

## **UNAPPROVED**

# **BOROUGH OF HIGH BRIDGE – COUNCIL MEETING MINUTES**

Date: May 24, 2018 – 7:30 p.m. – Location: 7 Maryland Ave., High Bridge, NJ 08829

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### **CALL TO ORDER: MEETING CALLED TO ORDER BY MAYOR DESIRE**

### **FLAG SALUTE: LED BY MAYOR DESIRE**

### **COUNCIL ROLL CALL:**

Councilman Columbus	present	Councilman LoIacono	present	Mayor Desire	present
Councilwoman Ferry	present	Councilman Strange	present		
Councilwoman Hughes	present	Councilman Zappa	present		

Also present were Attorney Steve Firkser, Administrator Michael Pappas, Director of Public Works Michael Hann, and Acting Clerk Adam Young along with twenty-two members of the public and press.

### **READING AND APPROVAL OF MINUTES:**

Motion to dispense with the reading of the regular May 10, 2018 minutes: Motion / Second: Strange / Zappa  
Roll call vote: Columbus, abstain ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 5 yes, 1 abstain

Motion to approve the May 10, 2018 minutes: Motion / Second: Zappa / Strange  
Roll call vote: Columbus, abstain ; Ferry, yes ; Hughes, yes ; LoIacono, abstain ; Strange, yes ; Zappa, yes ;  
Motion passes: 4 yes, 2 abstain

A moment of silence for Roger Cregar was observed.

### **APPOINTMENTS:**

#### **A.     **Resolution 148-2018** - Updating Council Committee assignments for Events and Golf**

Motion to adopt Resolution 148-2018: Motion/Second: Strange / Zappa  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

### **AWARDS:**

Motion to amend agenda to revisit to Awards section later in meeting if the recipient arrives:  
Motion / Second: Zappa / Strange  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

#### **A.     Volunteer of the Year Award – No action taken at this meeting**

### **DISCUSSION ITEMS:**

#### **A.     Sewer utility – The Mayor and Council spoke about the history of the Town of Clinton issue, the milestones of attempted mediation with the Town of Clinton, the need for the sewer rate increase to deal with expenses of the sewer utility, the handling of the monies which appear to be unpaid by High Bridge which are being held in an escrow account, the frustrations of delay and prolonging of the issue by the Town of Clinton, the intent to build a sewer processing plant to deal with sewerage, and the Council**

being in the same situation as the residents because they are tax payers as well and also pay the increased rates.

## **VISITORS:**

- A.** Pablo Delgado and Nicole Poko – The dog park and pump track presentation was given outlining the logistics and placement of the proposed pump track as well as the initial support and logistics for a dog park located in the current Commons Department of Works area. Council discussed how the fence for the public works will be considered, the Department of Works maneuverability within the area concerning safety to people and the area, Dept. of Environmental Protection regulations to handling mulch, placement of fences for access, risk management issues, possible plans for alternate access, ground maintenance in the dog parks, possible relocation of the DPW yard, and making sure there is contact with the HBBA when issues arise.

## **PUBLIC COMMENTS: 5 MINUTES PER PERSON**

Judy Linger asked several questions about the Town of Clinton sewer issue on behalf of herself and her neighbors. Council answered with a recap of the history of the suit. Jim Rispoli asked about his letter about landlord relief which Council replied would be on the next agenda. Mr. Rispoli also spoke about extending some parking spaces in the Commons park area. Doug Walker asked about the lawsuit and the correlation with the raising of the rates, asked when the Borough received the new sewer rate, the standing of the current budget, stated that a significant time had gone by between the letter and the rate increase, noted being included or not included on the agenda, and stated that he is unhappy with the draft agendas. Council spoke about the rate not being set in stone simply because it was submitted from Clinton to High Bridge and mediating the rate with the entities involved in the lawsuit from the time it was received up to the time of the budget being introduced. Paola Sahulka spoke about the river clean up, finding trash around the lake, requested a sign to put up about the issue of trash at the lake, and the concern for the library to continue being available. Council spoke about getting a sign put up, monitoring the trash dumping issue, and the want to keep the library on Main Street. Bob Smolarek asked about the sewer rate rising suddenly after a long period of not increasing. Council spoke about the charges from the Town of Clinton and the reason to handle the contract as a civil issue, the expenses of a law suit, and the aging system. Michele Lee asked for the annual financial statement to be posted on the website, asked if we got a special waiver for the municipal debt limit, asked how Council will afford the sewer plant to be built, if liability coverage has been decreased. Councilman LoIacono stated that he would look into the municipal debt limit waiver, spoke about the contractual obligation for the Town of Clinton to pay the Borough's share in the Town of Clinton sewer plant if they terminate the Borough's sewer contract, the need to repair the roads which had previously been less than adequately maintained, and Administrator Pappas spoke about the savings to the Borough with adjusting liability coverage. Karen Gove requested Councilman Strange to have the Huskies building bathroom opened and thanked Councilman Strange for his words on the dog park, stated that the fields are in terrible shape which leads to injury. Discussion ensued about who owns the Huskies restroom, when to open the restrooms, and contributions by different groups for maintenance. Christina Whited asked about the dirt in the Commons area. Council answered that it was brought in for use. Pablo Delgado commented about the sewer increase, spoke that the rate increase was a shock, asked that some of the monies be used for infrastructure, asked why sewer rates are differing between towns and if High Bridge would have a spot to build a plant. Council spoke about the past seventeen years the rates were kept low, the costs of infrastructure maintenance, and the question of sewer being done at a different rate, and encapsulated plants being smaller these days. Doreen Longell asked who reads the meters in High Bridge, about an issue with high usage, and if Council is looking into utilizing other towns for sewer processing. Council responded that DPW gets the reads and that Borough Hall can take a look at the accounts to see what the issue may be. Pat Bielcik asked why the Town of Clinton needs us as a customer, if there is an allotment of escrow monies and how people moving may be given their refunds. High Bridge responded that that Town of Clinton needs to utilize the capacity of their facility, that there is money being held in escrow, and that people getting their refunds who have moved would need to be decided.

## **PUBLIC HEARINGS:**

- A.** **Ordinance 2018-018:** Amending the 100 West Main Street Redevelopment plan

Motion to open the public hearing for Ordinance 2018-018: Motion / Second: LoIacono / Hughes  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Council gave an overview of the amendments and spoke about a letter of intent for the property.

Tuck Batch asked if capacity will be available for building on that property. Councilman Zappa stated that there is a significant reserve.

Motion to close the public hearing for Ordinance 2018-018: Motion / Second: LoIacono / Columbus  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Motion to adopt Ordinance 2018-018: Motion / Second: LoIacono / Strange  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

**B.** **Ordinance 2018-020**: Ordinance appropriating \$27,000.00 from the capital improvement fund for Hillcrest Lane engineering expenses for inspections

Motion to open the public hearing for Ordinance 2018-020: Motion / Second: LoIacono / Strange  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Douglas Walker asked if it is 100% inspection. Council stated that it is.

Motion to close the public hearing for Ordinance 2018-020: Motion / Second: LoIacono / Strange  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Motion to adopt Ordinance 2018-020: Motion / Second: Hughes / Strange  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

**C.** **Ordinance 2018-021**: Ordinance appropriating \$35,000 from the capital improvement fund for Mill Street engineering expenses for inspections

Motion to open the public hearing for Ordinance 2018-021: Motion / Second: Strange / LoIacono  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Doug Walker asked when Council anticipated the project to start. Council responded that they are not certain at this time.

Motion to close the public hearing for Ordinance 2018-021: Motion / Second: Columbus / LoIacono  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Motion to adopt Ordinance 2018-021: Motion / Second: LoIacono / Columbus  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

**D.** **Ordinance 2018-022**: An Ordinance to amend Chapter 167, Article IV, High Bridge Hills Golf, of the code of the Borough of High Bridge, establishing golf rates

Motion to open the public hearing for Ordinance 2018-022: Motion / Second: Hughes / Zappa  
Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Council discussed the items which Billy Casper and the Golf Committee discussed and what was agreed to with rates and eliminating trying to catch up utilizing pre-sales.

Doug Walker of the Golf Committee spoke about the history of utilizing pre-sales passes, and the percentage of play from Hunterdon County residents being able to be increased, and the cost of the balls being 5/10/15. Pablo Delgado asked about the pricing of rounds and spoke about profitability as well as maximizing rounds. Council responded about the data analyst approach, utilizing the historic data, and the time it will take to see the changes.

Motion to close the public hearing for Ordinance 2018-022: Motion / Second: Zappa / Columbus  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

Motion to table Ordinance 2018-022 to the first meeting of September: Zappa / Columbus  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

Add Resolution 153-2018 to the consent agenda setting some golf rates and amending golf ball bucket prices to \$5, \$10, and \$15: Motion / Second: LoIacono / Columbus  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

**INTRODUCTION OF ORDINANCES:**

**A. Ordinance 2018-023: Amending Borough Code, Chapter 303-7, C.(7), Sewer deduction for filling pool**

Motion to introduce: Motion / Second: LoIacono / Strange  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

The presiding officer states that Ordinance 2018-023 shall be published in whole or summary in the Express Times and/or the Hunterdon County Democrat with the public hearing date of June 14, 2018.

**COUNCIL COMMITTEE ASSIGNMENTS:**

Official	Department
Councilman Zappa	Engineering, Department of Public Works Spoke about Cregar Road bridge update, Committee for affordable housing selection of administrative agents and funding
Councilwoman Hughes	Environmental, Solid Waste / Recycling, Public Health & Open Space Spoke about the Memorial Day ceremony, and weeding being needed
Councilman LoIacono	Education, Finance, Emergency Services Spoke about Police Department and Board of Education talking about the possibility of having a School Resource Officer
Councilman Strange	Economic Development Committee, Recreation Spoke about Recreation Committee having a second meeting, found members for appointment, EDC to work with Recreation Committee, new location to house Summer Recreation container, EDC meeting about bike park and dog park, way-finding signage and branding
Councilwoman Ferry	Cultural and Heritage, Events C&H Mother's Day Sunday, Solitude House open times, talks about St. Joseph's Church, wedding preparations at the Solitude House, Events Committee opening night concert update, Soap Box Derby, volunteer meeting dates, Pooch parade info
Councilman Columbus	Golf Statistics read, rates discussed
Michael Pappas	Administrator Brush pickup continues, road repairs continue with DPW, sewer pump station repair completed, annual assessment program success,
Mayor Mark Desire	Executive Services 100 West Main Street meeting, OEM Deputies found, support from entities about production of sewer facility, Solitude Village association contact, wedding ceremony

Motion to add Resolution 154-2018 to consent, CAS and Community Grants Planning and Housing to appoint administrative agents: Motion / Second: Strange / Hughes  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

**CONSENT AGENDA:**

<b>RESOLUTION #</b>	<b>TITLE</b>
Resolution – 149 - 2018	Cancel tax balance – 11 Sunset Drive
Resolution – 150 - 2018	Authorize stipend – Summer Recreation Counselor – Brady Krushinski
Resolution – 151 - 2018	Designation of Municipal Humane Law Enforcement Officer
Resolution – 153 - 2018	Golf rates and price of golf balls per bucket
Resolution – 154 - 2018	Selection of Administrative agents for COAH obligations

Motion to approve the consent agenda items as amended: Motion / Second: Hughes / LoIacono  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

**WRITTEN COMMUNICATIONS:**

A. End of month Tax and Finance reports

**PUBLIC COMMENTS: 3 MINUTES PER PERSON**

Doug Walker asked Council how they created their temporary budget without knowing the rate, asked about the timing with retroactive billing, spoke about the billing for the golf course, stated that it will be a bad year for profitability at the course, and spoke about the DPW area limits needing to be addressed with the County if they are changes for a bike/dog park. Councilman LoIacono stated that he did not know about the letter from Clinton with the rate increase until putting together the budget, stated that he does not know who received the letter at Borough Hall and the needed clarification of retroactive billing. Pablo Delgado asked about next steps to the bike park. Council asked questions about risk management aspects of creating the park and the need for further clarification from professionals.

