contribution disclosure statement, pursuant to § 26-9-6 of the Borough Code.

(40) Owner's certification or affidavit of title prepared by a New Jersey attorney at law or New Jersey title company with commitment to insure and consent to file the application.

(41) A draft public notice.

(42) Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.

(43) Disclosure of ownership, if required, pursuant to N.J.S.A. 40:55D-48.1 and 40:55D-48.2.

(44) Completion of W-9 form to accompany payment of applicable fees and escrow accounts.

B. Additional instructions and notes for all applicants (site plan).

(1) Plans may be reviewed by the Borough Engineer, Zoning Officer, planning consultants and other interested parties.

(2) In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

(3) The applicant shall give public notice by publication in the official newspaper of the Borough at least 10 days prior to the date of the hearing.

(4) Affidavits.

(a) Affidavit of service of notice of hearing on all owners of property within 200 feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8 1/2 x 11" bond paper, six receipts to a page), shall be submitted to the Planning Board Secretary at least 48 hours prior to the hearing.

(b) Affidavit of publication of notice of hearing in the official newspaper of the Borough at least 10 days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least 48 hours prior to the scheduled hearing).

Borough of Hightstown
County of Mercer

Ordinance 2026-23

- (5) Notice shall be sent to the following:
 - (a) Adjoining municipality (Clerk) if the property is located within 200 feet.
 - (b) The County Planning Board if the property is adjacent to a county road or affects a County drainage facility.
 - (c) The Commissioner of Transportation, if the property is adjacent to a state highway.
 - (d) All public utilities in the municipality registered pursuant to N.J.S.A. 40:55D-12.1.
- (6) The Board reserves the right to require additional information before granting preliminary approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with state or federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

§ 26-9-4. Checklist for variances. [Ord. No. 2006-28; Ord. No. 2009-12; Ord. No. 2010-12; Ord. No. 2012-12]

A. Applicants seeking variance relief shall file one PDF format version and 19 24 completed copies of the following checklist along with the information and documents required therein:

- (1) One PDF format version of all complete materials and 15 half size and 4 full size paper copies~~Twenty-one copies~~ of a complete application.
- (2) One PDF format version and 15 half size and 4 full size paper ~~Twenty-one~~ copies of survey showing location of existing and proposed structures on the subject property. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]**
- (3) One PDF format version and 15 half size and 4 full size paper ~~Twenty-one~~ copies of plans of the proposed structure which describe its appearance and prove its compliance with building codes.
- (4) Proof that no taxes, assessments, or sewer and water charges are due or delinquent on the subject property.
- (5) Completion of W-9 form to accompany payment of applicable fees and escrow accounts.
- (6) Contribution disclosure statement, pursuant to § 26-9-6 of the Borough Code.
- (7) A draft public notice.
- (8) Owner's certification or affidavit of title prepared by an New Jersey attorney at law or New Jersey title company with commitment to insure and consent to file the application.
- (9) Disclosure of ownership, if required, pursuant to N.J.S.A. 40:55D-48.1 and 40:55D-48.2.
- (10) List of all variances requested.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

(11) A stormwater management plan incorporating as many nonstructural stormwater management measures as can feasibly be accommodated on the site, including but not limited to rain gardens, pervious pavement, rain barrels, native vegetative swales, and the required nonstructural stormwater management strategies incorporated at N.J.A.C. 7:8-5.9(a)1., and an explanation as to why additional nonstructural measures could not be used, subject to the review and approval of the Borough Engineer, if so requested by the Planning Board.

B. Additional instructions and notes for all applicants (variance).

(1) Plans may be reviewed by the Borough Engineer, Zoning Officer, planning consultants and other interested parties.

(2) In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.

(3) The applicant shall give public notice by publication in the official newspaper of the Borough at least 10 days prior to the date of the hearing.

(4) Affidavits.

(a) Affidavit of service of notice of hearing on all owners of property within 200 feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8 1/2 x 11 bond paper, six receipts to a page), shall be submitted to the Planning Board Secretary at least 48 hours prior to the hearing.

(b) Affidavit of publication of notice of hearing in the official newspaper of the Borough at least 10 days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least 48 hours prior to the scheduled hearing).

(5) Notice shall be sent to the following:

(a) Adjoining municipality (Clerk) if the property is located within 200 feet.

(b) The County Planning Board if the property is adjacent to a county road or affects a County drainage facility.

(c) The Commissioner of Transportation, if the property is adjacent to a state highway.

(d) All public utilities in the municipality registered pursuant to N.J.S.A. 40:55D-12.1.

(6) The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and/or the surrounding area. This includes, but is not limited to, buildings and structures with state or federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

Borough of Hightstown
County of Mercer

Ordinance 2026-23

§ 26-9-5. Checklist for sign variances. [Ord. No. 2006-28; Ord. No. 2009-12; Ord. No. 2010-12]

A. Applicants seeking sign variance relief shall file one PDF format version and 19 21 completed copies of the following checklist along with the information and documents required therein:

- (1) One PDF format version of all complete materials and 15 half size and 4 full size paper copies ~~Twenty-one copies~~ of a complete application.
- (2) One PDF format version and 19 copies ~~Twenty-one copies~~ of photo or sketch with dimension of sign(s) desired.
- (3) Proof that no taxes, assessments or sewer and water charges are due or delinquent on the subject property.
- (4) Completion of W-9 form to accompany payment of all fees.
- (5) Contribution Disclosure Statement, pursuant to § 26-9-6 of the Borough Code.
- (6) A draft public notice.
- (7) Owner's certification or affidavit of title prepared by an New Jersey attorney at law or New Jersey title company with commitment to insure, and consent to file application.
- (8) List of all variances requested.

B. Additional instructions and notes for all applicants (sign variance).

- (1) In addition, as required, the Mercer County Planning Board must receive a copy of the application and plan(s), and may review the plan and make comments.
- (2) The applicant shall give public notice by publication in the official newspaper of the Borough at least 10 days prior to the date of the hearing.
- (3) Affidavits.
 - (a) Affidavit of service of notice of hearing on all owners of property within 200 feet of subject property as shown on the current Borough Tax duplicate. A certified list of property owners obtained from the Borough Tax Assessor and affidavit, along with USPS certified mail receipts arranged in the same order as the certified list of property owners (mounted on 8 1/2 x 11" bond paper, six receipts to a page), shall be submitted to the Planning Board Secretary at least 48 hours prior to the hearing.
 - (b) Affidavit of publication of notice of hearing in the official newspaper of the Borough at least 10 days prior to hearing (obtain this affidavit from the newspaper and submit to the Planning Board Secretary at least 48 hours prior to the scheduled hearing).
- (4) Notice shall be sent to the following:

Borough of Hightstown
County of Mercer

Ordinance 2026-23

- (a) Adjoining municipality (Clerk) if the property is located within 200 feet.
- (b) The County Planning Board if the property is adjacent to a county road or affects a county drainage facility.
- (c) The Commissioner of Transportation, if the property is adjacent to a state highway.
- (d) All public utilities in the municipality registered pursuant to N.J.S.A. 40:55D-12.1.
- (5) In lieu of an owner's certification of title and consent as required in § 26-9-5A(7) above, a lessee or contract purchaser, may submit a copy of an existing lease document or executed contract of sale for the subject property demonstrating ownership and the owner's consent to file the application.
- (6) The Board reserves the right to require additional information before granting approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and the surrounding area. This includes, but is not limited to, buildings and structures with state or federal historical designation or of local significance, or which are located within the Borough's Stockton Street Historic District. No application shall be deemed incomplete for lack of such additional information.

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: October 19, 2026

Adoption: **Scheduled for Public Hearing November 2, 2026**

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Borough of Hightstown
County of Mercer

Resolution 2026-24

AN ORDINANCE OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER, STATE OF NEW JERSEY, AMENDING CHAPTER 28, “ZONING,” ARTICLE 28-10-11, “OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES,” TO REVISE RESIDENTIAL PARKING REQUIREMENTS IN THE DOWNTOWN CORE AND DOWNTOWN GATEWAY DISTRICTS

WHEREAS, Chapter 28 of the Code of the Borough of Hightstown establishes zoning regulations, including minimum requirements for off-street parking; and

WHEREAS, at its meeting of October 13, 2026, the Hightstown Planning Board reviewed the Borough’s parking regulations and recommended amendments to Section 28-10-11 concerning residential parking in the DTC Downtown Core and DTG Downtown Gateway districts; and

WHEREAS, the recommended amendments replace the existing requirement of one parking space per upper-floor apartment in those districts with parking requirements based upon the number of bedrooms and provide a separate parking standard for senior citizen housing; and

WHEREAS, the Mayor and Council desire to incorporate these recommendations into the Borough Code to better address the parking needs associated with residential uses in the downtown districts; and

WHEREAS, the Mayor and Council find that these amendments will promote appropriate off-street parking and the public health, safety and general welfare of the Borough.

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 28, entitled “Zoning,” Article 28-10-11, 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~~):

§ 28-10-11. Off-street parking and off-street loading facilities. [1991 Code § 233-36; Ord. No. 93-852; Ord. No. 2000-29; Ord. No. 2004-31; amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1-8)]

All public or private parking facilities being replaced or resurfaced more than 50% will require a permit from the Hightstown Zoning Officer. New private or public parking facilities for three automobiles or fewer will require a permit from the Hightstown Zoning Officer. Parking areas will be installed according to the specifications on file with the Municipal Engineer's Office. The permit fee will be calculated at \$15 per \$1,000 of construction cost with a minimum fee of \$45. Inspection will be made by the Hightstown Zoning Officer before the

Borough of Hightstown
County of Mercer

Resolution 2026-24

start of the project. Public or private parking facilities for four or more vehicles, such as parking lots or structures, shall be permitted, subject to site plan approval by the Planning Board, provided that:

- A. The design of such facilities, including their means of access and egress, shall be to minimize the impact of this use of land and its accompanying vehicular movement on adjoining uses of land and on the streets serving the facility and to ensure the safety of pedestrians and motorists.
- B. The location and design of entrances and exits shall be in accord with the requirements of applicable traffic regulations and standards. Landscaping, curbing or approved barriers shall be provided along parking lot boundaries to control entrance and exit of vehicles or pedestrians.
- C. Interior circulation aisles shall be at least twenty-four feet wide, except when designated for one-way use; in that case, they shall be at least 12 feet wide.
- D. Surface parking facilities shall be paved with an all-weather dustless surface such as gravel, asphalt or concrete and shall have such drainage facilities as the Borough Engineer shall deem adequate.
- E. All off-street parking facilities shall be maintained in a clean, orderly condition at the expense of the owner or lessee and shall not be used for the sale, repair, servicing or dismantling of any vehicles, equipment, materials or supplies.
- F. Parking spaces shall be marked individually and shall be available to all users of the facility. Spaces shall be a minimum of nine feet by 20 feet long.
- G. Adequate lighting shall be provided and installed so as to minimize glare on property in any adjoining residential district.
- H. When a parking lot for more than three vehicles is in or adjoins a residential district, there shall be provided along the lot line a continuous screen with a minimum height of six feet and consisting of compact evergreen plantings, foliage screening or wall or fence materials permitted by this chapter or other codes of the Borough.
- I. The locations of screening, fences and parking stalls shall comply with Borough requirements for providing adequate sight triangles.
- J. The minimum number of off-street parking spaces required for permitted land uses shall be as follows:

Borough of Hightstown
County of Mercer

Resolution 2026-24

- ~~(1)~~ Residential dwelling units. Two spaces per unit, except for upper floor apartments in the DTC Downtown Core and DTG Downtown Gateway, which require the following: only require one parking space per unit.