**LEGAL ISSUES: NONE**

**BILL LIST:**

Approval of Bills as signed and listed on the Bill Payment List. **Total Amount: \$ 220,767.58**  
 but withholding bills 1135, 2383.

Motion to approve bill list as amended: Motion / Second: Zappa / Strange  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

**EXECUTIVE SESSION: LEGAL ADVICE FOR TOWN OF CLINTON AND PERSONNEL ISSUE**

**Resolution 152-2018** - Motion to move into executive session: Motion/Second: Columbus / LoIacono  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes  
 Action may now be taken.

Motion to move into open session: Motion/Second: Columbus / Strange  
 Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
 Motion passes: 6 yes

Motion to add Resolution 155-2018, audit of water utility by Maser. Strange / Hughes

Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Motion to approve Resolution 155-2018: Zappa / Columbus

Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

**ADJOURNMENT: PRESIDING OFFICER ASKS IF THERE IS ANY FURTHER BUSINESS.**

Motion to adjourn: Motion / Second: Zappa / Columbus

Roll call vote: Columbus, yes ; Ferry, yes ; Hughes, yes ; LoIacono, yes ; Strange, yes ; Zappa, yes ;  
Motion passes: 6 yes

Next regular meeting: June 14, 2018 – 7:30 pm – 97 West Main Street, High Bridge, NJ

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**UPDATED BOARDS AND COMMITTEE APPOINTMENTS**

**RESOLUTION: 156-2018**

**ADOPTED:**

**WHEREAS**, The Council of the Borough of High Bridge, Hunterdon County, New Jersey, wishes to make the Board and Committee Appointments found below ; and,

**WHEREAS**, these appointments provide necessary services to the community,

**NOW, THEREFORE**, The Mayor and Council of the Borough of High Bridge, Hunterdon County, New Jersey, hereby approve the Board and Committee Appointments as outlined below.

**BOARD OF HEALTH (7 members) - 4 year term**

MEMBER	TERM EXPIRATION
Vacant	12/31/2021
Nicole Cahill	12/31/2021
Damian Rigatti	12/31/2018
Tricia Curtin	12/31/2018
Donna Exley, Chair	12/31/2019
John Conant	12/31/2019
Vacant	12/31/2019
Lynn Hughes, Council Liaison	12/31/2018

**CULTURAL & HERITAGE COMMITTEE (7 members) – 3 year term**

MEMBER	TERM EXPIRATION
David Goessling	12/31/2020
Tom Wescoe	12/31/2020
Vacant	12/31/2018
Vacant	12/31/2018
Vacant	12/31/2018
Vacant	12/31/2019
Vacant	12/31/2019
ALTERNATES	
Vacant	12/31/2018
Vacant	12/31/2018
Natalie Ferry, Council Liaison	12/31/2018

**ECONOMIC DEVELOPMENT COMMITTEE (7 members) - 3 year term**

MEMBER	TERM EXPIRATION
Vacant, Chair	12/31/2020
Michele Lee	12/31/2020
Pablo Delgado	12/31/2018
Adam Ambielle, Honorary Member	12/31/2018
Richard Refalo	12/31/2019
Max Fox	12/31/2019
Mike Darmstadt	12/31/2019
ALTERNATES	
Vacant	12/31/2020
Mark Desire Mayor, Ex-Officio	12/31/2018
Stephen Strange, Council Liaison	12/31/2017

**ENVIRONMENTAL COMMISSION: (7 members) - 3 year term**

MEMBER	TERM EXPIRATION
Linda DeMarzo	12/31/2020
Chrissy McConnell	12/31/2020
Jeanie Baker	12/31/2018
John Moskway, Planning Board Liaison	12/31/2018
Michele Lee	12/31/2019
Sue Song	12/31/2019
Vacant	12/31/2019
ALTERNATES	
Eric Brodean	12/31/2019
Rob DeStefano	12/31/2019
Lynn Hughes, Council Liaison	12/31/2018

**EVENTS COMMITTEE (8 Members) 3 year term**

MEMBER	TERM EXPIRATION
Anthony Birriteri	12/31/2020
Yolanda Robinson, Chair	12/31/2020
Chrissy McConnell, Vice Chair	12/31/2020
Fred Ferry	12/31/2018
Erin Delgado	12/31/2018
Karen Gove	12/31/2018
Michele Davis	12/31/2019
Ruby Reuter	12/31/2019
George Columbus, Council Member	12/31/2018

**GREEN TEAM:** (7 members) - 1 year term

MEMBER	TERM EXPIRATION
Michele Lee, Chair	12/31/2018
Jeanie Baker	12/31/2018
Linda DeMarzo	12/31/2018
Chrissy McConnell	12/31/2018
Vacant	12/31/2018
Vacant	12/31/2018
Vacant	12/31/2018
Lynn Hughes, Council Liaison	12/31/2018

**PLANNING BOARD** (9 members plus 2 alternates)

Class IV 4 years, Class I - term, Class II 1 year or 4, Class III 1 or 3 years, Alternates 2 years.  
(1 Class IV - member of Bd. of Adj., Environmental Comm., or School - 3 yrs/or term)

MEMBER	CLASS	TERM EXPIRATION
Mark Desire	Mayor - Class I	12/31/2018
Christopher Zappa	Council - Class III	12/31/2020
John Moskway	Class II - Environmental Commission Liaison	12/31/2018
Steve Dhein	Class IV	12/31/2021
Coleen Conroy	Class IV	12/31/2021
William Giordano	Class IV	12/31/2020
Don Howell	Class IV	12/31/2020
Keith Milne	Class IV	12/31/2019
Vacant	Class IV	12/31/2019
<b>ALTERNATES</b>		
Pablo Delgado – Alt 1		12/31/2018
Tom Wescoe – Alt 2		12/31/2019
Michael Darmstadt – Alt 3		12/31/2018
Vacant – Alt 4		12/31/2019

**RECREATION COMMITTEE (7 members) – 3 year term**

<b>MEMBER</b>	<b>TERM EXPIRATION</b>
Barbara Kinsky	12/31/2020
Anthony Decanto	12/31/2020
Jim Bukowski	12/31/2018
Vacant	12/31/2018
Vacant	12/31/2019
Jason Bradow	12/31/2019
Vacant	12/31/2019
<b>ALTERNATES</b>	
Hiram Ortiz	12/31/2018
Mark Desire, Mayor Ex-Officio	12/31/2018
Stephen Strange, Council Liaison	12/31/2018

Introduction 05/24/2018  
Publication (summary) 05/31/2018  
Adoption  
Publication (Title)

### Ordinance 2018-023

#### BOROUGH OF HIGH BRIDGE COUNTY OF HUNTERDON STATE OF NEW JERSEY

#### Amending Borough Code, Chapter 303-7,C.(7), Sewer deduction for filling pool

**WHEREAS**, the Borough Code, Chapter 303-7, C, (7) currently reads

*Those residents filling a new permanent swimming pool may apply for a deduction from their sewer bill by requesting a reading of the water meter before and after the filling of the pool to determine the deduction. All requests should be made, in writing, to the Borough Administrator, 71 Main Street, High Bridge, NJ 08829. Readings must be performed during normal DPW weekday work hours and a fee of \$40 will be charged. The fee will be deposited in the Sewer Utility.*

**Whereas**, the Common Council of the Borough of High Bridge wishes to amend the Borough Code to the following:

*Those residents filling a ~~new~~ permanent swimming pool may apply for a deduction from their sewer bill **once per year** by requesting a reading of the water meter before and after the filling of the pool to determine the deduction. All requests should be made, in writing, to the Borough Administrator **at Borough Hall**. Readings must be performed during normal **Department of Works** weekday work hours and a fee of \$40 will be charged **to the utility account** . The fee will be deposited in the Sewer Utility.*

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of High Bridge, in the County of Hunterdon and the State of New Jersey, hereby amend Chapter 303-7,C.(7), effective upon passage.

**BOROUGH OF HIGH BRIDGE  
HUNTERDON COUNTY**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND CHAPTER 145 “LAND USE AND DEVELOPMENT  
ORDINANCE”, ARTICLE 5 “AFFORDABLE HOUSING REGULATIONS TO  
ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE  
UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING  
COMPLIANCE WITH THE BOROUGH’S AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the Borough of High Bridge has a constitutional obligation to create a realistic opportunity for the construction of its fair share of the region's need for affordable housing; and

**WHEREAS**, the Borough Council of the Borough of High Bridge desires to create a realistic opportunity for the creation of affordable housing within the Borough; and

**WHEREAS**, the Borough voluntarily brought a timely declaratory judgment action pursuant to the procedures set forth by the Supreme Court in In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) (“Mt. Laurel IV”) seeking approval of a Housing Element and Fair Share Plan that satisfies the Borough’s obligation to provide for its fair share of the regional need of low- and moderate-income housing; and

**WHEREAS**, after a Fairness Hearing held on February 13, 2018, by Order dated February 13, 2018, Hon. Thomas Miller, J.S.C. approved a settlement agreement between the Borough of High Bridge and Fair Share Housing Center, which established the Borough’s affordable housing obligations; and

**WHEREAS**, the High Bridge Planning Board has adopted a Housing Element and Fair Share Plan dated June 6, 2018 pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

**WHEREAS**, the Borough is desirous of amending and supplementing the Borough Code to implement the above-referenced Housing Element and Fair Share Plan, which has been endorsed by the Governing Body, and include provisions addressing High Bridge’s constitutional obligation to provide for its fair share of low and moderate income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

**WHEREAS**, this Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy those units.

**NOW, THEREFORE BE IT ORDAINED**, that Article 5 “Affordable Housing Regulations” is hereby deleted in its entirety and replaced as follows:

**Article 5. Affordable Housing Ordinance**

**Section 501. Title and Statutory Authorization.**

- A. The title of this chapter shall be the “Affordable Housing Ordinance.”
- B. The Legislature of the State of New Jersey has, in the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., delegated the authority to local governments to adopt an ordinance to provide a realistic opportunity for sound shelter for low and moderate income households. Therefore, the Council of the Borough of High Bridge does ordain as follows:

**Section 502. Monitoring and Reporting Requirements.**

The Borough of High Bridge shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its Court-approved Housing Element and Fair Share Plan:

- A. Beginning on the first anniversary of the Judgment of Compliance and Repose, and on every anniversary of that date through July 1, 2025, the Borough agrees to provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs (DCA), Council on Affordable Housing (COAH) or Local Government Services (LGS), or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center (FSHC) and posted on the municipal website, using forms developed for this purpose by DCA, COAH or LGS. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.
- B. Beginning on the first anniversary of the Judgment of Compliance and Repose, and on every anniversary of that date through July 1, 2025, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to FSHC, using forms previously developed for this purpose by COAH or any other forms endorsed by the Special Master and FSHC.
- C. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Borough will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the Borough, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented.

- D. Within 30 days of the third anniversary of the Judgment of Compliance and Repose, and every third year thereafter until July 1, 2025, as required by N.J.S.A. 52:27D-329.1, the Borough will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very-low income requirements, including its family very-low income requirements. Such posting shall invite any interested party to submit comments to the Borough and FSHC, regarding whether the Borough has complied with its very-low income housing obligation under the terms of the December 11, 2017 Settlement Agreement (executed on December 15, 2017).

**Section 503. Definitions.**

- A. The following terms when used in this Ordinance shall have the meanings given in this Section:

ACT - The Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

ADAPTABLE - Constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT - The entity designated by the Borough to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

AFFIRMATIVE MARKETING - A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

AFFORDABILITY AVERAGE - The average percentage of median income at which new restricted units in an affordable housing development are affordable to low and moderate income households.

AFFORDABLE - A sales price or rent level that is within the means of a low or moderate income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT - A development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Borough's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one hundred percent (100%) affordable housing development.

AFFORDABLE HOUSING PROGRAM(S) - Any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

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

AGENCY - The New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

AGE-RESTRICTED UNIT - A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are sixty-two years of age or older; or 2) at least eighty percent (80%) of the units are occupied by one person who is fifty-five years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

ALTERNATIVE LIVING ARRANGEMENT - A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

ASSISTED LIVING RESIDENCE - A facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

CERTIFIED HOUSEHOLD - A household that has been certified by an Administrative Agent as a low income household or moderate income household.

COAH - The Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.), or any successor agency charged with the administration of the Act.

COURT – The Superior Court of New Jersey, Law Division, Hunterdon County.

DCA - The State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT - A housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary

plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

DEVELOPER - Any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

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

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

LOW INCOME HOUSEHOLD - A household with a total gross annual household income equal to fifty percent (50%) or less of the regional median household income by household size.

LOW INCOME UNIT - A restricted unit that is affordable to a low income household.

MAJOR SYSTEM - The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

MARKET-RATE UNITS - Housing not restricted to low and moderate income households that may sell or rent at any price.

MEDIAN INCOME - The median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

MODERATE INCOME HOUSEHOLD - A household with a total gross annual household income in excess of fifty percent (50%) but less than eighty percent (80%) of the regional median household income by household size.

MODERATE INCOME UNIT - A restricted unit that is affordable to a moderate income household.

NON-EXEMPT SALE - Any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

RANDOM SELECTION PROCESS - A process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

REGIONAL ASSET LIMIT - The maximum housing value in each housing region affordable to a four-person household with an income at eighty percent (80%) of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

REHABILITATION - The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

RENT - The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT - A dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

UHAC - The Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

VERY-LOW INCOME HOUSEHOLD - A household with a total gross annual household income equal to thirty percent (30%) or less of the regional median household income by household size.

VERY-LOW INCOME UNIT - A restricted unit that is affordable to a very-low income household.

WEATHERIZATION Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

**Section 504. Applicability.**

- A. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Borough of High Bridge pursuant to the Borough's most recently adopted Housing Element and Fair Share Plan.
- B. Moreover, this Ordinance shall apply to all developments that contain low and moderate income housing units, including any currently unanticipated future developments that will provide low and moderate income housing units.
- C. Any property in the Borough of High Bridge that is currently zoned for non-residential uses and subsequently receives a zoning change or use variance or approval of a redevelopment plan to permit residential development, or that is currently zoned for residential uses and receives approval for residential development, shall provide an affordable housing set-aside of at least twenty percent (20%) of the residential units constructed, as required for developments located within the jurisdiction of the Highlands Water Protection and Planning Council, pursuant to N.J.S.A. 52:27D-329.9(a), whether the units will be for rent or will be for sale. No property shall be subdivided so as to avoid compliance with this requirement. All affordable units shall be governed by the provisions of this Ordinance.

**Section 505. Rehabilitation Program.**

- A. High Bridge's rehabilitation program shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28.
- B. Both owner-occupied and renter-occupied units shall be eligible for rehabilitation funds.
- C. All rehabilitated units shall remain affordable to low and moderate income households for a period of ten (10) years (the control period). For owner-occupied units the control period will be enforced with a lien and for renter-occupied units the control period will be enforced with a deed restriction.
- D. The Borough of High Bridge shall dedicate \$10,000 for each unit to be rehabilitated (hard costs) through this program and shall main sufficient funds to implement the rehabilitation program for the Borough.
- E. The Borough of High Bridge shall designate, subject to the approval of the Court, one or more Administrative Agents to administer the rehabilitation program in accordance with N.J.A.C. 5:91 and N.J.A.C. 5:93. The Administrative Agent(s) shall provide a rehabilitation manual for the owner-occupancy rehabilitation program and a rehabilitation manual for the rental-occupancy rehabilitation program to be adopted by resolution of the governing body and subject to approval of the Court. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).

- F. Units in a rehabilitation program shall be exempt from the Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
1. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low or moderate income household at an affordable rent and affirmatively marketed pursuant to UHAC.
  2. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to UHAC.
  3. Rents in rehabilitated units may increase annually based on the standards in UHAC.
  4. Applicant and/or tenant households shall be certified as income-eligible in accordance with UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

**Section 506. Alternative Living Arrangements.**

- A. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and Uniform Housing Affordability Controls (UHAC), with the following exceptions:
1. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by COAH or the Court;
  2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
- B. With the exception of units established with capital funding through a twenty (20)-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least thirty (30)-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by COAH or the Court.
- C. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

**Section 507. Inclusionary Zoning.**

- A. To implement the fair share plan in a manner consistent with the terms of the December 11, 2017 Settlement Agreement (executed December 15, 2017), ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing, inclusionary zoning shall be permitted on the

following properties consistent with the provisions of High Bridge’s Housing Element and Fair Share Plan and the terms of the Settlement Agreement.

1. 100 West Main Street. This property is known as Block 24, Lot 16. A Redevelopment Plan has been adopted that permits inclusionary multi-family residential development as one of the permissible uses. The Redevelopment Plan permits eight (8) units per acre. A twenty percent (20%) affordable set-aside is required.
2. Downtown Business District. The Borough previously amended its Land Use Ordinance in 2014 to permit inclusionary residential development. The ordinance permits a maximum of six (6) residential units on lots between 5,000 and 10,000 square feet. A maximum of eight (8) residential units are permitted on lots greater than 10,000 square feet. A twenty percent (20%) affordable set-aside is required.
3. Mixed-Use Corridor District. The Borough will create a new conditional use within this zone that will permit inclusionary multi-family residential development on lots of at least 25,000 square feet. The maximum density will be fifteen (15) units per acre. The building height will be limited to three (3) stories and forty-five (45) feet. A minimum of twenty percent (20%) of the units shall be reserved for affordable housing. Finally, the ordinance will require the residential development to be a part of a mixed-use building where there are commercial uses on the ground floor.

**Section 508. Phasing Schedule for Inclusionary Zoning.**

In inclusionary developments the following schedule shall be followed:

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low and Moderate Income Units Completed
25	0
25+1	10
50	50
75	75
90	100

**Section 509. Fractional Units and Payments-in-Lieu.**

- A. Inclusionary developments that result in an affordable housing obligation fraction of 0.5 or more shall either round up and provide the extra affordable unit or pay an in-lieu fee.
- B. The payment-in-lieu for High Bridge shall be \$100,000 for 2018. The payment-in-lieu shall increase by 3% each year. To calculate the payment-in-lieu the developer shall multiply the fraction by the payment. For example, a fraction of 0.6 triggered in 2018

would require a payment of \$60,000. The payment shall be made to the Borough's Affordable Housing Trust Fund.

**Section 510. New Construction.**

A. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

1. The fair share obligation shall be divided equally between low and moderate income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit. At least thirteen percent (13%) of all restricted rental units shall be very-low income units (affordable to a household earning thirty percent (30%) or less of regional median income by household size). Fifty percent of the very-low income units shall be available to families. The very-low income units shall be counted as part of the required number of low income units within the development.
2. In each affordable development, at least fifty percent (50%) of the restricted units within each bedroom distribution shall be very-low or low income units.
3. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
  - a. The combined number of efficiency and one-bedroom units shall be no greater than twenty percent (20%) of the total low and moderate income units;
  - b. At least thirty percent (30%) of all low and moderate income units shall be two bedroom units;
  - c. At least twenty percent (20%) of all low and moderate income units shall be three bedroom units; and
  - d. The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
4. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low and moderate income units within the inclusionary development. This standard may be met by having all one bedroom units or by having a two-bedroom unit for each efficiency unit. The Borough shall not be permitted to claim credit to satisfy its obligations under the Settlement Agreement for age-restricted units that exceed twenty-five percent (25%) of all units developed.

B. Accessibility Requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:
2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - a. An adaptable toilet and bathing facility on the first floor; and
  - b. An adaptable kitchen on the first floor; and
  - c. An interior accessible route of travel on the first floor; and
  - d. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
  - e. If not all of the foregoing requirements in 2.a. through 2.d. can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs 2.a. through 2.d. above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
  - f. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that High Bridge has collected funds from the developer sufficient to make ten percent (10%) of the adaptable entrances in the development accessible:
    - (1) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
    - (2) To this end, the builder of restricted units shall deposit funds within the Borough of High Bridge's Affordable Housing Trust Fund sufficient to install accessible entrances in ten percent (10%) of the affordable units that have been constructed with adaptable entrances.
    - (3) The funds deposited under paragraph f.(2) above shall be used by the Borough of High Bridge for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
    - (4) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Borough of High Bridge for the conversion of adaptable to accessible entrances.

(5) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Borough's Affordable Housing Trust Fund in care of the Borough Treasurer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.

(6) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

C. Design:

1. In inclusionary developments, to the extent possible, low and moderate income units shall be integrated with the market units.
2. In inclusionary developments, low and moderate income units shall have access to all of the same common elements and facilities as the market units.

D. Maximum Rents and Sales Prices:

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD and the calculation procedures set forth in the Settlement Agreement dated December 11, 2017 (executed December 15, 2017).
2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than sixty percent (60%) of median income, and the average rent for restricted rental units shall be affordable to households earning no more than fifty-two percent (52%) of median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low income and moderate income units, provided that at least thirteen percent (13%) of all low and moderate income rental units shall be affordable to very-low income households, which very-low income units shall be part of the low income requirement.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than seventy percent (70%) of median income, and each affordable development must achieve an affordability average of fifty-five percent (55%) for restricted ownership units; in achieving this affordability average, moderate income ownership units must be

available for at least three different sales prices for each bedroom type, and low income ownership units must be available for at least two different sales prices for each bedroom type.

5. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
  - a. A studio shall be affordable to a one (1) person household;
  - b. A one-bedroom unit shall be affordable to a one and one-half (1.5) person household;
  - c. A two-bedroom unit shall be affordable to a three (3) person household;
  - d. A three-bedroom unit shall be affordable to a four and one-half (4.5) person household; and
  - e. A four-bedroom unit shall be affordable to a six (6) person household.
6. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
  - a. A studio shall be affordable to a one (1) person household;
  - b. A one-bedroom unit shall be affordable to a one and one-half (1.5) person household; and
  - c. A two-bedroom unit shall be affordable to a two (2) person household or to two one (1) person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to ninety-five percent (95%) of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed twenty-eight percent (28%) of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
8. The initial rent for a restricted rental unit shall be calculated so as not to exceed thirty percent (30%) of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however,

that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

9. The price of owner-occupied low and moderate income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.
10. The rents of very-low, low and moderate income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Urban Area. This increase shall not exceed nine percent in any one year. Rent increases for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.

#### **Section 511. Utilities.**

- A. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.
- B. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for the Section 8 program.

#### **Section 512. Occupancy Standards.**

In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

- A. Provide an occupant for each bedroom;
- B. Provide children of different sexes with separate bedrooms;
- C. Provide separate bedrooms for parents and children; and
- D. Prevent more than two (2) persons from occupying a single bedroom.

#### **Section 513. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.**

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until High Bridge takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.

- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.
- D. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- E. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

**Section 514. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices.**

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- A. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- B. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- C. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low and moderate income purchasers and those paid by market purchasers.
- D. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of anticipated capital

improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 517.