<u>Multi-family Residential</u>	<u>Studios</u>	<u>1</u>	<u>Per Dwelling Unit</u>
	<u>1-bedroom</u>	<u>1.25</u>	<u>Per Dwelling Unit</u>
	<u>2-bedroom</u>	<u>1.5</u>	<u>Per Dwelling Unit</u>
	<u>3+ bedroom</u>	<u>2</u>	<u>Per Dwelling Unit</u>
<u>Senior Citizen Housing</u>		<u>0.7</u>	<u>Per Dwelling Unit</u>

- ~~(+)(2)~~ Schools, public and private. Three spaces for every two teaching positions, plus one space for every four students of legal driving age.
- ~~(2)(3)~~ Theaters, auditoriums, places of worship and other similar places of assembly. One space for every three persons allowed under occupancy codes.
- ~~(3)(4)~~ Nursing homes. One space per each four beds, plus one space for each employee on the maximum shift.
- ~~(4)(5)~~ Residential — Planned Elderly Developments. One space per each apartment, one space for each four beds in any nursing unit, plus one space for each single-family residence.
- ~~(5)(6)~~ Senior citizen housing. One space for each housing unit, plus one space per employee on the maximum shift.
- ~~(6)(7)~~ Cemeteries. One space for each 50 filled graves less than 20 years old.
- ~~(7)(8)~~ Retail stores. One space per each 200 square feet of gross floor area.
- ~~(8)(9)~~ Restaurants, taverns, bars, and similar facilities. One space for every three seats, or one space for each 40 square feet of floor area devoted to patron drinking or dining use, whichever is greater, plus one space for each two employees.
- ~~(9)(10)~~ Offices. One space for each 300 square feet of floor area.
- ~~(+)(11)~~ Offices: medical. Four spaces for each doctor or dentist, plus one space per employee.
- ~~(+)(12)~~ Banks and financial institutions. One space for each 250 square feet of floor area.
- ~~(+)(13)~~ Personal service establishments. One space for each 200 square feet of floor area.
- ~~(+)(14)~~ Funeral homes, mortuaries. One space for each 60 feet of floor area for seating accommodations, plus one space for each employee.
- ~~(+)(15)~~ Manufacturing, wholesaling and warehousing. One space for each 1,000 square feet of floor area, or one space per employee on the maximum shift, whichever is

Borough of Hightstown
County of Mercer

Resolution 2026-24

greater.

~~(15)~~(16) Newspaper and publishing facilities. One space for each 1,000 square feet of floor area, or one space per employee on the maximum shift, whichever is greater.

~~(16)~~(17) Bowling alleys. Four spaces per lane, plus parking determined separately for bar or restaurant facilities.

~~(17)~~(18) Billiard parlors. Two spaces per table, or one space for each two persons permitted to occupy the premises, whichever is greater.

~~(18)~~(19) Health clubs, gymnasiums and similar uses. One space for each 1.50 persons permitted to occupy the premises.

~~(19)~~(20) Mixed uses. Minimum parking shall be the cumulative sum of individual requirements.

~~(20)~~(21) Uses not specified. To be determined based on considering parking requirements for similar uses, maximum employees, visitors anticipated, occupancy codes and other appropriate factors.

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: October 19, 2026

Adoption: **Scheduled for Public Hearing November 2, 2026**

ATTEST:

MARGARET RIGGIO
MUNICIPAL CLERK

SUSAN BLUTH
MAYOR

Borough of Hightstown
County of Mercer

Ordinance 2026-25

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

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

WHEREAS, the New Jersey Department of Environmental Protection (the “DEP”) adopted new stormwater regulations on January 20, 2026, (the “regulations”); and

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

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

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

1. That Chapter 25, entitled “Stormwater Control,” of the Borough Code is hereby repealed in its entirety and replaced with the following:

Section I. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - ~~a.i.~~ Non-residential major developments; and
 - ~~b.ii.~~ Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by ~~the Borough of Hightstown.~~
3. ~~A complete~~ application required by ordinance pursuant to ~~Section I.C.1 and Municipal Land Use Law at N.J.S.A. 40:55D-10.5 and~~ above that has been submitted prior to *{adoption date of this ordinance}*, shall be subject to the stormwater management requirements in effect on ~~the date the complete application was received~~ *{1 day prior to the adoption date of this ordinance}*.
4. ~~An application required by ordinance for approval pursuant to Section I.C.1 above that has been submitted on or after March 2, 2021, but prior to {adoption date of this ordinance}, shall be subject to the stormwater management requirements in effect on {1 day prior to the adoption date of this ordinance}. Notwithstanding 5 below or any rule to the contrary, major developments for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023 requirements of this ordinance as follows:~~
 - ~~i. A major development that reached a preferred alternative or equivalent milestone prior to March 2, 2021, is subject to the requirements of this ordinance in effect on March 1, 2021; and~~
 - ~~ii. A major development that reached a preferred alternative or equivalent milestone on or after March 2, 2021, is subject to the requirements of this ordinance in effect on the date the preferred alternative or equivalent milestone is reached.~~
5. Should a public transportation entity initiate a substantial change to a major development that had previously reached a preferred alternative or equivalent milestone, the major development shall instead be subject to the requirements of this ordinance in effect when the amended milestone is reached.

~~D. Maintenance Requirement Applicability to the Stormwater Management Measures~~
~~Prior Constructed Stormwater Management Measures~~

~~Under the authorization by the conditions in Part V.F.4.a of municipality's Tier A Municipal Stormwater General Permit, the municipality must ensure adequate long-term cleaning, operation and maintenance of stormwater facilities not~~

owned or operated by the municipality, not subject to the conditions of another NJPDES stormwater permit and which were constructed after February 7, 1984.

E. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

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

“CAFRA Centers, Cores or Nodes” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

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

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

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the ~~County Board of Chosen Freeholders Commissioners~~ Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

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

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

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

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. ~~Milling and repaving is~~ The

following maintenance activities are not considered disturbance for the purposes of this ~~definition~~ ordinance:

1. Milling, repaving or resurfacing pavement; patching broken pavement; sealing or filling roadway cracks or joints; repairing damaged concrete pavement joints; driveway repair; bridge or pipe/culvert patching; and bridge deck overlays;
2. Repair or replacement of: median barriers; sidewalks (including installation of ramps pursuant to Americans with Disabilities Act on existing impervious surface); concrete curbs; inlets, manholes and catch basins; conduit outlet protection; and guiderail systems, including rails, posts, impact attenuators, and non-vegetated treatment surfaces consisting solely of permeable material;
3. Repair or replacement of traffic, utility and ITS structures on poles including sign structures such as traffic signs, dynamic variable message signs, cameras, radios, traffic signal equipment and their supporting cabinets;
4. Repair or replacement of rail ties or sleepers; regrading track bed; resurfacing or re-installing rail; repairing or replacing lineside signaling systems; and staging maintenance-of-way equipment on or adjacent to track;
5. Geotechnical and archeological investigation activities; installation of one or more monitoring wells; construction of a gauge, weir, or similar device; and
6. Removal of accumulated sediment and debris from a channel.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

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

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

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

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

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

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

“Independent State authority” means a public authority, board, commission, corporation, or other agency or instrumentality of the State allocated, in but not of, a principal department of State government pursuant to Article V, Section IV, paragraph 1 of the New Jersey Constitution, or which is not subject to supervision or control by the department in which it is allocated, and a regional authority, but shall not include a college or university.

“Infiltration” is the process by which water seeps into the soil from precipitation.

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

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021 *{or the effective date of this ordinance, whichever is earlier}*; ~~or~~
4. The reconstruction of one-quarter acre or more of “motor vehicle surface” or “impervious surface” since *{the effective date of this ordinance}*; or

~~4. 5.~~ A combination of 2, ~~and~~ 3, and 4 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, ~~or~~ 4, or 5 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval ~~under pursuant to~~ the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

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

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

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

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

“Minor Development” means an individual “development” that does not meet the definition of a “Major Development”.

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

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, race-tracks, and runways.

“Municipality” means any city, borough, town, township, or village.

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

~~“New public roadway or railroad” means the construction of a new public roadway or railroad where none currently or previously existed, such as a new bypass. This definition excludes the relocation or reinstating of a public roadway or railroad at a location where one previously existed within a right-of-way and excludes the construction of any widening, improvements and attendant features to an existing public roadway or railroad, such as new ramps, additional lanes/dualization, connection of gaps in existing mainlines, or connection of movements within and existing interchange.~~

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

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

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance

(except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

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

“Public roadway or railroad project limits” means the segment of public roadway or railroad that is proposed to be constructed or improved, and including the right-of-way associated with the that segment of public roadway or railroad.

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

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Reconstruction” means the replacement, rebuilding, or restoration of a lawfully existing structure.

“Regulated impervious surface” means any of the following, alone or in combination:

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

“Regulated motor vehicle surface” means any of the following, alone or in combination:

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

“Retention” means retaining the stormwater runoff generated from development by infiltration, evapotranspiration, or reuse of stormwater runoff without the discharge of the stormwater runoff directly or indirectly to surface waters or to a treatment works.

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

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

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

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

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater

recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

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

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

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

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

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

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

Section III. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.
- C. Minor development must include the appropriate measures to ensure no construction creates or aggravates water stagnation, ponding or inadequate drainage patterns on adjacent properties. A Grading Plan shall be submitted to the Borough Engineer.

No grading shall be undertaken that creates adverse impacts to adjacent properties. For a lot or lots contributing to adverse impacts on adjacent properties prior to grading taking place, the grading plan shall reduce the impact on adjoining lands to the greatest extent possible by directing stormwater runoff or other surface water (e.g., a spring) to appropriate receiving waters, conveyances and other devices accepted by the Borough Engineer. All lots shall be graded to direct surface water runoff away from structures and towards the frontage road or other defined drainage paths.

Section IV. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following ~~linear~~ development projects are exempt from the groundwater recharge, stormwater runoff ~~quantity~~ ~~quality~~, and stormwater runoff ~~quality~~ ~~quantity~~ requirements ~~of at Sections IV.P and, Q, and R, respectively, provided that any vegetated areas temporarily disturbed to conduct the project are, to the maximum extent practicable, revegetated with native, noninvasive vegetation upon completion of the project:~~
1. The construction, reconstruction, or repair of an underground utility line ~~provided that the disturbed areas are revegetated upon completion;~~ or cable, or its supporting infrastructure, such as conduit, junction boxes, and manholes;
 2. The construction, reconstruction, or repair of an aboveground utility line ~~provided that the existing conditions are maintained to the maximum extent practicable; and~~ or cable, or its supporting infrastructure, such as poles and towers;
 3. The construction, reconstruction, or repair of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material;
 4. The maintenance of a dam; and
 5. Public safety improvements undertaken by the municipality or another public transportation entity as set forth in this paragraph:
 - i. Installation of guiderail systems, such as rails, posts, impact attenuators, and non- vegetated treatment surfaces, provided that any pavement utilized consists solely of permeable material;
 - ii. Installation of traffic, utility and ITS structures on poles including sign structures such as traffic signs, dynamic variable message signs, cameras, radios, traffic signal equipment and their supporting cabinets;
 - iii. Installation of railroad lineside signaling systems; and
 - iv. Rockfall mitigation activities that do not result in a net increase of regulated motor vehicle surface or impervious surface.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements

of Sections IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions at IV.D.1, 2, 3, and 4 below are met. The construction of a new public roadway or railroad is not eligible for a waiver pursuant to this subsection.

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

Borough of Hightstown
County of Mercer

Ordinance 2026-25

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

(Notes corresponding to annotations ^(a) through ^(g) are found on Page D-16)

Borough of Hightstown
County of Mercer

Ordinance 2026-25

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

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-16)

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

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-16)

Borough of Hightstown
County of Mercer

Ordinance 2026-25

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section IV.O.2 are subject to the contributory drainage area limitation specified at Section IV.O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section IV.O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 *{Section XI, if the optional Section XI is adopted}* or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures

within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

- I. Design standards for stormwater management measures are as follows:
 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
 5. ~~The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one half inches in diameter.~~ Any flow control device, such as an orifice, weir, grate or perforated pipe, at the outlet of the stormwater management measures shall be designed to prevent the clogging of the flow control device while achieving the design and performance standards at Sections IV.P, Q and R.
- J. Manufactured treatment devices may be used to meet the requirements of this ~~subchapter~~ ~~section~~, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation

Borough of Hightstown
County of Mercer

Ordinance 2026-25

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

construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with ~~Section IV.M~~ above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. ~~To~~ Except as provided at O.6 through O.10 below, to satisfy the groundwater recharge and stormwater runoff quality standards at Sections IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F.—and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

3. ~~To~~ Except as provided at O.6, O.7.i, O.7.iii, O.8, O.9 and O.10 below, to satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 *{Section XI, if the optional Section XI is adopted}* or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Sections IV.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas

within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Sections IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