**Section 515. Buyer Income Eligibility.**

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low income ownership units shall be reserved for households with a gross household income less than or equal to fifty percent (50%) of median income and moderate income ownership units shall be reserved for households with a gross household income less than eighty percent (80%) of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Borough Council, and subject to the Court's approval, permit a moderate income purchaser to buy a low income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low income purchaser, including pricing and financing incentives, have failed. Any such low income unit that is sold to a moderate income household shall retain the required pricing and pricing restrictions for a low income unit.
- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one (1) year.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low income household or a moderate income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed thirty-three percent (33%) of the household's eligible monthly income.

**Section 516. Limitations on Indebtedness Secured by Ownership Unit; Subordination.**

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.
- B. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed ninety-five percent (95%) of the maximum allowable resale price of the

unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

**Section 517. Capital Improvements to Ownership Units.**

- A. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to ten (10) year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

**Section 518. Control Periods for Restricted Rental Units.**

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least thirty (30) years, until High Bridge takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented.
- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Hunterdon. A copy of the filed document shall be provided to the Administrative Agent within thirty (30) days of the receipt of a Certificate of Occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:
  - 1. Sublease or assignment of the lease of the unit;

2. Sale or other voluntary transfer of the ownership of the unit; or
3. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

**Section 519. Rent Restrictions for Rental Units; Leases.**

- A. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent (5%) of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.
- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least fifteen percent (15%) of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

**Section 520. Tenant Income Eligibility.**

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
  1. Very-low income rental units shall be reserved for households with a gross household income less than or equal to thirty percent (30%) of the regional median household income by household size.
  2. Low income rental units shall be reserved for households with a gross household income less than or equal to fifty percent (50%) of the regional median household income by household size.
  3. Moderate income rental units shall be reserved for households with a gross household income less than eighty percent (80%) of the regional median household income by household size.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very-low income household, low income household or a

moderate income household, as applicable to the unit, and the rent proposed for the unit does not exceed thirty-five percent (35%) (forty percent (40%) for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

1. The household currently pays more than thirty-five percent (35%) (forty percent (40%) for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
  2. The household has consistently paid more than thirty-five percent (35%) (forty percent (40%) for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
  3. The household is currently in substandard or overcrowded living conditions;
  4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
  5. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in A.1. through B.5. above with the Administrative Agent, who shall counsel the household on budgeting.

## **Article 5.1. Municipal Housing Liaison.**

### **Section 521. Purpose**

The purpose of this article is to create the administrative mechanisms needed for the execution of the Borough of High Bridge's responsibility to promote and oversee the provision of affordable housing pursuant to the Fair Housing Act of 1985.

### **Section 522. Definitions.**

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

**ADMINISTRATIVE AGENT** - The entity duly designated and responsible for administering the affordability controls on low and moderate income units created in the Borough of High Bridge to ensure that the restricted units are affirmatively marketed and sold or rented, as applicable, only to very-low, low and moderate income households.

MUNICIPAL HOUSING LIAISON - The municipal employee duly designated by the governing body with the responsibility for monitoring, reporting oversight and general administration of the affordable housing program for the Borough of High Bridge.

**Section 523. Establishment of position and compensation; powers and duties.**

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for the Borough of High Bridge.
- B. Subject to the approval of the Court, the Municipal Housing Liaison shall be appointed by the governing body and may be a full- or part-time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for monitoring, reporting, oversight and general administration of the affordable housing program for the Borough of High Bridge, including the following responsibilities which may not be contracted out to an Administrative Agent:
  - 1. Serving as the Borough of High Bridge's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents, and interested households;
  - 2. Monitoring the status of all restricted units in the Borough of High Bridge's Housing Element and Fair Share Plan;
  - 3. Compiling, verifying and publishing on the Borough's website all referenced monitoring reports as required by the Court;
  - 4. Coordinating meetings with affordable housing providers and the administrative agent(s) as applicable; and
  - 5. Attending continuing education programs as required to obtain and maintain certification as a Municipal Housing Liaison.
- D. Subject to approval by the Court, the Borough of High Bridge may contract with or authorize a consultant, authority, government or any agency charged by the governing body, which entity shall have the responsibility of administering the affordable housing program of the Borough of High Bridge. If the Borough of High Bridge contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and affirmative marketing plan, the Municipal Housing Liaison shall supervise the contracting administrative agent.
- E. Compensation. Compensation shall be fixed by the governing body at the time of the appointment of Municipal Housing Liaison.

## **Article 5.2. Administrative Agent**

### **Section 524. Purpose.**

The purpose of this article is to create the administrative mechanisms needed for the execution of the Borough of High Bridge's responsibility to promote and oversee the provision of affordable housing pursuant to the Fair Housing Act of 1985.

### **Section 525. Establishment of position; powers and duties.**

An Administrative Agent may be an independent entity serving under contract to and reporting to the municipality. The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

A. Affirmative Marketing:

1. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Borough of High Bridge and the provisions of N.J.A.C. 5:80-26.15; and
2. Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

B. Household Certification:

1. Soliciting, scheduling, conducting and following up on interviews with interested households;
2. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low or moderate income unit;
3. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
4. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
5. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;

6. Employing a random selection process as provided in the Affirmative Marketing Plan of the Borough of High Bridge when referring households for certification to affordable units; and
7. Notifying the following entities of the availability of affordable housing units in the Borough of High Bridge: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, NAACP New Brunswick Main Branch and Youth Council Branch, the Plainfield Area Branch and the Central Jersey Housing Resource Center.

C. Affordability Controls:

1. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
2. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
3. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Hunterdon County Register of Deeds or Hunterdon County Clerk's office after the termination of the affordability controls for each restricted unit;
4. Communicating with lenders regarding foreclosures; and
5. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

D. Resales and Re-rentals:

1. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental; and
2. Instituting and maintaining an effective means of communicating information to low (or very-low) and moderate income households regarding the availability of restricted units for resale or re-rental.

E. Processing Requests from Unit Owners:

1. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;

2. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
3. Notifying the municipality of an owner's intent to sell a restricted unit; and
4. Making determinations on requests by owners of restricted units for hardship waivers.

F. Enforcement:

1. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
2. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
3. Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;
4. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
5. Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and
6. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Borough Council and the Court, setting forth procedures for administering the affordability controls.

G. Additional Responsibilities:

1. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

2. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.
3. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

### **Article 5.3. Affirmative Marketing Requirements.**

#### **Section 526. Affordable Marketing Requirements.**

- A. The Borough of High Bridge shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court, that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 3 and is required to be followed throughout the period of restriction.
- C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 3, comprised of Hunterdon, Middlesex and Somerset Counties.
- D. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the Borough of High Bridge shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.
- E. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- F. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.

- G. The affirmative marketing process for available affordable units shall begin at least four (4) months or one hundred twenty (120) days prior to the expected date of occupancy.
- H. Applications for affordable housing shall be available in several locations, including, at a minimum, the Middlesex County Administration Building, Somerset County Administration Building, Somerset County Library Headquarters, Hunterdon County Library Headquarters, Borough Hall and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.
- I. In addition to other affirmative marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units in High Bridge to the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, NAACP New Brunswick Main Branch, Youth Council Branch and Plainfield Area Branch, and the Central Jersey Housing Resource Center.
- J. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

**Section 527. Enforcement of Affordable Housing Regulations.**

- A. Upon the occurrence of a breach of any of the regulations governing an affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an Owner, Developer or Tenant of a low or moderate income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of sixty (60) days after service of the written notice:
  - 1. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
    - a. A fine of not more than five hundred dollars (\$500.00) per day or imprisonment for a period not to exceed ninety (90) days, or both, provided that each and every day that the violation continues or exists shall be

considered a separate and specific violation of these provisions and not a continuation of the initial offense;

- b. In the case of an Owner who has rented a low or moderate income unit in violation of the regulations governing affordable housing units, payment into the Borough of High Bridge Affordable Housing Trust Fund of the gross amount of rent illegally collected;
  - c. In the case of an Owner who has rented a low or moderate income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
2. The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low or moderate income unit.
- a. The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low and moderate income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.
  - b. The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low and moderate income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two (2) years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two (2) year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- c. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low and moderate income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- d. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low and moderate income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low and moderate income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- e. Failure of the low and moderate income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low and moderate income unit as permitted by the regulations governing affordable housing units.
- f. The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

**Section 528. Appeals.**

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

**Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**Repealer.** Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

**Effective Date.** This Ordinance shall not take effect until approved by the Court.

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NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of High Bridge held on \_\_\_\_\_, 2018, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on \_\_\_\_\_, 2018 at 7:30 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the \_\_\_\_\_, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Adam Young  
Borough Clerk

Adopted:

\_\_\_\_\_  
Mark Desire, Mayor  
Borough Council

Attest:

\_\_\_\_\_  
Adam Young  
Borough Clerk

**BOROUGH OF HIGH BRIDGE  
HUNTERDON COUNTY**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND CHAPTER 145 “LAND USE AND DEVELOPMENT FEE  
ORDINANCE”, ARTICLE 7 “FEES, GUARANTEES, INSPECTIONS AND OFF-TRACT  
IMPROVEMENTS”, SECTION 704 “DEVELOPER FEES” TO PROVIDE FOR THE  
COLLECTION OF DEVELOPMENT FEES AS PERMITTED BY THE FAIR HOUSING  
ACT**

**WHEREAS**, In Holmdel Builder’s Association v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, *et seq.*, and the State Constitution, subject to the adoption of Rules by the Council on Affordable Housing (COAH); and

**WHEREAS**, pursuant to P.L. 2008, c. 46, Section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH was authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that were under the jurisdiction of COAH and that are now before a court of competent jurisdiction and have a Court-approved Spending Plan may retain fees collected from non-residential development; and

**WHEREAS**, by the Council of the Borough of High Bridge, Hunterdon County, New Jersey, that Chapter 145, Article 7, Section 704 is hereby to include the following provisions regulating the collection and disposition of mandatory development fees to be used in connection with the Borough’s affordable housing programs, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, *et seq.*, as amended and supplemented, N.J.A.C. 5:80-26.1, *et seq.*, as amended and supplemented, and the New Jersey Fair Housing Act of 1985.

**NOW, THEREFORE BE IT ORDAINED**, that Article 7, Section 704 “Developer Fees” is hereby deleted in its entirety and replaced as follows:

**Section 704. Affordable Housing Development Fees.**

A. Purpose.

1. This Ordinance establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with COAH’s regulations developed in response to P.L. 2008, c. 46, Sections 8 and 32-38 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very-low, low and moderate income housing in accordance with a Court-approved Spending Plan.

B. Basic Requirements.

1. This Ordinance shall not be effective until approved by the Court.
2. The Borough of High Bridge shall not spend development fees until the Court has approved a plan for spending such fees (Spending Plan).

C. Definitions.

1. The following terms, as used in this Ordinance, shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT - Development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one hundred percent (100%) affordable housing development.

COAH or the COUNCIL - The New Jersey Council on Affordable Housing established under the Fair Housing Act.

DEVELOPMENT FEE - Money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, *et seq.*, and regulated by applicable COAH Rules.

DEVELOPER - The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

EQUALIZED ASSESSED VALUE - The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c.123 (C.54:1-35a through C.54:1-35c).

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

D. Residential Development Fees

1. Imposition of Fees
  - a. Within the Borough of High Bridge, all residential developers, except for developers of the types of developments specifically exempted below and developers of developments that include affordable housing, shall pay a fee of one and a half

percent (1.5%) of the equalized assessed value for all new residential development provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.

- b. When an increase in residential density is permitted pursuant to a “d” variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a “bonus” development fee of six percent (6%) of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two (2)-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two (2)-year period preceding the filing of the variance application.