6. The municipality or another public transportation entity proposing a public roadway or railroad project shall demonstrate compliance with the minimum design and performance standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity at Sections IV.P, Q, and R, respectively, by utilizing green infrastructure BMPs from Tables 1 or 2 within the public roadway or railroad project limits, unless green infrastructure BMPs from Tables 1 or 2 cannot be utilized due to unsuitable hydrologic, hydraulic, or physical conditions. If green infrastructure BMPs from Tables 1 or 2 cannot be utilized within the public roadway or railroad project limits due to unsuitable hydrologic, hydraulic, or physical conditions, IV.O.7 below shall apply.
7. Where the municipality or another public transportation entity demonstrates that it cannot achieve compliance with the minimum design and performance standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity within the public roadway or railroad project limits in accordance with O.6 above, the following requirements shall apply:
 - i. The municipality or another public transportation entity shall demonstrate compliance with the minimum design and performance standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity at Sections IV.P, Q, and R, respectively, by utilizing green infrastructure BMPs from Tables 1 or 2 in disturbed lands immediately adjacent to the public roadway or railroad project limits.
 - a. All disturbed lands adjacent to the public roadway or railroad project limits shall be investigated for achieving compliance with this paragraph regardless of whether the disturbed land is owned or controlled by the municipality or another public transportation entity. For the purpose of this subparagraph, disturbed land includes lawn, farmland, or other disturbed areas, but excludes preserved farmland and wooded areas.
 - b. The municipality or another public transportation entity's investigation shall include lands held for recreation and conservation purposes. However, such lands are not required to be utilized if the proposed green infrastructure solution would violate State or Federal law or be

- inconsistent with or require a release or modification of any recorded restrictions on the property.
- c. Compliance with the minimum design and performance standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity shall be achieved within the disturbed lands immediately adjacent to the public roadway or railroad project limits, unless the municipality or another public transportation entity demonstrates that compliance within this area cannot be achieved due to unsuitable hydrologic, hydraulic, or physical conditions.
 - ii. If the municipality or another public transportation entity has demonstrated that compliance with O.7.i above cannot be achieved due to unsuitable hydrologic, hydraulic, or physical conditions, the municipality or another public transportation entity shall demonstrate compliance with the minimum design and performance standards for groundwater recharge and stormwater runoff quality at Sections IV.P and Q, respectively, by utilizing green infrastructure BMPs from Tables 1 or 2 in the land owned or controlled by the municipality or another public transportation entity, and the disturbed areas immediately adjacent thereto, located upstream of the project and within the same HUC-14 as the project.
 - iii. If the municipality or another public transportation entity has demonstrated that compliance with groundwater recharge and stormwater runoff quality standards pursuant to both O.7.i and O.7.ii above and/or stormwater runoff quantity standards pursuant to O.7.i above cannot be achieved due to unsuitable hydrologic, hydraulic, or physical conditions, the municipality or another public transportation entity may utilize stormwater BMPs from Table 3 to comply with the unmet standards that have been demonstrated to be not achieved pursuant to O.7.i and O.7.ii above, as applicable, without the need to request a waiver from strict compliance pursuant to Section IV.D.
8. If the municipality or another public transportation entity seeking to enlarge an existing public roadway or railroad demonstrates that compliance with the design and performance standards for stormwater runoff quality, groundwater recharge, or stormwater runoff quantity cannot be achieved in accordance with O.6 and O.7 above, it shall request a waiver from strict compliance pursuant to Section IV.D. The construction of new public roadways or railroads are not eligible for the waiver from strict compliance at Section IV.D.
9. For the purposes of O.6 and O.7 above, unsuitable hydrologic, hydraulic, or physical conditions means any physical, hydrologic, or hydraulic impediment that prevents the installation of a functioning BMP on a particular area of land such as, but not limited to, high seasonal high water table elevation, slope steeper than the maximum slope allowable for a BMP, karst topography, shallow depth to bedrock, unavoidable adverse impact resulting from groundwater mounding, or physical impedances caused by existing

structures. Additionally, an inability to retain safe pedestrian passage shall be considered an unsuitable physical condition. Demonstration of unsuitable hydrologic or hydraulic conditions shall be supported by appropriate documentation that complies with the requirements set forth in the applicable laws, rules, ordinances, and construction codes, such as soil testing reports, site plans, survey maps, geological investigation reports, geotechnical reports, and/or photos. The documents shall be submitted to the Department, along with the certification required at O.10 below. Further, the municipality or another public transportation entity shall retain copies of the documents. Installation of a stormwater BMP within the area of a sidewalk, whether within or outside the public roadway or railroad project limits, shall provide sufficient pedestrian passage in the remaining sidewalk.

10. If the municipality or another public transportation entity has demonstrated compliance with the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of this ordinance in accordance with O.7 and O.8 above, the municipality or another public transportation entity shall submit to the Department a certification stating that the municipality or another public transportation entity has conducted its analysis in conformance with O.6 through O.8 above. The certification shall:
 - i. Be signed and sealed by one or more design engineers;
 - ii. Be endorsed by the chief executive officer of the municipality or another public transportation entity; a senior executive officer having responsibility for the overall operations of a principal geographic unit of the public transportation entity (for example, Regional Administrator); or a duly authorized representative by the chief executive officer of the public transportation entity;
 - iii. Include the description of project, location, name and title of the individual with direct knowledge of the review and analysis, the description of the investigation performed, rationale for the decision, and the documentation described in O.9 above must be attached to the certification;
 - iv. Be submitted to the Department at the email address listed in Section VI.B as part of the application for any permit listed in N.J.A.C. 7:8-1.6(a)1 through 5, if applicable, and
 - v. Be included in the annual report that is required to be submitted to the Department pursuant to the municipality's Municipal Separate Storm Sewer System permit, pursuant to N.J.A.C. 7:14A.
11. Notwithstanding the requirements in this subsection, any public roadway or railroad project that has determined a preferred alternative or equivalent milestone by March 2, 2021, shall not be subject to O.2, O.3, and O.4 above, provided that the municipality or another public transportation entity submits to the Department at the email address listed at Section VI.B, by *March 20, 2026*, a list of projects that have selected a preferred alternative or equivalent milestone by March 2, 2021, and that the municipality or another public

transportation entity does not make a substantial change to the design of the project on or after March 2, 2021.

P. Groundwater Recharge Standards

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

Q. Stormwater Runoff Quality Standards

1. This subsection ~~contains sets forth~~ the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface or the reconstruction of one-quarter acre or more of motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm from all new and reconstructed motor vehicle surface as follows:
 - i. Ninety-five percent TSS removal of the anticipated load, expressed as an annual average, shall be achieved for stormwater runoff from any new or reconstructed motor vehicle surface that is proposed to be:
 - a. Discharged within a 300-foot riparian zone (as established by the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1); or
 - b. Discharged into an existing or proposed stormwater conveyance system that ultimately discharges within a 300-foot riparian zone located within the same HUC14 as the major development.
 - ii. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from ~~the net increase of any new or reconstructed~~ motor vehicle surface not covered by Q.2.i above, except as follows:
 - a. Where the municipality or another public transportation entity demonstrates that achieving 80 percent TSS removal pursuant to Q.2.ii above for a public roadway project would require acquisition of developed or otherwise encumbered land outside of the entity's existing right-of-way along the section of roadway being improved or constructed, the public transportation entity shall instead provide water quality treatment to the maximum extent practicable, with a minimum water quality treatment of 50 percent TSS removal for all new and reconstructed motor vehicle.
 - iii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average, unless Q.2.i or Q.2.ii above require a higher level of TSS removal.

3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Borough of Hightstown
County of Mercer

Ordinance 2026-25

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

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

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

Where

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

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

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

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Sections IV.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- ~~9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3-i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.~~
- ~~10.~~ 9. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.
10. Stormwater management measures shall be designed to incorporate any additional measures specified in a ~~TMDL(s)~~ total maximum daily loads(s) approved or established by United States Environmental Protection Agency ~~EPA~~, unless otherwise required pursuant to N.J.A.C. 7:14A-25.6(e).

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section V.C and D, respectively, of this ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development ~~under~~ pursuant to existing zoning and land use ordinances in the drainage area;
 - a. If the analysis demonstrates that there is no increase in the volume or peak runoff rates of stormwater leaving the site, and the change in timing is solely a result of the proposed installation of BMPs to comply with Section IV.Q or Section IV.R.4 below, then no analysis of downstream flooding impacts shall be required, unless the review agency determines that the project will result in increased flood damages downstream of the site;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Sections V.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with ~~Sections IV.R.2.i, ii and iii~~ above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between

its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.
4. Except as provided in R.4.iii below, the design engineer shall demonstrate that the major development meets the minimum volumetric reduction standard in accordance with R.4.i and/or R.4.ii below.
 - i. Stormwater management measures shall be designed to achieve retention of the water quality design storm by incorporating green infrastructure BMPs from Table 1 and Table 2 unless R.4.i.a below applies:
 - a. Where an applicant demonstrates that compliance with this subparagraph is technically impracticable as set forth at N.J.A.C. 7:8-4.6(a)1 {*Section XI, if the optional Section XI is adopted*}, or the type of stormwater is subject to Section IV.P.4, a major development site shall instead meet the hydrograph requirements at R.4.i.a(1) and R.4.i.a(2) below:
 - (1) The runoff peak flow rate of the water quality design storm from the site shall be less than the runoff peak flow rate of the water quality design storm from a drainage area equivalent to the size of the disturbed area of the major development, with a woods cover type, in good hydrologic condition and on Hydrologic Soil Group D soil; and
 - (2) The runoff hydrograph duration of the water quality design storm from the site shall be greater than the runoff hydrograph duration of the water quality design storm from a drainage area equivalent to the size of disturbed areas of the major development, with a woods cover type, in good hydrologic condition, and on Hydrologic Soil Group D soil. For the purposes of this sub-subparagraph, "runoff hydrograph duration" means the duration between the time that the runoff flow rate starts to be greater than zero to the time that the runoff flow rate becomes zero.
 - ii. In the alternative of R.4.i above, the applicant may address all or a portion of the volumetric reduction standard, as follows:
 - a. The applicant shall undertake one or both of the following:
 - (1) Removal of existing impervious surface totaling an area equal to or greater than the impervious surface within the disturbed portions of the major development site; and/or

- (2) Retention of an equivalent or greater volume of stormwater runoff generated by the water quality design storm required pursuant to R.4 above at an offsite location. Runoff retained from storms other than the water quality design storm shall not be counted toward compliance with this requirement.
- b. Volumetric reduction pursuant to R.4.ii.a above shall occur within the same HUC-14 as the major development, except where the applicant is a public transportation entity that demonstrates providing volumetric reduction within the same HUC-14 is technically reasons as set forth in N.J.A.C. 7:8-4.6 {*Section XI, if the optional section is adopted*}, in which case the applicant shall provide volumetric reduction within the same Watershed Management Area as the major development, and as close as practicable to the major development.
- c. Any application for a major development that utilizes offsite impervious surface removal or retention to comply with the volumetric reduction standard must be accompanied by sufficient information and property owner permission to fully review and approve the offsite portion of the project along with the major development itself. Applications utilizing offsite impervious surface removal or retention without this information shall not be considered complete. Further, any offsite portions of the project must be construction prior to, or concurrent with, the major development.
- iii. The volumetric reduction standards of this subsection shall not be applicable to projects that are undertaken by a public transportation entity in cases where the project meets the definition of major development solely because the project results in increased capacity of an existing stormwater conveyance system.

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

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

1. The design engineer shall calculate runoff using the following method:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/directive/24>

~~or at United States Department of Agriculture Natural Resources
Conservation Service, New Jersey State Office.~~

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term “curve number” applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
 3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
 4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
 5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420
Mail Code 29-01, Trenton, New Jersey 08625-0420.

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

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

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

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

Section VI. Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

- Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and

supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

~~B. Submissions required for review by the Department should be mailed to:~~

~~The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.~~

B. Submissions required for review by the Department should be directed to the New Jersey Department of Environmental Protection's Division of Watershed Protection and Restoration through email to stormwatermanagementrules@dep.nj.gov.

Section VII. Solids and Floatable Materials Control Standards:

A. Site design features identified under Section IV.F ~~above~~, or alternative designs in accordance with Section IV.G ~~above~~, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this ~~paragraph subsection~~, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see ~~Section VII.A.2~~ below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

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

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

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

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section VIII. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no ~~less~~ greater than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant

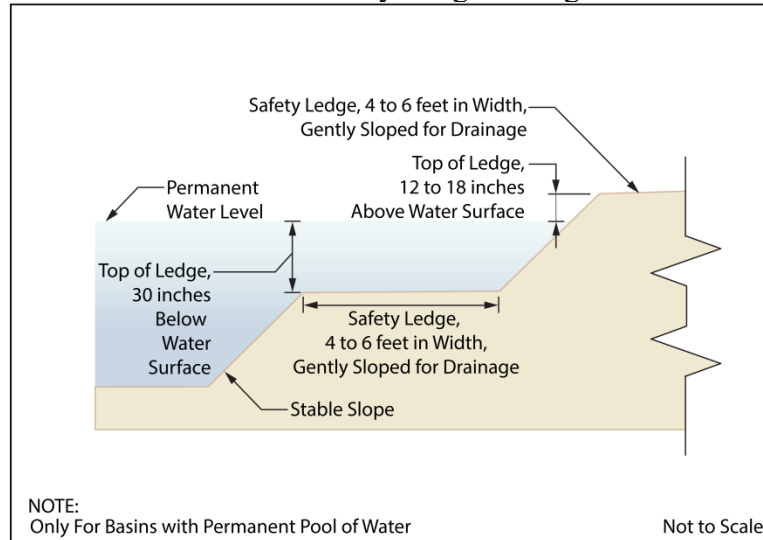
- to **Section VIII.C**, a free-standing outlet structure may be exempted from this requirement;
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See **Section VIII.E** for an illustration of safety ledges in a stormwater management BMP; and
 - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit *{specify number}* copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review

engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling

groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
 - ii. ~~When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed~~ A soil report complying with the requirements in Chapter 12 of the BMP Manual shall be submitted to determine the suitability and distribution of soils present at the location of the ~~control~~ ~~measure~~ site.
7. Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.
8. Waiver from Submission Requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section X. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section X.B and X.C.

B. General Maintenance

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

repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7. The party responsible for maintenance identified under ~~Section X.B.3~~ above shall perform all of the following requirements:
 - i. Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. Evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. Retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by ~~Section X.B.6~~ and B.7 above.
 - iv. Obtain a stormwater maintenance permit from the Borough Engineer by June 30 of each year; and
 - v. On an annual basis submit to the Borough Engineer a maintenance and inspection report and certification on a form approved by the Borough Engineer with all required maintenance logs.
8. Obtain a stormwater maintenance permit from the Borough Engineer by June 30 of each year; and
9. On an annual basis submit to the Borough Engineer a maintenance and inspection report and certification on a form approved by the Borough Engineer with all required maintenance logs.
10. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

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

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

Section XI. Variance from the design and performance standards for stormwater management measures

- A. A variance from the design and performance standards for stormwater management measures set forth in this ordinance and the municipal stormwater management plan, provided the municipal stormwater management plan includes a mitigation plan or a mitigation plan in accordance with the conditions in this Section:

1. The applicant demonstrates that it is technically impracticable to meet any one or more of the design and performance standards on-site. For the purposes of this analysis, technical impracticability exists only when the design and performance standard cannot be met for engineering, environmental, or safety reasons. The approval of a variance shall apply to an individual drainage area and design and performance standard and shall not apply to an entire site or project, unless an applicant provides the required analysis for each drainage area within the site and each design and performance standard;
2. The applicant demonstrates that the proposed design achieves the maximum possible compliance with the design and performance standards on-site; and
3. A mitigation project in accordance with the following is implemented.
 - i. The mitigation project may be selected from the municipal mitigation plan or may be proposed by the applicant, provided it meets the criteria in the municipal mitigation plan.
 - ii. The mitigation project shall be approved no later than preliminary or final site plan approval of the major development.
 - iii. The mitigation project shall be located in the same HUC 14 as the area of the major development subject to the variance.
 - iv. The mitigation project shall be constructed prior to, or concurrently with, the major development.
 - v. The mitigation project shall comply with the green infrastructure standards at Section IV.O.
 - vi. If the variance that resulted in the mitigation project being required is from the green infrastructure standards at Section IV.O, then the mitigation project must use green infrastructure BMPs in Table 1, and/or an alternative stormwater management measure approved in accordance with Section IV.G that meets the definition of green infrastructure to manage an equivalent or greater area of impervious surface and an equivalent or greater area of motor vehicle surface as the area of the major development subject to the variance. Grass swales and vegetative filter strips may only be used in the mitigation project if the proposed project additionally includes a green infrastructure BMP other than a grass swale or vegetative filter strip. The green infrastructure used in the mitigation project must be

- sized to manage the water quality design storm, as defined at Section IV.Q, at a minimum, and is subject to the applicable contributory drainage area limitation specified at Section IV.G or Section IV.O, as applicable.
- vii. A variance from the groundwater recharge standards at Section IV.P may be granted if one of the following is met:
 - (1) The average annual groundwater recharge provided by the mitigation project must equal or exceed the average annual groundwater recharge deficit resulting from granting the variance for the major development; or
 - (2) Runoff infiltrated during the two-year storm from the mitigation project must equal or exceed the deficit resulting from granting the variance from the required infiltration of the increase in runoff volume from pre-construction to post-construction from the major development.
 - viii. A variance from the stormwater runoff quality standards at Section IV.Q may be granted if the following are met:
 - (1) The total drainage area of motor vehicle surface managed by the mitigation project(s) must equal or exceed the drainage area of the area of the major development subject to the variance and must provide sufficient TSS removal to equal or exceed the deficit resulting from granting the variance for the major development; and
 - (2) The mitigation project must remove nutrients to the maximum extent feasible in accordance with Section IV.Q.
 - ix. A variance from the stormwater runoff quantity standards at Section IV.Q may be granted if the following are met:
 - (1) The applicant demonstrates, through hydrologic and hydraulic analysis, including the effects of the mitigation project, that the variance will not result in increased flooding damage below each point of discharge of the major development;
 - (2) The mitigation project discharges to the same watercourse and is located upstream of the major development subject to the variance; and
 - (3) The mitigation project provides peak flow rate attenuation in accordance with Section IV.Q for an equivalent or greater area than the area of the major development subject to the variance. For the purposes of this demonstration, equivalent includes both size of the area and percentage of impervious surface and/or motor vehicle surface.
 - x. The applicant or the entity assuming maintenance responsibility for the associated major development shall be responsible for preventive and corrective maintenance (including replacement) of the mitigation project and shall be identified as such in the maintenance plan established in accordance with Section X. This responsibility is not transferable to any entity other than a public agency, in which case, a written agreement with that public agency must be submitted to the review agency.
- B. Any approved variance shall be submitted by the municipality to the county review agency and the New Jersey Department of Environmental Protection, by

Borough of Hightstown
County of Mercer

Ordinance 2026-25

way of a written report describing the variance, as well as the required mitigation, within 30 days of the approval.

Section XII. Enforcement and Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

- A. This chapter shall be enforced by the Code Enforcement Officer and/or their designee.
- B. Any person(s) who erects, constructs, alters, repairs, converts, maintains, fails to maintain or uses any building, structure or land in violation of this chapter, or who otherwise has not complied in any respect with the requirements of this chapter, shall be subject to the following penalties for each offense: any and all penalties as set forth in Chapter 1, Article 1-5, of the Borough Code.
- C. Each act or violation, and every day upon which any violation shall occur or continues to occur, shall constitute a separate offense.
- D. In addition to the penalties prescribed by § 25-1-11B and C above, in the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have 14 days to effect maintenance and repair of the facility in a manner that is approved by the Borough Engineer or his or her designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality may immediately proceed to do so and shall bill the cost thereof, along with any professional fees or other costs incurred by the municipality associated with maintenance and repair activities, to the responsible person. Nonpayment of such bill(s) may result in the imposition of a lien against the property.

Section XIII. Severability:

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

Section XIV. Effective Date:

This ~~O~~rdinance shall be in full force and effect from and after its adoption and any publication as required by law.

Borough of Hightstown
County of Mercer

Ordinance 2026-25

Introduction:

Adoption:

Margaret Riggio, Borough Clerk

Susan Bluth, Mayor

Borough of Hightstown
County of Mercer

Resolution 2026-225

**RESOLUTION AWARDING A TWO-YEAR CONTRACT FOR SLUDGE CAKE
REMOVAL, TRANSPORTATION, DELIVERY AND DISPOSAL TO WASTE
MANAGEMENT OF NEW JERSEY**

WHEREAS, the Borough of Hightstown solicited bids for Sludge Cake Removal, Transportation, Delivery and Disposal for one-year and two-year contract periods; and

WHEREAS, bids were received and publicly opened on October 2, 2026, and three (3) bids were received for these services; and

WHEREAS, Waste Management of NJ, located at 100 Brandywine Boulevard, Suite 300, Newtown, Pennsylvania 18940, submitted the lowest bid for the two-year contract at a unit price of \$150.99 per ton, for an total contract amount not to exceed \$196,287.00; and

WHEREAS, the Borough Engineer reviewed the bids and, by letter dated October 7, 2026, recommended awarding a one-year contract; and

WHEREAS, the Mayor and Borough Council have considered the Borough Engineer's recommendation and determined that awarding the two-year contract is in the best interest of the Borough; and

WHEREAS, the bid has been reviewed by the Borough Attorney and found to be in legal compliance; and

WHEREAS, funds for this contract will be made available in the appropriate years' budgets.

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

1. A two-year contract for Sludge Cake Removal, Transportation, Delivery and Disposal is hereby awarded to Waste Management of NJ for the period beginning January 1, 2027, and ending December 31, 2028, at a unit price of \$150.99 per ton, for an total contract amount not to exceed \$196,287.00, in accordance with the bid specifications and the contractor's bid.
2. Payments shall be based upon actual quantities of services performed and accepted by the Borough at the awarded unit price, in accordance with the contract documents.
3. Funds shall be made available in the appropriate years' budgets.

Borough of Hightstown
County of Mercer

Resolution 2026-225

4. The Mayor and Borough Clerk are hereby authorized to execute the contract and any documents necessary to effectuate this award, subject to approval by the Borough Attorney.
5. A certified copy of this resolution shall be provided to the Borough Administrator, Chief Financial Officer, Borough Engineer, Borough Attorney, Advanced Wastewater Treatment Plant Superintendent, and Waste Management of NJ.

Borough of Hightstown
County of Mercer

Resolution 2026-226

RESOLUTION OF COMPLIANCE REGARDING THE 2025 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2025 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S.A.* 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the audit entitled “Findings and Questioned Costs” or “Findings and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled Findings and Questioned Costs” or “Findings and Recommendations” as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five (45) days after receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

Borough of Hightstown
County of Mercer

Resolution 2026-226

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Hightstown hereby states that it has complied with N.J.A.C 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 November 2, 2026.

Margaret Riggio, Borough Clerk

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF **MERCER**

We, members of the governing body of the **Borough of Hightstown** of, in the County of **Mercer**, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the **Borough Council** of the **Borough of Hightstown** in the county of **Mercer**;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year **2025**;
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled "Findings and Recommendations."

Susant Bluth

Joseph Cicalese

Cristina Fowler

Todd Frantz

Jeet Gulati

Frederick Montferrat

Stephanie Spann

Sworn to and subscribed before me this
2nd day of November, 2026

Margaret Riggio, Municipal Clerk
Borough of Hightstown

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

SYNOPSIS OF 2025 REPORT OF AUDIT OF THE BOROUGH OF HIGHTSTOWN

COMBINED COMPARATIVE BALANCE SHEETS
REGULATORY BASIS

ALL FUNDS

<u>ASSETS</u>	<u>Dec. 31 2025</u>	<u>Dec. 31 2024</u>
Cash and Investments	\$ 9,385,498.80	\$ 8,608,656.70
Taxes and Liens and Utilities Charges Receivable	662,595.82	610,216.12
Property Acquired for Taxes--Assessed Valuation	109,200.00	
Accounts Receivable	5,998,642.63	6,874,074.25
Fixed Capital Utilities	16,555,516.65	16,555,516.65
Fixed Capital Authorized and Uncompleted	20,021,500.00	17,306,500.00
Deferred Charges to Future Taxation -- General Capital	10,105,414.38	9,494,151.76
Deferred Charges to Revenue of Succeeding Years		64,196.77
Fixed Assets	<u>7,148,891.87</u>	<u>7,148,891.87</u>
Total Assets	<u>\$ 69,987,260.15</u>	<u>\$ 66,662,204.12</u>

LIABILITIES, RESERVES
AND FUND BALANCE

Bonds, Notes and Loans Payable	\$ 12,804,089.60	\$ 12,590,822.37
Improvement Authorizations	10,859,214.52	11,292,593.87
Other Liabilities and Special Funds	13,699,641.87	11,876,786.71
Reserve for Certain Assets Receivable	1,742,271.79	2,021,313.63
Amortization of Debt for Fixed Capital Acquired or Authorized	20,789,753.14	20,236,361.29
Fund Balance	2,943,397.36	1,495,434.38
Investment in Fixed Assets	<u>7,148,891.87</u>	<u>7,148,891.87</u>
Total Liabilities, Reserves and Fund Balance	<u>\$ 69,987,260.15</u>	<u>\$ 66,662,204.12</u>