## 2. Eligible Exactions, Ineligible Exactions and Exemptions for Residential Developments

- a. Affordable housing developments and/or developments where the developer has made a payment in lieu of on-site construction of affordable units, if permitted by Ordinance or by Agreement with the Borough of High Bridge, shall be exempt from the payment of development fees.
- b. Developments that have received preliminary or final site plan approval prior to the adoption of this Ordinance shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where site plan approval is not applicable, the issuance of a Zoning Permit and/or Construction Permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the Development Fee Ordinance in effect on the date that the Construction Permit is issued.
- c. Improvements or additions to existing one and two-family dwellings on individual lots shall not be required to pay a development fee, but a development fee shall be charged for any new dwelling constructed as a replacement for a previously existing dwelling on the same lot that was or will be demolished, unless the owner resided in the previous dwelling for a period of one (1) year or more prior to obtaining a demolition permit. Where a development fee is charged for a replacement dwelling, the development fee shall be calculated on the increase in the equalized assessed value of the new structure as compared to the previous structure.
- d. Homes replaced as a result of a natural disaster (such as a fire or flood) shall be exempt from the payment of a development fee.

## E. Non-Residential Development Fees.

### 1. Imposition of Fees

- a. Within all zoning districts, non-residential developers, except for developers of the types of developments specifically exempted below, shall pay a fee equal to two and one-half percent (2.5%) of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- b. Within all zoning districts, non-residential developers, except for developers of the types of developments specifically exempted below, shall also pay a fee equal to two and one-half percent (2.5%) of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- c. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure, i.e. land and improvements, and such calculation shall be made at the time a final Certificate of Occupancy is issued. If the calculation required under this Section results in a negative number, the non-residential development fee shall be zero.

### 2. Eligible Exactions, Ineligible Exactions and Exemptions for Non-residential Development

- a. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to a two and a half percent (2.5%) development fee, unless otherwise exempted below.
- b. The two and a half percent (2.5%) development fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within the existing footprint, reconstruction, renovations and repairs.
- c. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption". Any exemption claimed by a developer shall be substantiated by that developer.
- d. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that

event, within three years after that event or after the issuance of the final Certificate of Occupancy for the non-residential development, whichever is later.

- e. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this Section within forty-five (45) days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Borough of High Bridge as a lien against the real property of the owner.

F. Collection Procedures.

1. Upon the granting of a preliminary, final or other applicable approval for a development, the approving authority or entity shall notify or direct its staff to notify the Construction Official responsible for the issuance of a Construction Permit.
2. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
3. The Construction Official responsible for the issuance of a Construction Permit shall notify the Borough Tax Assessor of the issuance of the first Construction Permit for a development which is subject to a development fee.
4. Within ninety (90) days of receipt of such notification, the Borough Tax Assessor shall prepare an estimate of the equalized assessed value of the development based on the plans filed.
5. The Construction Official responsible for the issuance of a final Certificate of Occupancy shall notify the Borough Tax Assessor of any and all requests for the scheduling of a final inspection on a property which is subject to a development fee.
6. Within ten (10) business days of a request for the scheduling of a final inspection, the Borough Tax Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
7. Should the Borough of High Bridge fail to determine or notify the developer of the amount of the development fee within ten (10) business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount

consistent with the dispute process set forth in Subsection b. of Section 37 of P.L. 2008, c.46 (C.40:55D-8.6).

8. Except as provided in Section E.1.c. hereinabove, fifty percent (50%) of the initially calculated development fee shall be collected at the time of issuance of the Construction Permit. The remaining portion shall be collected at the time of issuance of the Certificate of Occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the Construction Permit and that determined at the time of issuance of the Certificate of Occupancy.
9. Appeal of Development Fees
  - a. A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Borough of High Bridge. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1, *et seq.*, within ninety (90) days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
  - b. A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within forty-five (45) days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Borough of High Bridge. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1, *et seq.*, within ninety (90) days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

G. Affordable Housing Trust Fund.

1. There is hereby created a separate, interest-bearing Affordable Housing Trust Fund to be maintained by the Chief Financial Officer of the Borough of High Bridge for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
2. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
  - a. Payments in lieu of on-site construction of a fraction of an affordable unit, where permitted by Ordinance or by Agreement with the Borough of High Bridge;

- b. Funds contributed by developers to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
  - c. Rental income from municipally operated units;
  - d. Repayments from affordable housing program loans;
  - e. Recapture funds;
  - f. Proceeds from the sale of affordable units; and
  - g. Any other funds collected in connection with High Bridge's affordable housing program.
3. In the event of a failure by the Borough of High Bridge to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time period as set forth in In re Tp. of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within the Borough of High Bridge, or, if not practicable, then within the County or the Housing Region.
- a. Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the non-compliant condition(s), and upon a finding of continuing and deliberate non-compliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.
4. Interest accrued in the Affordable Housing Trust Fund shall only be used to fund eligible affordable housing activities approved by the Court.

#### H. Use of Funds.

1. The expenditure of all funds shall conform to a Spending Plan approved by the Court. Funds deposited in the Affordable Housing Trust Fund may be used for any activity approved by the Court to address the Borough of High Bridge's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not

limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market to affordable program; Regional Housing Partnership programs; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost saving and in accordance with accepted national or State standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by the Court and specified in the approved Spending Plan.

2. Funds shall not be expended to reimburse the Borough of High Bridge for past housing activities.
3. At least thirty percent (30%) of all development fees collected and interest earned on such fees shall be used to provide affordability assistance to low and moderate income households in affordable units included in the municipal Fair Share Plan. One-third (1/3) of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning thirty percent (30%) or less of the median income for Housing Region 3, in which High Bridge is located.
  - a. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
  - b. Affordability assistance to households earning thirty percent (30%) or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning thirty percent (30%) or less of median income. The specific programs to be used for very-low income affordability assistance shall be identified and described within the Spending Plan.
  - c. Payments in lieu of constructing affordable housing units on site, if permitted by Ordinance or by Agreement with the Borough of High Bridge, and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
4. The Borough of High Bridge may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including its programs for affordability assistance.
5. No more than twenty percent (20%) of all revenues collected from development fees may be expended on administration, including, but not limited to, salaries and benefits for

municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare a Housing Element and Fair Share Plan, and/or administer an affirmative marketing program or a rehabilitation program.

- a. In the case of a rehabilitation program, the administrative costs of the rehabilitation program shall be included as part of the twenty percent (20%) of collected development fees that may be expended on administration.
- b. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements.

I. Monitoring.

The Borough of High Bridge shall provide annual reporting of Affordable Housing Trust Fund activity to the State of New Jersey, Department of Community Affairs, Council on Affordable Housing or Local Government Services or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs, Council on Affordable Housing or Local Government Services. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the sources and amounts of funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, payments in lieu of constructing affordable units on site (if permitted by Ordinance or by Agreement with the Borough), funds from the sale of units with extinguished controls, barrier free escrow funds, rental income from Borough owned affordable housing units, repayments from affordable housing program loans, and any other funds collected in connection with High Bridge's affordable housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

J. Ongoing Collection of Fees.

1. The ability for the Borough of High Bridge to impose, collect and expend development fees shall be permitted through the expiration of the repose period covered by its Judgment of Compliance and shall continue thereafter so long as the Borough of High Bridge has filed an adopted Housing Element and Fair Share Plan with the Court or with a designated State administrative agency, has petitioned for a Judgment of Compliance from the Court or for Substantive Certification or its equivalent from a State administrative agency authorized to approve and administer municipal affordable housing compliance and has received approval of its Development Fee Ordinance from the entity that will be reviewing and approving the Housing Element and Fair Share Plan.
2. If the Borough of High Bridge is not pursuing authorization to impose and collect development fees after the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any

funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to Section 20 of P.L. 1985, c. 222 (C. 52:27D-320).

3. After the expiration of the Judgment of Compliance, if the Borough does not pursue or obtain continued authorization, the Borough of High Bridge shall not impose a residential development fee on a development that receives preliminary or final site plan approval, retroactively impose a development fee on such a development, or expend any of its collected development fees.

**Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**Repealer.** Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

**Effective Date.** This Ordinance shall not take effect until approved by the Court.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of High Bridge held on \_\_\_\_\_, 2018, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on \_\_\_\_\_, 2018 at 7:30 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the \_\_\_\_\_, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Adam Young  
Borough Clerk

Adopted:

\_\_\_\_\_  
Mark Desire, Mayor  
Borough Council

Attest:

\_\_\_\_\_  
Adam Young  
Borough Clerk

**BOROUGH OF HIGH BRIDGE  
HUNTERDON COUNTY**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE BOROUGH OF HIGH BRIDGE AMENDING AND  
SUPPLEMENTING CHAPTER 145, “LAND USE AND DEVELOPMENT  
ORDINANCE”, ARTICLE 4 “DISTRICT REGULATIONS” TO ADD CERTAIN  
CONDITIONALLY-PERMITTED USES TO THE MIXED-USE CORRIDOR ZONE  
AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO**

**WHEREAS**, the Borough Council of the Borough of High Bridge desires to create a realistic opportunity for the creation of affordable housing within the Borough; and

**WHEREAS**, the Borough voluntarily brought a timely declaratory judgment action pursuant to the procedures set forth by the Supreme Court in *In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (201) (“Mt. Laurel IV”)* seeking approval of a Housing Element and Fair Share Plan that satisfied the Borough’s obligation to provide for its fair share of the regional need of low and moderate income housing; and

**WHEREAS**, after a Fairness Hearing held on February 13, 2018, by Order dated February 13, 2018, Hon. Thomas C. Miller, approved a settlement agreement between the Borough of High Bridge and Fair Share Housing Center; and

**WHEREAS**, pursuant to the requirements of the February 13, 2018 Order, the Borough of High Bridge intends to supplement its Zoning Ordinance to include provisions addressing High Bridge’s constitutional obligation to provide for its fair share of low and moderate income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

**WHEREAS**, the High Bridge Planning Board has adopted a Housing Element and Fair Share Plan dated June 6, 2018 pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq., which addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C.5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985; and

**WHEREAS**, this Ordinance is intended to implement the above-referenced Housing Element and Fair Share Plan, which has been endorsed by the Governing Body.

**NOW, THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of High Bridge that Chapter 145 “Land Use and Development Ordinance”, Article 4 “District Regulations”, Section 406.1, “Regulations for MUC, Mixed-Use Corridor Zone”, is hereby amended and supplemented by the underlined as follows:

5. Clubs, lodges and fraternal organizations, conditions as follows:
  - a. The minimum lot area shall be one-half (0.5) acres.
  - b. Parking facilities must be provided at a rate of one (1) space per one hundred (100) square feet of gross floor area.
6. Multi-family residential above non-residential uses, conditions as follows:
  - a. The minimum lot area shall be 25,000 square feet.
  - b. The minimum front yard setback shall be fifteen (15) feet.
  - c. The maximum front yard setback shall be forty (40) feet.
  - d. The minimum side yard setback shall be ten (10) feet, but in the case where the adjacent use is a single-family home, the side yard setback shall be twenty (20) feet.
  - e. The minimum rear yard setback shall be thirty (30) feet.
  - f. The maximum lot coverage shall be eighty (80%) percent.
  - g. The maximum building height shall be three (3) stories and forty-five (45) feet.
  - h. The maximum density shall be fifteen (15) units per acre.
  - i. Ground floor uses shall be permitted MUC non-residential uses, however, a maximum of one (1) handicapped adaptable residential unit may be permitted on the ground floor, so long as the unit is located to the rear of the non-residential use(s) and is accessed from the side or rear of the building.
  - j. A minimum of 20% of the units shall be reserved for affordable housing. All affordable units shall be deed restricted for a minimum of 30 years. The developer shall be responsible for retaining a qualified Administrative Agent.
  - k. The following parameters shall not be considered a condition of the use and if they cannot be met, shall be deemed a design waiver:
    - (1) Where the property abuts an existing single-family home, a solid screen comprised of either a six (6) foot-tall fence or evergreen shrubs six (6) feet in height shall be installed to screen the parking area and any visible trash areas.
    - (2) No dumpster or trash facilities shall be located within twenty (20) feet of a property line shared with an existing single-family home.
    - (3) Off-street parking shall be provided for the residential units in accordance with the Residential Site Improvement Standards. All required residential parking shall be provided on-site. Off-street parking for non-residential uses shall comply with Section 306.B.