**COMPARATIVE STATEMENTS OF OPERATIONS AND CHANGES IN
FUND BALANCE -- REGULATORY BASIS**

CURRENT FUND

<u>Revenue and Other Income Realized</u>	<u>Year 2025</u>	<u>Year 2024</u>
Fund Balance Utilized	\$ 1,072,619.00	\$ 1,030,874.00
Miscellaneous -- From Other Than Local Property Tax Levies	1,734,518.73	2,232,766.33
Collection of Delinquent Taxes and Tax Title Liens	222,461.40	292,345.61
Collection of Current Tax Lev	19,909,941.06	19,137,066.75
Interfund Loans Returned	669,533.45	
Other Credits to Income	776,466.96	621,259.81
	<hr/>	<hr/>
Total Income	24,385,540.60	23,314,312.50
	<hr/>	<hr/>
<u>Expenditures</u>		
Budget Expenditures:		
Municipal Purposes	8,782,135.80	8,631,312.42
County Taxes	3,971,411.55	3,644,131.44
Regional School Taxes	9,421,908.00	9,253,387.00
Interfund Loans Made	300,000.00	655,895.94
Other Debits to Income	43,900.06	39,592.56
	<hr/>	<hr/>
Total Expenditures	22,519,355.41	22,224,319.36
Statutory Excess to Fund Balance	1,866,185.19	1,089,993.14
Fund Balance Jan. 1	1,383,704.30	1,324,585.16
	<hr/>	<hr/>
	3,249,889.49	2,414,578.30
Less:		
Utilized as Revenue	1,072,619.00	1,030,874.00
	<hr/>	<hr/>
Fund Balance Dec. 31	\$ 2,177,270.49	\$ 1,383,704.30
	<hr/>	<hr/>

**COMPARATIVE STATEMENTS OF OPERATIONS AND CHANGES IN
FUND BALANCE -- REGULATORY BASIS**

WATER-SEWER UTILITY FUND

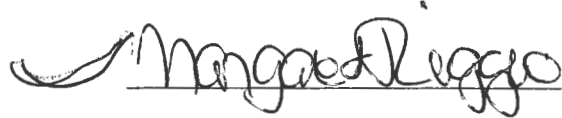
<u>Revenue and Other Income Realized</u>	<u>Year 2025</u>	<u>Year 2024</u>
Fund Balance	\$ 59,646.00	\$ 48,000.00
Collection of Water-Sewer Rents	3,691,862.27	2,895,641.12
Miscellaneous -- From Other than Water Rents	125,467.45	149,341.51
Other Credits to Income	144,784.89	184,883.73
Total Income	4,021,760.61	3,277,866.36
<u>Expenditures</u>		
Operatin	2,607,803.31	2,364,149.00
Capital Appropriations	40,000.00	20,000.00
Debt Service	615,242.69	608,471.10
Deferred Char es and Statutor Expenditures	245,796.77	162,500.00
Other Debits to Income	51,335.82	
Total Expenditures	3,560,178.59	3,155,120.10
d ustment in Income before Fund Balance:		
Deferred Char es to Bud et of Succeedin Years		
Total Ad usted Expenditures	3,560,178.59	3,155,120.10
Statutor Excess to Fund Balance	461,582.02	122,746.26
Fund Balance Jan. 1	99,767.68	25,021.42
	561,349.70	147,767.68
Less:		
Utilized as Revenue	59,646.00	48,000.00
Fund Balance Dec. 31	\$ 501,703.70	\$ 99,767.68

RECOMMENDATIONS

That the Borough establishes controls to ensure all fixed assets acquired, sold, or retired are recorded in the fixed assets system.

The above synopsis was prepared from the Report of Audit of the Borough of Hightstown, County of Mercer, for the calendar year 2025, submitted by Daniel M. DiGangi, Registered Municipal Accountant, Certified Public Accountant of PKF O'Connor Davies, LLP, Certified Public Accountants. The information included therein is not intended to represent complete financial information as presented in the Report of Audit. A copy of the Report of Audit is on file at the Municipal Clerk's Office and may be inspected by any interested person.

A Corrective Action Plan, which outlines the remedial actions the management of the Borough of Hightstown will take in response to the recommendation contained in the Schedule of Audit Findings and Recommendations included in the Report of Audit, will be prepared in accordance with federal and state guidelines. A copy of the Corrective Action Plan will be placed on file and be made available for public inspection in the office of the Municipal Clerk in compliance with the Division of Local Government Services directives.

A handwritten signature in black ink, appearing to read "Margaret Leggio", written over a horizontal line.

Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-227

**RESOLUTION OF THE BOROUGH OF HIGHTSTOWN, COUNTY OF MERCER,
STATE OF NEW JERSEY, APPROVING THE CORRECTIVE ACTION PLAN IN
RESPONSE TO THE ANNUAL AUDIT REPORT**

WHEREAS, the Borough of Hightstown has received and reviewed the Annual Audit Report for the fiscal year ending 12/31/2025; and

WHEREAS, the audit report has identified certain findings and recommendations requiring corrective action; and

WHEREAS, in accordance with New Jersey Local Finance Notice 92-15, a Corrective Action Plan has been prepared by the Chief Financial Officer to address the findings of the audit report; and

WHEREAS, the Corrective Action Plan outlines specific actions to be taken to correct the deficiencies noted and prevent future occurrences; and

WHEREAS, the Borough Council has reviewed the Corrective Action Plan and finds it to be appropriate and in compliance with the audit recommendations.

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

1. The Corrective Action Plan prepared in response to the findings of the 2025 Annual Audit Report is hereby approved.
2. The Chief Financial Officer is hereby directed to implement the Corrective Action Plan as outlined.
3. A copy of this resolution, along with the Corrective Action Plan, shall be submitted to the Department of Community Affairs in accordance with state requirements.
4. This resolution shall take effect immediately upon passage.

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 November 2, 2026.

Margaret Riggio, Borough Clerk

HIGHTSTOWN BOROUGH
COUNTY OF MERCER
AUDIT CORRECTIVE ACTION PLAN
12/31/2025
AUDIT

Recommendation 2025-001 NJAC 5:30-5.6(a)(4)(i) requires property records be maintained accurately, to reflect a description and source of the property, its ownership, the acquisition cost and date and the percentage of Federal participation in the acquisition.

Observation: The prior CFO did not keep a record of each fixed asset in accordance with NJAC 5:30-5.6(a)(4)(i)

Corrective Action: The current CFO will engage in a company to perform a Fixed Asset Accounting for all assets over \$5,000 or, alternatively, we will utilize the most current up to date insurance schedule.

Action date: No later than 12/31/2027

Respectfully submitted,

Donna A. Condo, CFO

Borough of Hightstown
County of Mercer

Resolution 2026-228

**AUTHORIZING THE EXECUTION OF AN EMPLOYMENT AGREEMENT WITH
FRANK GENDRON AS CHIEF OF POLICE**

WHEREAS, Frank Gendron serves as Chief of Police of the Borough of Hightstown; and

WHEREAS, the Borough and Chief Gendron have negotiated an Employment Agreement establishing the terms and conditions of his continued employment for the three-year period commencing January 1, 2027 and ending December 31, 2029; and

WHEREAS, the Agreement addresses the Chief's responsibilities, compensation, leave, benefits, and other terms and conditions of employment; and

WHEREAS, the Mayor and Borough Council desire to approve the Employment Agreement, attached hereto and made a part of this Resolution, and authorize its execution.

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 attached Employment Agreement between the Borough of Hightstown and Frank Gendron is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the Agreement on behalf of the Borough, and the Borough Clerk is authorized to attest to the Mayor's signature; and

BE IT FURTHER RESOLVED that funds necessary to satisfy the Borough's obligations under the Agreement shall be provided in the appropriate years' budgets; and

BE IT FURTHER RESOLVED that a fully executed copy of the Agreement shall be maintained on file in the Office of the Borough Clerk.

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 November 2, 2026.

Margaret Riggio, Borough Clerk

EMPLOYMENT AGREEMENT BETWEEN THE BOROUGH OF
HIGHTSTOWN AND FRANK GENDRON TO SERVE AS CHIEF OF
POLICE

THIS AGREEMENT, entered into on this ___th day of October, 2026, effective January 1, 2027, by and between the Borough of Hightstown, in the County of Mercer, New Jersey (hereinafter referred to as the Borough), and Frank Gendron, (hereinafter referred to as the Chief of Police), hereby establishes the following terms and conditions of employment for the position of Chief of Police. This agreement represents certain terms and conditions of employment for the Chief of Police. The Chief is also subject to the Borough's personnel manual in effect at the time of the execution of this Agreement ("Personnel Manual") to the extent that the provisions contained therein are not modified by this Agreement.

ARTICLE I

RESPONSIBILITIES OF THE CHIEF OF POLICE

Pursuant to state law, the Ordinances of the Borough and the regulations and policies established by the appropriate authority, the responsibilities of the appointed Chief of Police shall include the responsibility to:

- a) Conduct and manage the day-to-day operations of the Police Department:
- b) Administer and enforce rules, regulations and special emergency directives regarding the disposition and discipline of the police force, its officers, and personnel:
- c) Have, exercise, and discharge the functions, powers and duties of the police force:
- d) Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercised under his direction and supervision:
- e) Prescribe the duties and assignments of all subordinates and other police department personnel: and
- f) Report at least monthly at a regular meeting of the Borough, or by any such other forms as the Borough shall require, as to the operation of the police force during the preceding month.

ARTICLE II

WORK WEEK AND HOLIDAYS

1. The Chief of Police shall spend sufficient time at his job to ensure the smooth and responsible operation of the Police Department over which he has supervisory control. The Chief of Police shall work at least forty (40) hours per week and shall not be eligible for overtime.
2. The Chief of Police shall attend Borough Council meetings when his attendance is requested by the Mayor.
3. The Chief of Police shall be entitled to utilize four (4) personal days per calendar year as provided in the Personnel Manual.
4. The Chief shall receive the same holidays as other Borough employees covered by the Personnel Manual.

ARTICLE III

SICK LEAVE

1. Sick leave is hereby defined to mean an absence by the Chief of Police due to illness, accident, injury, disability, or exposure to contagious disease, or the necessity to attend to and care for a seriously ill member of his immediate family.
2. In the event the Chief of Police requires sick leave due to any of the above-stated reasons, he shall provide written notice to the Borough Administrator regarding the use of such leave.
3. The term immediate family for the purpose of this Article shall include the following: a) spouse; b) parent; c) step-parent; d) child; e) foster child; and f) any other relative residing in the Chief of Police's household.
4. Sick leave shall accrue for the Chief of Police at the rate of eight (8) hours per month of service, and shall accumulate from year to year, with a maximum accumulation of one thousand (1000) hours, to be used as set forth herein.
5. The Chief of Police, at his option, may be paid for a maximum of one hundred (100) hours from his sick leave bank each year at the equivalent of his base salary hourly rate. Payment shall be made no later than January 30th of the succeeding year.
6. Upon retirement, the Chief of Police may exchange sick days for a cash payment at his then-prevailing base salary rate up to a total value of \$15,000. The Borough shall

make such payment no later than thirty (30) days following the Chief of Police' official retirement date. The Chief of Police will notify the Borough 6 months in advance of any retirement date which would occur prior to December 31, 2029.

ARTICLE IV

INJURY LEAVE

1. In the event the Chief of Police becomes disabled by reason of work-related injury or illness and is unable to perform his duties, the Chief of Police shall be entitled to full pay for a period of one year commencing with the date of such work-related injury or illness, or until such time as he has been accepted for retirement by the Policemen's Pension System. If the Chief of Police exercises this right, he shall surrender to and deliver any workman's compensation salary payments to the Borough Treasurer in order to receive his entire salary payment. If illness continues beyond one year, the Chief of Police shall be paid on the basis of his accumulated sick leave.

ARTICLE V

FUNERAL LEAVE

1. In the event of death in the Chief of Police's immediate family (herein defined as either a spouse, parent, stepparent, grandparent, sibling, child, foster child, stepchild, grandchild, parent-in-law, daughter-in-law or son-in-law) or any other relatives residing in the Chief of Police's home, the Chief of Police shall be granted time off, without loss of pay, commencing no later than the day of the funeral, but in no event to exceed three (3) consecutive calendar days.

2. The Chief of Police will be granted special funeral leave, without loss of pay, for a period of one (1) day due to the death of any other relative or individual not specified above.

ARTICLE VI

VACATIONS

The Chief of Police shall be entitled to thirty (30) days of vacation time per calendar year.

1. The Chief of Police shall be entitled to schedule his vacation time, provided that the Chief of Police shall not take vacation leave unless ranking officers are available to assume control of, and responsibility for, the operation of the Police Department. In addition, the Chief of Police shall not schedule his vacation time during any time period where planned events shall require the presence of the Chief of Police.
2. Up to 15 days of unused vacation time may be paid at that year's rate of pay in which the vacation is earned, paid at the equivalent of his regular hourly rate, and shall be paid no later than January 30th of the succeeding year. An additional 5 days may be carried over to the following year only. Any unused and accrued vacation time shall be compensated for by the Borough at the Base Salary hourly rate when the Chief of Police becomes voluntarily separated or retires from employment with the Borough. However, any unused and accrued vacation time will not be compensated for if the Chief of Police terminates his employment with the Borough without giving four weeks (4) week's prior notice to the Borough Administrator.

ARTICLE VII

INSURANCE, HEALTH, AND WELFARE

1. The Borough shall maintain medical insurance coverage for the benefit of the Chief of Police and his family (herein defined as a spouse or dependent). At no time shall the Chief of Police receive less medical insurance coverage than that which is received by any other members of the Police Department. The Chief shall contribute premium contributions toward his benefits in the amounts calculated in P.L. 2011, Chapter 78 even if or when Chapter 78 sunsets.
2. The Borough shall supply the Chief of Police with all necessary legal advice and counsel in the defense of any and all claims, charges and/or allegations filed against him in the performance of his duties in accordance with the laws of the State of New Jersey and of the United States. The Chief of Police, subject to the approval of the Borough, may make the selection of an attorney and the Borough shall not unreasonably withhold such approval. The Borough shall be responsible for indemnification of the Chief with respect to any such claims, charges and/or allegations, including compensatory damages, punitive damages, attorney's fees, costs, etc., so long as the Chief is found to

have not participated or acted in any illegal manner. The Borough shall similarly be responsible for indemnification and counsel in connection with all claims, including compensatory, punitive damages, attorney's fees, costs, etc. for actions filed subsequent to the expiration of this agreement, so long as the Chief is not found to have participated or acted in any illegal manner.

3. Life Insurance in the amount of \$20,000.00 will also be provided by the Borough at no cost to the Chief of Police.

ARTICLE VIII

CLOTHING ALLOWANCE

1 The Borough shall replace any clothing or personal items damaged or destroyed in the line of duty or reimburse the Chief of Police for the cost of replacing such items, provided reasonable replacement costs are mutually agreed to between the Borough and the Chief of Police. The Borough Administrator will approve all such purchases and reimbursements.

2 It shall be left to the professional discretion of the Chief of Police as to when he should wear formal or informal uniform or plain clothes.

ARTICLE IX

CELL PHONE ALLOWANCE

The Chief of Police and the Borough agree that in lieu of a Borough-issued cell phone, a cell phone allowance shall be provided to the Chief of Police in the amount of \$270, no later than February 1st of each year.

ARTICLE X

CHIEF'S CAR

1. The Borough agrees to supply the Chief of Police with an unmarked automobile to be used for police work. However, it shall be a full-sized, four-door car and shall be equipped with

all such equipment as is normally needed for police work, including but not limited to emergency lights, siren, police radio, etc. There shall be no limit on the use of the automobile for police work or anything associated with police work, such as attending meetings, school outings, trips, conferences, and any other traveling needed to carry out the duties of the Chief of Police.

2. The Borough shall pay all expenses for the operation and upkeep of the automobile, such as car insurance, tires, gas, oil changes, and any other necessary repairs.

3. The automobile shall not be used by anyone other than the Chief of Police, except that the Chief of Police may designate other members of the Police Department, as appropriate, to use the vehicle for a designated police purpose.

ARTICLE XI

SALARY

Commencing on January 1, 2027 Gendron's salary with the Borough shall be paid at an annual rate of \$184,959.50 less all applicable deductions, effective January 1, 2027. Effective January 1, 2028, Gendron's salary shall be paid at an annual rate of \$193,017.88, less all applicable deductions. Effective January 1, 2029, Gendron's salary with the Borough shall be paid at an annual rate of \$201,398.59, less all applicable deductions.

Salary shall be paid in accordance with the usual practice of the Borough.

ARTICLE XII

LONGEVITY

The Chief of Police shall be paid, an annual longevity in the amount of \$16,500 per year, which shall be paid as a component of the Chief's base salary, prorated on a bi-weekly basis, with appropriate deductions. When used in this agreement, the term "base salary" shall include the annual salary listed in Article X as well as Longevity identified in Article XI.

ARTICLE XIII

EDUCATIONAL PROGRAMS/LAW ENFORCEMENT CONFERENCES

1. The Chief of Police shall be permitted to attend and be compensated for, at his Base Salary hourly rate, any school, seminar or retraining session conducted or sponsored by the International Association of Chiefs of Police, New Jersey State Association of Chiefs of Police, New Jersey State Police, Federal Bureau of Investigation, or any other educational program of a management or supervisory nature. Mutually agreed upon expenses, such as travel, room, food, tuition, special clothing, books, or any other charges connected with the educational program shall be borne by the Borough. In addition, the Borough agrees to grant the Chief of Police two (2) educational/instructional days off per year. In no event shall the Borough be required to pay or reimburse the Chief of Police for expenses of any class, course, school, or educational program unrelated to police activities.
2. Borough agrees to grant time off, including travel time, and pay all associated and reasonable expenses for the Chief of Police to attend the annual New Jersey State Association of Chiefs of Police Conference, the annual International Association of Chiefs of Police Conference, and the annual FBI National Academy Associates Conference subject to the availability of funding in the municipal budget. If the Chief of Police attends a conference at Borough expense, the Chief of Police shall provide the Borough with proof of expenses for attending such conference, by way of receipts or vouchers.
3. Borough also agrees to pay for the Chief of Police's dues for membership in the Mercer County Chiefs of Police Association, the New Jersey State Association of Chiefs of Police, the International Association of Chiefs of Police, and the FBI National Academy Associates.
4. Borough agrees to grant time off and pay all mutually agreed upon expenses incurred by the Chief of Police attending any meeting of the above-named associations, as long as such meetings are held within the State of New Jersey. In the event any such meeting occurs outside of New Jersey, the Chief of Police shall first obtain permission to attend such meeting from the Borough Administrator.

ARTICLE XIV

BOROUGH ISSUED FIREARM

In recognition of his service to the Borough of Hightstown, the Borough agrees to allow the Chief to keep his Borough issued firearm upon his retirement, at a trade in value set by a Borough authorized firearms vendor, so long as he signs the appropriate paperwork and satisfies any other requirements required by law to transfer ownership of the firearm from the Borough to him.

ARTICLE XV

SEPARABILITY AND SAVINGS

If any provision of this agreement, or any application of this agreement, is held to be invalid by operation of law or by a court or other tribunal of competent jurisdiction, such provision shall be inoperative, but all other provisions shall not be affected thereby and shall continue in full force and effect.

ARTICLE XVI

MODIFICATION

This Agreement represents the full agreement of the parties, and no modifications shall be made hereto unless such modification is made in writing and mutually accepted by all parties as evidenced by their signature.

ARTICLE XVII

TERM AND RENEWAL

THIS AGREEMENT shall be in full force and effect as of January 1st, 2027 and shall remain in effect to, and including, December 31, 2029.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date

specified below:

CHIEF FRANK GENDRON

BOROUGH OF HIGHTSTOWN

Frank Gendron

Susan Bluth, Mayor

WITNESS

ATTEST

Dated _____

Dated _____

Borough of Hightstown
County of Mercer

Resolution 2026-229

RESOLUTION APPOINTING A FUND COMMISSIONER

WHEREAS, the Borough of Hightstown (hereinafter “Local Unit”) is a member of the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Hightstown (Local Unit) that John Francis is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2027**.

BE IT FURTHER RESOLVED that Margaret Riggio is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2027**.

BE IT FURTHER RESOLVED that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

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 November 2, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-230

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Hightstown (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position.

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

1. Borough of Hightstown, in the County of Mercer and State of New Jersey hereby appoints Skylands Risk Management, Inc. its Risk Management Consultant.
2. The Mayor and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2027 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 November 2, 2026.

Margaret Riggio, Borough Clerk

STATEWIDE INSURANCE FUND
RISK MANAGEMENT CONSULTANT'S AGREEMENT

2027 Fund Year

THIS AGREEMENT entered into this _____ day of _____ 20____, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, _____ ("MEMBER") and _____ ("RISK MANAGEMENT CONSULTANT") through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.

- (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claim settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
 - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
 - (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2027** to **January 1, 2028**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Margaret Riggio, Borough Clerk

Member Representative Susan Bluth, Mayor
Hightstown Borough

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

**EXHIBIT A
STATEWIDE INSURANCE FUND**

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _____
Risk Management Consultant

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____ DATE: _____

Borough of Hightstown
County of Mercer

Resolution 2026-231

**A RESOLUTION APPROVING A PAINT AND SIP ORGANIZED BY THE HIGHTSTOWN
BOROUGH CULTURAL ARTS COMMISSION**

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

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

WHEREAS, one such activity sponsored by the Cultural Arts Commission is a sip and paint event where attendees are guided to create their own artwork; and

WHEREAS, a third paint and sip will take place on November 20, 2026, at The Elks Lodge, 110 Hickory Corner Road, East Windsor, NJ.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Hightstown approve this year’s paint and sip as a sponsored and covered event and are grateful to the Cultural Arts Commission for their work in providing community events to the residents of Hightstown Borough.

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 November 2, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-232

**A RESOLUTION CONFIRMING THE HIRE OF PATRICIA NIELSEN AS AN
ADMINISTRATIVE ASSISTANT FOR THE BOROUGH OF HIGHTSTOWN, DPW**

WHEREAS, Patricia Nielsen has been hired to serve as an Administrative Assistant for the Borough of Hightstown, DPW effective October 26, 2026, and

WHEREAS, the Mayor and Borough Council desire to formally confirm said hire and acknowledge the service of Patricia Nielsen to the Borough; and

WHEREAS, compensation and benefits shall be in accordance with the Borough Salary Ordinance and/or applicable collective bargaining agreement.

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

1. The hire of Patricia Nielsen as an Administrative Assistant for the Borough of Hightstown, DPW is hereby confirmed effective October 26, 2026.
2. The Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the appropriate Borough officials.

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 November 2, 2026.

Margaret Riggio, Borough Clerk

Borough of Hightstown
County of Mercer

Resolution 2026-233

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 November 2, 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:

Real Property

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 February 2, 2027, 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 November 2, 2026.