**Severability.** The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

**Repealer.** Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

**Effective Date.** This Ordinance shall not take effect until approved by the Court.

DRAFT

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of High Bridge held on \_\_\_\_\_, 2018, and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on \_\_\_\_\_, 2018 at 7:30 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the \_\_\_\_\_, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Adam Young  
Borough Clerk

Adopted:

\_\_\_\_\_  
Mark Desire, Mayor  
Borough Council

Attest:

\_\_\_\_\_  
Adam Young  
Borough Clerk

Introduction:  
Publication:  
Adoption:  
Publication:

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**ORDINANCE #2018-027**

ORDINANCE APPROPRIATING \$120,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR A 19,500 GVW MASON DUMP TRUCK WITH PLOW ATTACHMENT IN THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COMMON COUNCIL OF THE BOROUGH OF HIGH BRIDGE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. \$120,000.00 is hereby appropriated from the Capital Improvement Fund for 19,500 GVW Mason Dump truck with plow attachment, including all work and materials necessary therefore and incidental thereto in and by the Borough of High Bridge, in the County of Hunterdon, New Jersey (the "Borough").

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect as provided by the law.

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**AUTHORIZATION TO BID**

**RESOLUTION: 157-2018**

**ADOPTED:**

**WHEREAS**, Ordinance #2018-006 was adopted by the High Bridge Borough Council on May 10, 2018 authorizing various road improvements, including an appropriation for \$355,000.00 for Washington Avenue Phase I; and

**WHEREAS**, the appropriation includes a NJDOT Grant for \$180,000.00; and

**WHEREAS**, the deadline to award a contract for Phase I is May 2019; and

**WHEREAS**, the Borough would like to solicit bids for the proposed work for Phase I which does not include replacing water mains or individual service connections;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge in the County of Hunterdon that authorization to solicit bids for Washington Avenue Phase I is hereby granted.

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY  
STATE OF NEW JERSEY**

**AUTHORIZE ELECTRONIC RECEIPTS**

**RESOLUTION: 158-2018**

**ADOPTED:**

**WHEREAS**, the Borough of High Bridge Special Events Committee is sponsoring an inaugural Halloween 5K Run/Walk on October 20, 2018; and

**WHEREAS**, the Borough will be contracting with BaseCamp 31 to provide race timing and finish line management services at a cost of \$1,250.00; and

**WHEREAS**, BaseCamp 31 also provides on-line registration through the ItsYourRace application; and

**WHEREAS**, STRIPE is the third-party contractor that will provide electronic payment services through the website; and

**WHEREAS**, this is a specialized service in accordance with N.J.A.C. 5:30-9.4, provided at no cost to the Borough specifically to provide ease of registration to participants of the Inaugural Halloween 5K Run/Walk; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of High Bridge in the County of Hunterdon, that BaseCamp31 is hereby granted authority to provide race timing and finish line management services, including setting up the on-line registration application.

**AND BE IT FURTHER RESOLVED**, by the Mayor and Council of the Borough of High Bridge in the County of Hunterdon that the web-site registration shall include electronic payment services provided in accordance with N.J.A.C. 5:30-9.4 through STRIPE specifically for this event.

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**Award of Contract – Hillcrest Lane**

**RESOLUTION: 159-2018**

**DATE: Pending**

**WHEREAS**, the Borough is in need of road improvements on Hillcrest Lane, and

**WHEREAS**, bids were received by the Borough as follows:

JTG	\$479,720.00
Black Rock Enterprises, LLC	\$550,120.00
Reivax Construction	\$617,945.00
John Garcia Construction Co	\$671,079.81

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of High Bridge, in the County of Hunterdon and State of New Jersey approve that the contract be awarded to JTG Construction at a cost of \$479,720.00.

I, Bonnie Ann Fleming, Chief Financial Officer of the Borough of High Bridge, do hereby certify funds are available for this contract from: Capital – #30970001 -&- #30980201 - \$480,000.00

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Bonnie Ann Fleming  
Chief Financial Officer

**RESOLUTION  
BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**Award of Contract – New Door at Firehouse**

**NUMBER: 160-2018**

**DATE: pending adoption**

**WHEREAS**, the Borough of High Bridge wishes to repair/replace the door and frame in the rear building at the Firehouse, and

**WHEREAS**, two quotes were received:

John Phillips Carpentry	\$3,899.40
Deutschlander & Associates, Inc	\$9,986.00

**WHEREAS**, John Phillips Carpentry had the lowest price of \$3,899.40, and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of High Bridge, in the County of Hunterdon and State of New Jersey approve the award of contract to John Phillips Carpentry.

I, Bonnie Ann Fleming, Chief Financial Officer of the Borough of High Bridge, do hereby certify funds are available for this contract from: High Bridge Fire Dept - OE – Misc - #10525599.



Bonnie Ann Fleming  
Chief Financial Officer

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**REFUND OF OVERPAYMENT ON LANDLORD REGISTRATION**

**RESOLUTION: 161-2018**

**ADOPTED:**

**WHEREAS**, the Borough Council adopted Ordinance #2016-26 on November 10, 2016 for the enforcement of late fees on Landlord Registration, and

**WHEREAS**, the list below is landlords who have overpaid for the 2018 registration.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and State of New Jersey hereby refunds the landlords on the attached list, totaling \$50.00.

	Owner's Name	Date Paid	Amount Paid	Amount Due	Refund Amount
	Steven DePaul, 25 Mill Street	05/14/18	650.00	600.00	50.00
				May 1-15, 2018	\$50.00

**Borough of High Bridge  
County of Hunterdon  
State of New Jersey**

**RESOLUTION: 162-2018**

**ADOPTED: pending**

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**Lien Redemptions**

**WHEREAS**, the High Bridge Tax Collector has received funds from a property owner(s) or other party of interest for redemption of a Tax Sale Lien(s), and

**WHEREAS**, lien holders are entitled to payment for redemption of the Tax Lien(s) upon receipt of funds by the Tax Collector, and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and State of New Jersey that the High Bridge Tax Collector is hereby authorized to redeem said lien(s) and return applicable premiums in the following amount(s):

<u>TAX LIEN CERT NO.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
2016-006	24	23.03	PC6 Sterling	\$ 740.51
Premium	24	23.03	PC6 Sterling	\$ 800.00

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**RESOLUTION: 163-2018**

**ADOPTED:**

**Renewal Plenary Retail Consumption License**

**BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge that pursuant to R.S. Title 33 et seq., the following have made application for the annual renewal of their liquor license in the Borough of High Bridge; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and State of New Jersey approve the said license effective July 1, 2017, subject to prior approval by the NJ Alcoholic Beverage Commission:

Renewal Term:	07/01/2018 to 06/30/2019
License Number:	1014-33-005-008
License Type:	Plenary Retail Consumption License
Licensee:	HIGH BRIDGE RESTAURANT LLC
Legal Entity (Licensee)	37 MAIN STREET, HIGH BRIDGE, NJ 08829 USA
Establishment:	CIRCA RESTAURANT 37 MAIN STREET HIGH BRIDGE, NJ 08829 USA

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**Renewal Plenary Retail Consumption License**

**RESOLUTION: 164-2018**

**ADOPTED:**

**BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge that pursuant to R.S. Title 33 et seq., the following have made application for the annual renewal of their liquor license in the Borough of High Bridge; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and State of New Jersey approve the said license effective July 1, 2018, subject to prior approval by the NJ Alcoholic Beverage Commission:

Renewal Term:	07/01/2018 to 06/30/2019
License Number:	1014-33-004-005
License Type:	Plenary Retail Consumption License
Licensee:	Smoking Gun Enterprises, LLC.
Legal Entity (Licensee)	Smoking Gun Enterprises, LLC. 4-6 Main Street, High Bridge, NJ 08829
Establishment:	Mrs. Riley's Publick House

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**Renewal Plenary Retail Consumption License**

**RESOLUTION: 165-2018**

**ADOPTED:**

**BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge that pursuant to R.S. Title 33 et seq., the following have made application for the annual renewal of their liquor license in the Borough of High Bridge; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and State of New Jersey approve the said license effective July 1, 2018, subject to prior approval by the NJ Alcoholic Beverage Commission:

ABC File Number:

Renewal Term:

07/01/2018 to 06/30/2019

License Number:

1014-44-003-008

License Type:

Plenary Retail Distribution License

Licensee:

Michael Cedro

Legal Entity (Licensee)

MDC Liquor, Inc.

45 Main Street, High Bridge, NJ 08829

Establishment:

Riverside Liquors

**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**RELEASE OF EXECUTIVE SESSION MINUTES**

**RESOLUTION: 166-2018**

**ADOPTED:**

**WHEREAS**, the Open Public Meeting Act requires that municipalities keep minutes of Executive Sessions, and

**WHEREAS**, the Borough of High Bridge maintains such Executive Session minutes, and

**WHEREAS**, certain of those Executive Session minutes no longer need to be maintained as confidential pursuant to the Open Pubic Meeting Act; and

**WHEREAS**, the Borough of High Bridge has determined that the below listed Executive Session minutes or portions thereof should be released to the public.

June 9, 2016  
June 23, 2016  
November 10, 2016  
December 8, 2016  
March 23, 2017  
June 8, 2017  
September 14, 2017  
October 12, 2017  
November 16, 2017

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and in the State of New Jersey hereby releases the listed Executive Session minutes or unredacted portions thereof.

**Borough of High Bridge  
County of Hunterdon  
State of New Jersey**

**RESOLUTION: 167-2018**

**ADOPTED: pending**

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**Adjustment of Sewer Usage Amount for Leak**

**WHEREAS**, Mr. Stephen Sheriff of 17 Watergate Drive was charged for 1,235 units of usage on the 2<sup>nd</sup> quarter utility bill, and

**WHEREAS**, the Department of Public Works confirmed that there was a leak at the home and that the water has not been processed as sewerage, and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge in the County of Hunterdon and State of New Jersey hereby authorize an adjustment of \$6,644.30, the value of 1,235 units of sewer usage from Mr. Sheriff's account.

**Borough of High Bridge  
County of Hunterdon  
State of New Jersey**

**RESOLUTION: 168-2018**

**ADOPTED:**

**Authorization of solicitor's permit**

**WHEREAS**, The High Bridge Business Association has applied for a solicitor's permit, marked Solicitor's Permit 2018-001, in the Borough of High Bridge, and

**WHEREAS**, the HBBA intends to sell food, crafts, and repurposed goods, and

**WHEREAS**, The HBBA wish to apply under Chapter 268-13: Exemptions, and have met the criteria for exemption under this chapter,

**WHEREAS**, the application process requires Council approval,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of High Bridge, in the County of Hunterdon, State of New Jersey, that the above stated solicitor's permit, is approved.

**Borough of High Bridge  
County of Hunterdon  
State of New Jersey**

**RESOLUTION: 169-2018**

**ADOPTED:**

**MUNICIPAL SUPPORT FOR RESPONSIBLE PET OWNERSHIP PROGRAMS  
IN THE COMMUNITY**

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners.

WHEREAS legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s);

WHEREAS there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey;

WHEREAS New Jersey was the first state in the nation to develop an innovative state-wide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries;

WHEREAS State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services;

WHEREAS The New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws;

WHEREAS New Jersey mandates training requirements for animal control officers and Animal Cruelty Investigators;

WHEREAS New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities;

WHEREAS approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3000 every month;

WHEREAS free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces;

WHEREAS stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

WHEREAS all dogs are required to be licensed in the municipality where they are housed (Current vaccination against rabies is a pre-requisite to licensure);

NOW THEREFORE, we the Municipality of High Bridge, resolve to take the following steps with regard to our municipal responsibilities with the intent of making High Bridge a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

**Authority of municipalities:**

The NJ Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situations of vicious or potentially dangerous dogs, regardless of breed;

The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

The Municipality pledges to:

- Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats.
- Work to improve the enforcement of animal cruelty statutes.
- Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.
- Increase the percentage of licensed dogs through ease of licensing, public awareness, and licensing enforcement measures.
- Identify and work to implement best practices to prevent unwanted breeding through public education on the availability of low-cost pet spaying and neutering services.
- Identify alternatives to euthanasia of adoptable companion animals.



**BOROUGH OF HIGH BRIDGE  
COUNTY OF HUNTERDON  
STATE OF NEW JERSEY**

**AUTHORIZING THE BOROUGH OF HIGH BRIDGE SAFE ROUTES TO SCHOOL  
PROJECT AND THE APPLICATION FOR SAFE ROUTES TO SCHOOL FUNDING  
TO MAKE INFRASTRUCTURE IMPROVEMENTS THAT WILL IMPROVE THE  
WALKING AND BIKING ENVIRONMENT FOR STUDENTS**

**RESOLUTION: 170-2018**

**ADOPTED:**

**WHEREAS**, the Borough of High Bridge is applying for funding to construct pedestrian safety improvements along the school route for High Bridge Elementary School and High Bridge Middle School within the Borough of High Bridge; and

**WHEREAS**, the Borough of High Bridge proposes to install sidewalk and other necessary pedestrian safety improvements along Hart Street, Union Avenue and Central Avenue; and

**WHEREAS**, the grant application is identified as SRS-I-2018-High Bridge Borough-00018; and

**WHEREAS**, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

**WHEREAS**, maintenance of the facility, once constructed, will be assumed by the Borough of High Bridge with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of High Bridge that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor and the Municipal Acting Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

CERTIFICATE OF DETERMINATION AND AWARD

I, Bonnie Fleming, Chief Financial Officer of the Borough of High Bridge, in the County of Hunterdon, New Jersey (hereinafter referred to as the "Borough"), HEREBY CERTIFY as follows:

1. I hereby determine to issue the \$1,159,800 Notes, consisting of a \$1,153,250 Bond Anticipation Note (the "Bond Anticipation Note") and a \$6,550 Water Utility Bond Anticipation Note (the "Water Utility Bond Anticipation Note" and, together with the Bond Anticipation Note, the "Notes"), hereinafter described by virtue of the authority conferred upon me by the bond ordinances of the Borough referred to in the attached chart by reference to number, date of adoption and amount of bonds or notes authorized, such Notes to be issued in the amounts indicated in the charts.

**\$1,153,250 Bond Anticipation Note**

<u>TOTAL</u> <u>PRINCIPAL</u> <u>AMOUNT:</u>		<u>NUMBER</u>	<u>DENOMINATION</u>
\$1,153,250		2018-01	\$1,153,250
<u>DATE:</u>	6/20/18		
<u>MATURITY:</u>	6/20/19		
<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM:</u>	2.00%, payable at maturity		
<u>NET</u> <u>INTEREST</u> <u>COST:</u>	2.00%		
<u>PLACE</u> <u>OF</u> <u>PAYMENT:</u>	Borough of High Bridge, New Jersey		

**\$6,550 Water Utility Bond Anticipation Note**

<u>TOTAL</u> <u>PRINCIPAL</u> <u>AMOUNT:</u>		<u>NUMBER</u>	<u>DENOMINATION</u>
\$6,550		2018-02	\$6,550
<u>DATE:</u>	6/20/18		
<u>MATURITY:</u>	6/20/19		
<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM:</u>	2.00%, payable at maturity		

NET  
INTEREST  
COST: 2.00%

PLACE OF  
PAYMENT: Borough of High Bridge, New Jersey

2. Pursuant to the authority so conferred upon me, I have awarded and sold the Notes to Amboy Bank, Old Bridge, New Jersey at the price of \$1,159,800.00.

3. No bonds of the Borough have heretofore been issued pursuant to the bond ordinances referred to in Section 1 hereof, except as set forth in the attached charts.

4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that the Notes are issued in anticipation of, whether or not now outstanding, is as stated in the attached charts.

5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinances described in the attached charts except as set forth therein.

6. No notes or other obligation in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinances referred to in the attached charts and now remain outstanding and unpaid except as set forth in the attached charts.

### List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
<b>CURRENT FUND</b>				
2183 - ARF RENTAL SERVICES, INC	PO 24975 RECREATION & SPECIAL EVENTS - PORTA		231.76	231.76
10537099	Special Events-Misc.	231.76		231.76
1591 - ATLANTIC TACTICAL OF NEW JERSEY	PO 24535 POLICE - OE - RANGE QUALIFICATION		187.07	187.07
10524025A	(2017) Police Department-OE-Range Qualif	187.07		187.07
2025 - BANK OF AMERICA	PO 24746 BUILDINGS & GROUNDS/WATER/SPECIAL E		747.85	747.85
10517040	Buildings & Grounds - New Boro Hall	360.88		
10517059	Buildings & Grounds - Janitorial	386.97		747.85
2025 - BANK OF AMERICA	PO 25071 ADMIN - OE - OFFICE SUPPLIES		45.00	45.00
10510021	General Admin-OE-Office Supplies	45.00		45.00
2025 - BANK OF AMERICA	PO 25171 POLICE - OE - MAINTENANCE CONTRACTS		20.17	20.17
10524026	Police Department-OE-Maintenance Contras	20.17		20.17
2025 - BANK OF AMERICA	PO 25184 POLICE - OE - MISC		149.37	149.37
10524099	Police Department-OE-Misc.	149.37		149.37
2025 - BANK OF AMERICA	PO 25222 POLICE - OE - MAINTENANCE CONTRACTS		191.80	191.80
10524026	Police Department-OE-Maintenance Contras	191.80		191.80
1530 - HIGH BRIDGE HILLS GOLF COURSE	PO 24196 GOLF - OE - DEC		8,718.84	8,718.84
10537620A	(2017) GOLF-OTHER EXPENSES	8,718.84		8,718.84
506 - BILLY CASPER GOLF, LLC	PO 24911 GOLF - OE - MANAGEMENT FEE		4,500.00	4,500.00
10537620	GOLF-OTHER EXPENSES	4,500.00		4,500.00
1530 - HIGH BRIDGE HILLS GOLF COURSE	PO 24916 GOLF - OE - MAY		55,623.32	55,623.32
10537620	GOLF-OTHER EXPENSES	55,623.32		55,623.32
46 - CALIFON LUMBER	PO 24834 BUILDINGS & GROUNDS / DPW - OE -		143.88	143.88
10529025	Dept. of Public Works-OE-Equipment/Hdwr	143.88		143.88
987 - COMCAST	PO 24757 POLICE - INTERNET - 2018 - A/C 0957		427.05	427.05
10510120	INTERNET	129.90		
10544126	Telephone - Police	297.15		
10510120	PO 24758 INTERNET/PHONE - BOROUGH HALL - ACC		248.44	248.44
10544121	INTERNET	94.95		
10544121	Telephone - Boro Hall	153.49		
10510120	PO 24759 INTERNET/PHONE - FIRE DEPT - ACCT #		307.40	307.40
10544124	INTERNET	109.95		
10544124	Telephone - Fire	197.45		
10510120	PO 24760 INTERNET/PHONE - RESCUE SQUAD - ACC		522.08	522.08
10544123	INTERNET	219.90		
10544123	Telephone - Squad	302.18		
10510120	PO 24761 DPW - INTERNET A/C 09574 832139-01-		298.05	298.05
10510120	INTERNET	129.90		
10544122	Telephone - Garage	168.15		1,803.02

### List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
2210 - CONSTELLATION NewENERGY, INC	PO 24874 STREET LIGHTING - MAY 2018 - CUST I			525.79
10543520	STREET LIGHTING	503.19		
10543024	Electricity - DPW	16.43		
10543022	Electricity - Fire	6.17		525.79
2279 - CUSTOM WORKFLOW SOLUTIONS, LLC	PO 24159 BUILDINGS & GROUNDS - BORO HALL			68.00
10517133A	(2017) BUILDINGS & GROUNDS-DATA PROCES/S	68.00		
	PO 24725 BUILDINGS & GROUNDS - BORO HALL			340.00
10517133	BUILDINGS & GROUNDS-DATA PROCES/SOFTWARE	340.00		408.00
2319 - DAVIS HEATING AND COOLING	PO 25166 BUILDINGS & GROUNDS - FURNACE & AC			1,255.00
10517098	Buildings & Grounds - Rescue Squad	305.00		
10517040	Buildings & Grounds - New Boro Hall	217.50		
10517091	Buildings & Grounds - Police Bldg	305.00		
10517093	Buildings & Grounds - Fire House	152.50		
10517092	Buildings & Grounds - DPW	275.00		1,255.00
2164 - DePAUL, STEVEN	PO 25192 LANDLORD FEES - REFUND BY RESOLUTIO			50.00
10410514	MISC F&P - LANDLORD REGISTRATION	50.00		50.00
2061 - DIRECT DEVELOPMENT, LLC	PO 24750 WEBSITE MAINTENANCE 2018			510.00
10511524	Website Production	510.00		510.00
73 - EASTSIDE SERVICE, INC	PO 25196 POLICE - OE - VEHICLE REPAIR 14-13			883.54
10524028	Police Department-OE-Vehicle Repair	883.54		
	PO 25197 POLICE - OE - VEHICLE REPAIR 14-10			125.25
10524028	Police Department-OE-Vehicle Repair	125.25		
	PO 25215 POLICE - OE - VEHICLE REPAIR 14-12			431.30
10524028	Police Department-OE-Vehicle Repair	431.30		
	PO 25216 POLICE - OE - VEHICLE REPAIR 14-16			223.56
10524028	Police Department-OE-Vehicle Repair	223.56		1,663.65
73 - EASTSIDE SERVICE, INC	PO 25217 POLICE - OE - VEHICLE REPAIR 14-12			1,667.55
10524028	Police Department-OE-Vehicle Repair	1,667.55		1,667.55
160 - ELIZABETHTOWN GAS	PO 24851 HEATING - BOROUGH HALL - ACT#655639			152.13
10544721	Heating - Boro Hall	152.13		
	PO 24852 HEATING - RESCUE SQUAD - ACT# 71679			52.27
10544725	Heating - Squad Bldg	52.27		
	PO 24853 HEATING - BOROUGH HALL - ACT#779535			76.70
10544721	Heating - Boro Hall	76.70		
	PO 24854 HEATING - BORO GARAGE - ACCTS # 503			235.23
10544722	Heating - Garage	235.23		516.33
2426 - FANIA ROOFING COMPANY	PO 24609 HISTORIC PRESERVATION GRANT - REPAI			4,500.00
10672420A	(2017) HISTORIC PRESERVATION GRANT	3,915.00		
10537120	CULTURAL & HERITAGE	585.00		4,500.00
92 - GREENBAUM ROWE SMITH & DAVIS LLP	PO 24862 LEGAL			7,630.00
10515560	Legal-OE-Municipal Meetings	2,852.50		
10515566	Legal-OE-General Borough Matters	3,167.50		
105155615	Legal-OE-Redevelopment Plan	1,120.00		