Margaret Riggio, Borough Clerk

Best Practices Inventory Online Platform

Survey

Hightstown Borough

Printable Current Answers

001	Core Competencies	Budget
Pursuant to recently enacted P.L. 2025, c.185, calendar year municipalities must approve/adopt their introduced budgets no later than March 31/April 30 or the date of the next regularly scheduled governing body meeting thereafter (or, for State Fiscal Year municipalities, August 10/September 20 or the date of the next regularly scheduled governing body meeting thereafter). See Local Finance Notice 2026-05. Timely budget adoption helps a municipality avoid having to issue estimated tax bills or tax anticipation notes (TANs). Did your municipality introduce and adopt its current year budget no later than the above-referenced dates? This question may only be answered N/A if your municipality's budget is subject to adoption by the Local Finance Board under State Supervision or if the Division instructed the municipality to delay budget adoption.		[1.00] Yes
002	Core Competencies	Budget
As amended by P.L. 2025, c.185, N.J.S.A. 40A:5-12 requires the chief financial officer of each Calendar Year municipality to file the Annual Financial Statement (AFS) with the Division no later than March 10. The deadline remains August 10 for SFY municipalities. The law was also amended to allow the Director to issue a \$100 per day penalty, payable by the CMFO, for failure to file. Did your municipality file its AFS with the Division by no later than the statutory deadline?		[1.00] Yes
003	Core Competencies	Budget
Pursuant to N.J.S.A. 40A:2-40, the chief financial officer in each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. Did your municipality file its Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?		[1.00] Yes

004	Core Competencies	Budget
Ahead of the public hearing on the budget, did your municipality make a user-friendly section of its CY2026/SFY2027 introduced budget available to the public as required pursuant to N.J.A.C. 5:30-3.8?		[0.00] No
005	Core Competencies	Budget
N.J.A.C. 5:30-7.4 disqualifies from local examination a municipality that has failed to submit to the Division the user-friendly budget section corresponding with the previous year's adopted budget. Has your municipality electronically submitted to the Division the User-Friendly Budget section of its adopted CY2024/SFY2025 and CY2025 budgets?		[1.00] Yes
006	Best Practices	Budget
Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5, and annually deposit appropriations into the fund? Only answer N/A if your municipality 1) does not offer (for any employee hired after a certain date) payouts upon retirement for accumulated sick leave, and 2) no current employee has a grandfathered right to sick leave payouts upon retirement.		[0.50] Yes
007	Best Practices	Budget
N.J.S.A. 40A:4-62.1 allows municipalities to establish a storm recovery reserve for purposes such as, but not limited to, snow, ice, and debris removal. Unexpended balances budgeted annually for storm recovery purposes may be lapsed into the reserve. Review LFN 2025-10 for further information. Has your municipality established a storm recovery reserve to ensure the consistent availability of funds for this purpose?		[0.00] No
008	Best Practices	Budget
Does your municipality engage in long-term financial planning with 5-year budget projections and cash flow forecasts?		[0.00] No

009	Best Practices	Budget	
A formal policy regarding municipal budget surplus (i.e. fund balance) is critical to making informed financial decisions, and the lack of a policy could lead bond rating agencies to downgrade your municipality's credit rating. In developing said surplus policy, the CMFO should analyze and explain at least a five (5) year trend of surplus, describing the factors causing each annual increase or decrease in order to develop a realistic and sustainable surplus policy. Has your municipality formally adopted a written policy that clearly states a specific unrestricted surplus amount or percentage of total revenue available to support its annual budget?			[0.50] Yes
010	Best Practices	Budget	
Did your municipality's most recent adopted budget maintain a fund balance (surplus) of at least 20% of appropriations or higher? If you answered No, please state the reason(s) for this budgeting decision under Comments.			[0.00] No Comment: The decision to use more was to maintain a lower tax rate increase and continue to work on increasing surplus through prudent budget practices and look to increase revenues in future budgets.
011	Best Practices	Budget	
Did your municipality's most recent adopted budget rely on one-time revenues in an amount at or below 10% of total revenues? If you answered No, please state the reason(s) for this budgeting decision under Comments.			[0.00] No
012	Best Practices	Budget	
If your municipality answered No to Questions 10 or 11, has your municipality formulated a plan for reversing those practices in your municipality's next upcoming budget?			[0.50] Yes
013	Unscored Survey	Budget	
If your municipality permits one or more classes of cannabis businesses, does your municipality impose a local cannabis tax pursuant to N.J.S.A. 40:48I-1?			[0.00] Yes

014	Core Competencies	Budget
If your municipality has authorized special emergency authorizations financed by Special Emergency Notes (N.J.S.A. 40A:4-55), is the municipality current on the mandatory annual redemption schedule of retiring at least one-fifth (1/5) of each note annually with no rollovers or renewals beyond the statutory five-year term?		[1.00] N/A
015	Core Competencies	Capital Projects
Any municipality having its own water system is required to adopt an annual capital budget and program reflecting the water infrastructure improvements listed on the annual Water Quality Accountability Act (WQAA) capital improvement report. The WQAA capital improvement report must be submitted to the Department of Environmental Protection (DEP) by no later than March 15. If your municipality has its own water system, does the capital budget and program reflect the capital projects listed in the annual WQAA report submitted to DEP that fall within the time period of the municipality's capital budget and capital program?		[1.00] Yes
016	Core Competencies	Capital Projects
Has your municipality adopted a capital program as defined by N.J.A.C. 5:30-4.2, meaning a moving, multi-year plan and schedule for capital projects (including prospective financing sources) and, when pertinent, first year operating costs and savings? Only answer N/A if your municipality does not have a capital budget and is not required to adopt a capital budget pursuant to N.J.A.C. 5:30-4.3.		[0.00] No
017	Unscored Survey	Emergency Services
A disaster preparedness drill can help plan appropriate emergency responses for scenarios such as, but not limited to, natural disasters, active shooter, wildfires, and chemical spills. Has your municipality participated in a disaster preparedness drill involving local, county, and/or regional partners within the past year?		[0.00] No
018	Best Practices	Environment
Have one or more public electric vehicle charging stations been installed on municipal property?		[0.00] No

019	Best Practices	Environment
When purchasing new vehicles, does your municipality have a formal policy to purchase hybrid or alternative fuel vehicles whenever such vehicles are suited to the intended use? Only answer N/A if your municipality does not own any vehicles.		[0.00] No
020	Core Competencies	Ethics
The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Statements (FDSs) annually. Compliance by local elected officials is required by N.J.S.A. 40A:9-22.6. Did all governing body members timely file their annual Financial Disclosure Statements for 2026 such that they were not issued a Notice of Violation (NOV) by the Local Finance Board? A "No" answer is permissible if the governing body members' NOV were rescinded by the Board. Only answer N/A if your municipality has an ordinance on the books establishing a municipal ethics board.		[1.00] Yes
021	Core Competencies	Ethics
If your municipality has a municipal ethics board, did the municipal ethics board enforce the Financial Disclosure Statement (FDS) statute by issuing violations to local government officers (LGOs) who were on the 2026 roster but did not file the FDS by April 30, 2026? Only answer N/A if your municipality does not have an ordinance on the books establishing a municipal ethics board.		[1.00] N/A
022	Core Competencies	Financial Administration
Audit findings address areas needing improvement and ignoring these findings devalues the process. Municipalities should correct noted deficiencies. Have the audit findings in your municipality's 2024 audit been identified in a corrective action plan and not been repeated in the 2025 audit? If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. If your municipality's 2025 audit is late, answer "No" and state "2025 audit not complete". Only answer "N/A" if there were no audit findings in the 2025 audit. If you did not answer no, please type "No Repeat Audit Findings" into the Comment Box.		[0.00] No Comment: There is no fixed asset plan, nor has there been one for years. A plan is in place to do a proper inventory by the end of 2027.

023	Core Competencies	Financial Administration
At its July 2023 meeting, the Local Finance Board adopted an amendment to N.J.A.C. 5:30-8.2 that converted the previously suggested surety bond schedule for a CMFO to a mandatory minimum schedule. This change came into effect on January 1, 2024. See Local Finance Notice 2023-21 for further details and to view the exposure index. Through a blanket bond or an individual bond, does your municipality provide a fidelity bond with faithful performance coverage for the CMFO that meets at least the minimum schedule set forth in N.J.A.C. 5:30-8.2?		[1.00] Yes
024	Core Competencies	Financial Administration
N.J.A.C. 5:30-5.7 requires municipalities to maintain a general ledger for not only the current fund, but also for all other funds, as well as post totals for all funds to the general ledger on at least a monthly basis and maintain required original books of entry in an electronic format. See Local Finance Notice 2024-09 for further details. Does your municipality maintain a general ledger for its current fund and all other funds in accordance with N.J.A.C. 5:30-5.7?		[1.00] Yes
025	Core Competencies	Financial Administration
Does your municipality post totals for all funds to the general ledger on at least a monthly basis?		[1.00] Yes
026	Core Competencies	Financial Administration
Does your municipality maintain required original books of entry in an electronic format?		[1.00] Yes
027	Core Competencies	Financial Administration
Regular cash flow analysis by a municipality's finance office is critical to maintaining essential services and ensuring fiscal solvency. The Government Finance Officers Association offers cash flow forecasting guidance at https://www.gfoa.org/cash-flow-forecasting . Does your municipality's finance office generate a cash flow report on at least a quarterly basis with administration and elected officials updated on the results?		[0.00] No
028	Core Competencies	Financial Administration
If your municipality received a legislative grant-in-aid from the FY26 State Budget, is your municipality 1) in compliance with all documentation and closeout requirements, 2) maintaining current agency information in SAGE, and 3) ensuring that the agency profile in SAGE does not lapse?		[1.00] Yes

029	Best Practices	Financial Administration
N.J.A.C. 5:30-8.3(a)(3) establishes a schedule of minimum dollar amounts for tax collector surety bonding. However, to provide a higher level of security for public funds, municipalities are encouraged to adopt the more stringent schedule for tax collector surety bonding specified in N.J.A.C. 5:30-8.3(a)(4). Has your municipality adopted the more stringent surety bonding schedule for tax collectors set forth in N.J.A.C. 5:30-8.3(a)(4) or higher?		[0.50] Yes
030	Best Practices	Financial Administration
N.J.A.C. 5:30-8.4 (a) establishes a schedule of minimum dollar amounts for municipal court surety bonding, specifically for municipal judges and municipal court administrators. However, subsection (b) of 5:30-8.4 encourages municipalities to adopt a more stringent schedule for municipal court surety bonding that is specified in the subsection. Has your municipality adopted the more stringent surety bonding schedule for municipal court judges and court administrators set forth in N.J.A.C. 5:30-8.4(b) or higher?		[0.50] Yes
031	Unscored Survey	Financial Administration
Has the federal government rescinded or suspended one or more municipal grants since the beginning of this year? If so, please list the affected grants in the Comments field. If not, insert "Answered No" in the Comments field.		[0.00] No Comment: Answered No.
032	Unscored Survey	Historic Preservation
Does your municipal land use ordinance provide for an historic preservation commission that is governed under N.J.S.A. 40:55D-107?		[0.00] Yes
033	Core Competencies	Insurance
The purchase of insurance coverage and consultant services is a limited exception to public bidding by virtue of being deemed an Extraordinary Unspecifiable Service (EUS) pursuant to N.J.S.A. 40A:11-5(a)(ii) and 40A:11-5(1) (m). See Page 3 of Local Finance Notice AU-2002-2 for further details. The standard EUS certification declaration is available at https://www.nj.gov/dca/dlgs/programs/lpcl_docs/Model_Forms/eus_letter.pdf . Do not submit the form to DLGS. If your municipality has procured insurance under the EUS exception to public bidding, has your municipality followed the procedural requirements of an EUS in doing so?		[1.00] N/A

034	Best Practices	Insurance	
If your municipality contracts with an insurance broker for health insurance, and said contract exceeds the Local Public Contracts Law (LPCL) bid threshold, is your municipality's health insurance broker being procured through a competitive contracting or sealed bid process conducted pursuant to the Local Public Contracts Law? Only answer N/A if your municipality does not contract with an insurance broker for health insurance or, if it does, the contract does not exceed your municipality's LPCL bid threshold.			[0.50] N/A
035	Best Practices	Insurance	
Insurance broker fees dependent on the amount of health insurance premiums or fees paid by the municipality are vulnerable to abuse as brokers could face conflicting incentives in seeking lower-cost health insurance alternatives. If your municipality contracts with an insurance broker for health insurance, is the structure for broker payments set at a flat-fee rather than on a commission basis to mitigate the risk of a broker recommending more expensive health insurance coverage to earn higher fees? Only answer N/A if your municipality does not contract with an insurance broker for health insurance.			[0.50] N/A
036	Unscored Survey	Insurance	
If your municipality offers non-SHBP employee health benefit coverage (excluding Rx and dental), did your municipality switch from SHBP to non-SHBP health benefit coverage within the past four (4) years?			[0.00] Yes
037	Unscored Survey	Insurance	
What type of employee health benefit coverage (excluding Rx and dental) does your municipality currently offer?			[0.00] Joint health insurance fund
038	Core Competencies	Lead Remediation	
Subsection h. of N.J.S.A. 52:27D-437.16 requires each municipality to assess an additional fee of \$20 per unit inspected for lead hazards and deposited into the Department of Community Affairs' Lead Hazard Control Assistance Fund established pursuant to N.J.S.A. 52:27D-437.4. Does your municipality assess and collect the above-reference \$20 fee assessment for each lead inspection and send the proceeds to the Department of Community Affairs' Division of Housing & Community Resources for deposit into the Fund?			[1.00] Yes

039	Core Competencies	Lead Remediation
Have all rental dwellings that have experienced tenant turnover since July 2022 been inspected for lead prior to being re-occupied?		[1.00] Yes
040	Core Competencies	Personnel
For any current municipal officers and employees NOT required by contract or municipal policy to make health benefit contributions in the amounts specified by the Chapter 78 health benefit contribution grid (excluding Rx and dental), is your municipality requiring those employees to contribute at least 1.5% of base salary towards health benefits pursuant to P.L. 2010, c. 2? See Local Finance Notices 2010-12 and 2011-20R for further details. Answer N/A if all of your municipality's officers and employees are required by contract or municipal policy to contribute at least the amount required by P.L. 2011, c. 78 for health benefits.		[1.00] N/A
041	Core Competencies	Personnel
A retiree whose amount of contribution towards retirement health benefits was determined pursuant to the Chapter 78 grid shall contribute based on the Chapter 78 grid percentage corresponding with their retirement benefit amount. See LFN 2011-20R for further explanation. For those retirees whose health benefit contribution amounts must adhere to the Chapter 78 grid, is your municipality ensuring that retiree health benefit contributions are being made in the amount required pursuant to law?		[1.00] N/A
042	Core Competencies	Personnel
Payments for waivers filed before May 21, 2010 and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or \$5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments below the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. Are your municipality's healthcare waiver payments at or below the statutory maximum? "N/A" is only applicable where the municipality does not make payments in lieu of health benefits.		[1.00] Yes

043	Core Competencies	Personnel	
Has your municipality's chief financial officer, tax collector, and municipal clerk registered their most current e-mail addresses in GovConnect to allow continued receipt of EGG Notice broadcasts?			[1.00] Yes
044	Core Competencies	Personnel	
For all municipal officers and employees whose positions require a State-issued professional license or certification, does your municipality 1) maintain a list of all State- certified employees and the expiration dates of their licenses or certifications; and 2) require those officials to provide updated copies of their licenses or certifications as they are renewed?			[1.00] Prospective Comment: Municipality needs to identify employee responsible for ensuring all licenses are up to date
045	Unscored Survey	Personnel	
Does your municipality currently have an unlicensed individual serving as an acting Municipal Clerk, temporary Chief Municipal Finance Officer, temporary Purchasing Agent, and/or a temporary Chief Public Works Manager? Select as many as are applicable or None of the Above.			Comment: None of the above
046	Unscored Survey	Personnel	
Does your municipality currently retain a chief financial officer through a professional services contract?			[0.00] No
047	Core Competencies	Procurement	
N.J.S.A. 34:1A-1.16 authorizes the New Jersey Department of Labor and Workforce Development (NJDOL) to create a list on its website, dubbed the Workplace Accountability in Labor List (The WALL), of any person found in violation of any State wage, benefit, and tax laws and against whom a final order has been issued by the NJDOL for such violation. A contract cannot be awarded to any contractor or vendor appearing on the WALL. Review LFN 2024-18 for further information. Is your municipality cross checking prospective vendor or contractor names against the WALL before awarding any contract over the quote threshold?			[1.00] Yes

048	Core Competencies	Procurement
P.L. 2023, c. 138 requires public works contractor registration and payroll certification for public works projects to be completed online at https://njwages.nj.gov/ . Contractors were required to be registered prior to August 15, 2024 with public entity registration strongly encouraged. Email njwagehubinfo@dol.nj.gov for assistance with registration. In addition to the NJ Wage Hub online requirements, certified payrolls shall continue to be submitted to the municipality in the manner and process that is consistent with each body's previous receipt of certified payrolls (e.g. email, fax). Is your municipality registered with NJDOL's online certified payroll system?		[0.00] No
049	Unscored Survey	Procurement
Has your municipality awarded a contract for financial consulting services within the past year?		[0.00] Yes Comment: Phoenix advisors for debt managment.
050	Core Competencies	Redevelopment
Upon the adoption of a resolution by a municipal governing body determining that a delineated area, or any part thereof, is an area in need of redevelopment or an area in need of rehabilitation, N.J.S.A. 40A:12A-6.b(5)(c) and 40A:12A-14.a require the municipal clerk to transmit a copy of the resolution to the Commissioner of the Department of Community Affairs for review. If the area in need of redevelopment or rehabilitation is not located in an area in which development or redevelopment is to be encouraged pursuant to any State law, the determination shall not take effect without first receiving the review and approval of the Commissioner. If the area in need of redevelopment or rehabilitation is located within an area in which development or redevelopment is encouraged pursuant to State law, the resolution shall take effect after the municipal clerk has transmitted a copy of the resolution to the Commissioner. Areas in Need of Redevelopment and Areas in Need of Rehabilitation are featured on the NJ Community Asset Map hosted on the Office of Local Planning Services webpage under "Available Data and Applications." Has your municipality submitted all resolutions designating areas in need of redevelopment or rehabilitation within the municipality to the DCA Commissioner?		[1.00] Yes

051	Core Competencies	Redevelopment	
N.J.S.A. 40A:20-9(d) requires an urban renewal entity with which the municipality has a financial agreement for a payment in lieu of taxes (PILOT) under the Long-Term Tax Exemption Law to submit annually, within 90 days after the close of its fiscal year, its auditor's reports to the mayor and the governing body. Does your municipality enforce the annual submission of urban renewal entity audit reports and review those reports?			[1.00] N/A
052	Core Competencies	Redevelopment	
For financial agreements under the Long-Term Tax Exemption Law (Long-Term PILOTs) that were entered into on or after July 9, 2003, N.J.S.A. 40A:20-12 requires municipalities to remit to the county five percent (5%) of each quarterly installment of the annual service charge paid by the urban renewal entity to the municipality. The county portion must be included with the quarterly tax installment paid to the county pursuant to N.J.S.A. 54:4-74. P.L. 2025, c.91 also requires a quarterly report of all Long Term PILOTs to which the county share applies to be filed with the county along with the required payment. See LFN 2025-12 for further information. Does your municipality pay over to the county its statutory share of each Long-Term PILOT entered into on or after July 9, 2003 and file the required quarterly report?			[1.00] N/A
053	Core Competencies	Redevelopment	
PILOTs can be a useful tool for economic development. However, municipalities must monitor PILOT agreements to ensure recipients comply with all agreement terms, particularly timely payment and reporting. Does your municipality have an official designated to monitor exemptions/abatements and ensure compliance with the PILOT agreement terms?			[1.00] N/A
054	Unscored Survey	Redevelopment	
If your municipality has one or more PILOTs under the Long-Term Tax Exemption Law (NJSA 40A:20-1 et seq.), which municipal official is responsible for collecting the annual service charge? If selecting "Other", please list the official under Comments.			[0.00] N/A

055	Unscored Survey	Redevelopment
If your municipality has one or more PILOTs under the Long Term Tax Exemption Law (NJSA 40A:20-1 et seq.), does your municipality share with its school district(s) any portion of the annual service charge revenue generated from one or more PILOT agreements?		[0.00] N/A
056	Core Competencies	Shared Services & Consolidation
N.J.S.A. 40A:65-4(b) requires a copy of each shared services agreement to be filed with the Division of Local Government Services. Has your municipality filed with the Division the most current copy of each shared services agreement under which the municipality provides one or more services to another local unit as defined by N.J.S.A. 40A:65-3 of the Uniform Shared Services and Consolidation Act? Only answer N/A if your municipality does not provide a shared service to another local unit.		[1.00] Yes
057a	Unscored Survey	Shared Services & Consolidation
If your municipality currently provides a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, please select one or more of the options provided and list under Comments each municipality (and the county in which that municipality is located) along with the position being provided to that municipality. If your municipality currently provides none of these positions pursuant to a shared services agreement, select None of the Above and insert N/A into Comments.		Comment: None of the above
057b	Unscored Survey	Shared Services
If the answer to Question 57a is yes, did one or more of the identified shared service agreements result in the dismissal of a tenured official? If yes, please insert under Comments 1) the position or positions where an agreement resulted in the dismissal of a tenured official; and 2) an estimate of the cost savings anticipated to be achieved by the participating municipalities at the outset of the agreement. If the answer is No or N/A, please insert "No" or "N/A" under Comments. See LFN 2018-3R for more information on this provision of the Common Sense Shared Service Act.		[0.00] N/A Comment: N/A

058	Unscored Survey	Tax Collection	
What method does your municipality use to conduct its annual tax lien sale? If an online sale is used, please include the name of the vendor in the Comments. If an in-person sale, insert "in-person sale" under Comments.			[0.00] In-Person Sale
059	Unscored Survey	Technology	
Does your municipality routinely utilize an artificial intelligence (AI) platform in one or more of its departments?			[0.00] Yes
060	Unscored Survey	Transient Accomodations	
Has your municipality authorized the issuing of licenses for rental of short-term transient accomodations (e.e. Airbnb, VRBO) pursuant to N.J.S.A. 40:52-1(n)?			[0.00] No
061	Unscored Survey	Transient Accomodations	
Has your municipality established a municipal occupancy tax on hotel rooms or transient accomodation rentals pursuant to N.J.S.A. 40:48F-1 through 7?			[0.00] No
062	Core Competencies	Transparency	
Signed into law on June 30, 2025, L. 2025, c.72 replaces the previous newspaper publication of legal notices with mandatory publication on the local government's website. A municipality shall make the complete text of each legal notice available on a dedicated legal notices webpage for at least one week from the date of initial posting or such other time period as may be required by law. See LFN 2026-01 for further information. Does your municipality maintain a prominent "Current Legal Notices" link conspicuously displayed on the homepage of its official website?			[1.00] Yes
063	Core Competencies	Transparency	
Starting July 1, 2026, L. 2025, c.72 requires each municipality to maintain an archive on its official website for all legal notices that have been removed from conspicuous placement on its Current Legal Notices webpage. An archived legal notice must be maintained in the municipality's Internet archive for at least one year after being transferred from, its Current Legal Notices webpage. See LFN 2026-01 for further information. Does your municipality currently have an online archive for its legal notices?			[1.00] Yes

064	Core Competencies	Transparency	
Are your municipality's codified and uncodified ordinances, including all current salary ordinances, posted on the municipality's website? Please provide the link to the webpage on which the ordinances are posted under Comments. If the answer is "No" type "Answered No" under Comments.			[1.00] Yes Comment: https://code360.com/H1169 https://ecode360.com/3830495
065	Core Competencies	Transparency	
Does your municipality maintain on its website minutes and agendas, along with meeting dates, for the governing body, planning board, board of adjustment and all commissions? Please provide the link to the webpage on which the agendas and minutes are listed under Comments. If the answer is "No" type "Answered No" under Comments.			[1.00] Yes Comment: https://ecode360.com/H1169/d
066	Core Competencies	Transparency	
Municipalities will need to implement ADA-compliant design principles for rendering links and notice content accessible to the visually impaired. The current Federal compliance deadlines are April 24, 2027 for municipalities 50,000 or more in population, and April 24, 2028 for municipalities of less than 50,000. See LFN 2026-01 for further information. Is your municipality working with its IT personnel/firm and legal counsel to ensure the compliance deadline is met?			[1.00] Prospective
067	Core Competencies	Transparency	
Does your municipality maintain on its website the previous three years of adopted budgets and the current year introduced or adopted budget, inclusive of the user-friendly budget section, as required pursuant to N.J.S.A. 40A:4-10? Please provide the link to the webpage on which the budgets are posted under Comments. If the answer is "No" type "Answered No" under Comments.			[1.00] Yes Comment: https://www.hightstownborough
068	Best Practices	Transparency	
Does your municipality maintain on its website, in a location easily accessible to the public, the municipal master plan and the current and most immediate prior master plan elements (e.g. land use, housing, stormwater management plan, traffic, open space and recreation)? Please provide the link to the webpage on which the master plan information is posted under Comments. If the answer is "No" type "Answered No" in the comments.			[0.50] Yes Comment: https://www.hightstownborough and-zoning/

069	Best Practices	Transparency
Does your municipality maintain on its website all current labor agreements, including memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements? Please provide the link to the webpage on which current labor agreements are posted under Comments. If the answer is "No" type "Answered No" under Comments.		[0.50] Yes Comment: https://www.hightstownboroughl
070	Best Practices	Transparency
Does your municipality maintain on its website the most recent annual financial statement (AFS) and annual audit, including any corrective action plan? Please provide the link to the webpage on which both are posted under Comments. If the answer is "No" type "Answered No" under Comments.		[0.50] Yes Comment: https://www.hightstownboroughl
071a	Core Competencies	Hospital Contributions
Does your municipality collect a community service contribution under N.J.S.A. 40:48J-1 from tax-exempt hospitals and satellite emergency care facilities located within your municipality?		[1.00] N/A
071b	Core Competencies	Hospital Contributions
If your answer to Question 71(a) was yes, is your municipality remitting 5% of the installment to the county pursuant to subsection d. of N.J.S.A. 40:48J-1?		[1.00] N/A

Best Practices Inventory Online Platform

Hightstown Borough

Scoring

Current Score: 40

Score

- 0 - 27
- 27 - 30
- 30 - 33
- 34 +

Aid Withheld

- 100% of final aid payment withheld
- 50% of final aid payment withheld
- 25% of final aid payment withheld
- No aid withholding