## List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
10515589	Legal-OE-COAH		490.00	7,630.00
2064 - IMAGE SYSTEMS FOR BUSINESS INC	PO 24754 BUILDINGS & GROUNDS - POLICE BLDG -			290.00
10517123	BUILDINGS & GROUNDS-COPIER LEASE		290.00	290.00
2296 - WELLS FARGO VENDOR FIN	PO 24752 BUILDINGS & GROUNDS - COPIER LEASE			338.89
10517123	BUILDINGS & GROUNDS-COPIER LEASE		338.89	338.89
2312 - IMPERIAL COPY PRODUCTS, INC	PO 24821 BUILDINGS & GROUNDS - COPIER LEASE			244.41
10517123	BUILDINGS & GROUNDS-COPIER LEASE		244.41	244.41
90 - JCP&L	PO 24775 SOLITUDE HOUSE - 7 & 9 RIVER ROAD A			20.30
10543027	Electricity - Solitude Museum/Garage		20.30	
	PO 24776 ELECTRIC - SPRINGSIDE - ACCT#100050			11.71
10543520	STREET LIGHTING		11.71	
	PO 24777 STREET LIGHTING - MAIN STREET - STR			581.99
10543520	STREET LIGHTING		581.99	
	PO 24778 STREET LIGHTING - SHOP E - 1 WASHIN			11.30
10543520	STREET LIGHTING		11.30	625.30
90 - JCP&L	PO 24784 STREET LIGHTING - MAY 2018 - ACCT#2			4,013.24
10543520	STREET LIGHTING		2,294.45	
10543025	Electricity - Boro Hall		196.28	
10543026	Electricity - Library		38.00	
10543024	Electricity - DPW		98.42	
10543034	Electricity - Washington Ave.		16.60	
10543022	Electricity - Fire		518.11	
10543031	Electricity - Rt 513		6.75	
10543021	Electricity - Rescue Squad		298.64	
10543032	Electricity - Boro Commons		3.15	
10543027	Electricity - Solitude Museum/Garage		11.41	
10543033	Electricity - Bridge Street		6.61	
10543023	Electricity - Police		524.82	4,013.24
976 - LOWE'S	PO 25195 POLICE - OE - MISC			194.05
10524099	Police Department-OE-Misc.		194.05	194.05
1774 - M & W COMMUNICATIONS, INC	PO 25194 POLICE - OE - EQUIPMENT REPAIR 14-1			298.00
10524031	Police Department-OE-Equipment Repair		298.00	298.00
1398 - MASER CONSULTING PA	PO 24368 PLAN CONFORMANCE - HIB033			207.00
10141730	PLAN CONFORMANCE GRANT		207.00	207.00
1398 - MASER CONSULTING PA	PO 24700 PLAN CONFORMANCE - HIP025A			549.00
10141730	PLAN CONFORMANCE GRANT		549.00	549.00
1398 - MASER CONSULTING PA	PO 24865 ENGINEERING - OE			2,878.50
10516560	Engineering Services-Municipal Issues		2,878.50	2,878.50
1398 - MASER CONSULTING PA	PO 24866 PLANNING BOARD - OE - ENGINEERING -			448.50
10518033	Planning Board-OE-Engineering		448.50	448.50

## List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
1398 - MASER CONSULTING PA 10676220 HEFSP-HIP025B	PO 25208 PLAN CONFORMANCE - HIGHLANDS HOUSIN		951.00	951.00
146 - MGL PRINTING SOLUTIONS 10512021 Municipal Clerk-OE-Office Supplies	PO 25037 MUNICIPAL CLERK - OE - OFFICE SUPPL	202.00	202.00	202.00
146 - MGL PRINTING SOLUTIONS 10514527 Tax Collector-OE-Tax Bills/Forms	PO 25066 TAX COLLECTOR - OE - FORMS	55.00	55.00	55.00
2191 - MORPHOTRAK, LLC 10524026 Police Department-OE-Maintenance Contras	PO 25179 POLICE - OE - MAINTENANCE CONTRACTS	2,633.69	2,633.69	2,633.69
214 - NJ ADVANCE MEDIA 10511032 ADVERTISING	PO 24844 ADVERTISING - ACCT #1160892 / 11648	204.62	204.62	204.62
1925 - OBIEDZINSKI, ANN MARIE 10515099 Tax Assessment-OE-Misc.	PO 25214 TAX ASSESSOR - OE - MISC - MILEAGE	33.40	33.40	33.40
1857 - OFFICE CONCEPTS GROUP 10517124 BUILDINGS & GROUNDS-COPY PAPER	PO 24910 OFFICE SUPPLIES	179.95	179.95	179.95
1280 - PREFERRED ELECTRICAL CONTRACT, INC 10517093 Buildings & Grounds - Fire House	PO 25006 BUILDINGS & GROUNDS - FIREHOUSE - L	2,662.31	2,662.31	2,662.31
446 - RESORTS INTERNATIONAL HOTEL, INC. 10524024 Police Department-OE-Seminars/Dues/Membr	PO 25170 POLICE - OE - SEMINARS/DUES/MEMBERS	387.00	387.00	387.00
2335 - RICK ALLEN'S AUTO REPAIR 10529028 Dept. of Public Works-OE-Vehicle Repair	PO 25095 DPW - OE - VEHICLE REPAIR	1,014.90	1,014.90	1,014.90
2218 - RIVER NET COMPUTERS, LLC 10524026 Police Department-OE-Maintenance Contras	PO 25204 POLICE - OE - MAINTENANCE CONTRACTS	41.48	41.48	41.48
2218 - RIVER NET COMPUTERS, LLC 10524031 Police Department-OE-Equipment Repair	PO 25205 POLICE - OE EQUIPMENT REPAIR	99.00	99.00	99.00
195 - SHERWIN-WILLIAMS CO. 10529055 PARKS & PLAYGROUNDS - OTHER EXPENSES	PO 25032 DPW - PARKS & PLAYGROUNDS - OE - PA	77.95	77.95	77.95
2121 - STATEWIDE INSURANCE 10521020 LIABILITY INSURANCE	PO 25135 LIABILITY INSURANCE - DEDUCTIBLE R	2,137.61	2,137.61	2,137.61
1978 - STAVOLA 10529039 Dept. of Public Works-OE-Blacktop	PO 24905 DPW - OE - BLACKTOP	2,508.36	2,508.36	2,508.36
1586 - TIRPOK GROUP, INC 10524033 Police Department-OE-Uniforms/CLOthing	PO 25189 POLICE - OE - UNIFORMS / CLOTHING	17.81	17.81	17.81

### List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
2244 - US BANK CUST-PC6 STERLING NATIONAL 104156	PO 25235 OUTSIDE LIEN REDEMPTION-CERT #2016- REVENUE - O/S LIEN REDEMPTION	740.51	740.51	740.51
199 - VAN DOREN OIL COMPANY 10544724	PO 24849 HEATING FUEL - FIREHOUSE - ACCT # 0 Heating Fuel-Firehouse	1,260.70	1,260.70	1,260.70
1500 - VERIZON WIRELESS 10524030 10544127	PO 24772 POLICE - OE - WIRELESS DEVICES - Police Department-OE-Wireless Devices TELEPHONE-POLICE-CELL PHONES	160.04 214.24	374.28	374.28
1500 - VERIZON WIRELESS 10525230	PO 24773 EMERGENCY MANAGEMENT - OE - AIRCARD EMERGENCY MANAGEMENT: WIRELESS DEVICES	80.02	80.02	80.02
1500 - VERIZON WIRELESS 10544128	PO 24774 TELEPHONE - DPW - CELL PHONES ACC TELEPHONE-DPW-CELL PHONES	98.74	98.74	98.74
2429 - VIRTRU CORP 10524026	PO 25180 POLICE - OE - MAINTENANCE CONTRACTS Police Department-OE-Maintenance Contras	420.00	420.00	420.00
1606 - W.B. MASON COMPANY 10517121	PO 24720 OFFICE SUPPLIES BUILDINGS & GROUNDS-OFFICE SUPPLIES	305.15	305.15	305.15
320 - THOMSON WEST 10512027	PO 25191 MUNICIPAL CLERK - OE - PRINTED MATE Municipal Clerk-OE-Printed Material	1,456.00	1,456.00	1,456.00
<b>PREMIUM FUND</b>				
2244 - US BANK CUST-PC6 STERLING NATIONAL 221400	PO 25236 PREMIUM-OUTSIDE LIEN REDEMPTION-CER TAX SALE PREMIUMS	800.00	800.00	800.00
<b>GENERAL CAPITAL FUND</b>				
1135 - ATLANTIC IRRIGATION SPECIALIT., INC. 30970901	PO 24654 CAPITAL - GC IRRIGATION CONTRACT AMOUNT	4,859.03	4,859.03	4,859.03
1398 - MASER CONSULTING PA 30970102	PO 24673 CAPITAL - MILL ST ENGINEERING - HIB ARCH/ENG/LEGAL-SECTION 20 COSTS	485.50	485.50	485.50
1398 - MASER CONSULTING PA 30920302	PO 24939 CAPITAL - STREETScape PHASE 2 ENGIN ENG/LEGAL SECTION 20 COSTS	148.00	148.00	148.00
1398 - MASER CONSULTING PA 30980302	PO 25110 CAPITAL - WASHINGTON AVE - ENGINEER SECT 20 COSTS-ENG/ARCH/LEGAL	9,710.50	9,710.50	9,710.50
2383 - SCOTT T. McNALLY 30970901	PO 24655 CAPITAL - GC IRRIGATION CONTRACT AMOUNT	9,052.40	9,052.40	9,052.40

## List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
<b>WATER UTILITY FUND</b>				
1148 - BUCKMAN'S INC.	PO 24847 WATER - OE - CHEMICALS			467.35
60510053	WATER - OE - CHEMICALS	467.35		<b>467.35</b>
1381 - CORE & MAIN	PO 24715 WATER - OE - REPAIRS - REPAIR PARTS		1,500.00	
60510051	WATER - OE - REPAIRS/CONTRACTS	1,500.00		<b>1,500.00</b>
176 - EUROFINS QC, INC	PO 23962 WATER - OE - ANAYLSIS		220.80	
60510045A	(2017) WATER - OE - WATER ANAYLSIS	220.80		<b>220.80</b>
90 - JCP&L	PO 24796 WATER- STREET LIGHT - MAY 2018 - AC		5,072.41	
60510098	WATER - OE - ELECTRIC	5,072.41		<b>5,072.41</b>
1398 - MASER CONSULTING PA	PO 24867 WATER - OE - ENGINEERING		2,610.50	
60510042	WATER - OE - ENGINEERING/LEGAL/PROF FEES	2,610.50		<b>2,610.50</b>
1694 - ONE CALL CONCEPTS, INC	PO 24952 WATER - OE - MISC - ONE CALL MESSAG		32.50	
60510099	WATER - OE - MISCELLANEOUS	32.50		<b>32.50</b>
<b>WATER CAPITAL FUND</b>				
1398 - MASER CONSULTING PA	PO 24940 WATER CAPITAL - ENGINEERING - ASSET		7,835.75	
615329	ASSET MANAGEMT PLAN-ORD#2018-13-\$70,000	7,835.75		<b>7,835.75</b>
1398 - MASER CONSULTING PA	PO 25107 WATER CAPITAL - SOLITUDE PUMP REPAI		370.00	
615330	SOLITUDE PUMP HOUSE ORD#2018-14-\$50,000	370.00		<b>370.00</b>
1453 - PUMPING SERVICES, INC	PO 25108 WATER CAPITAL - SOLITUDE PUMP RELO		24,500.00	
615330	SOLITUDE PUMP HOUSE ORD#2018-14-\$50,000	24,500.00		<b>24,500.00</b>
<b>SEWER UTILITY FUND</b>				
848 - APPLIED ANALYTICS, INC.	PO 24927 SEWER-CONTRACTS		300.00	
62510047	SEWER - OE - METER CALIBRATION	300.00		<b>300.00</b>
73 - EASTSIDE SERVICE, INC	PO 25211 DPW / SEWER - OE - VEHICLE REPAIR		337.96	
62510028	SEWER - OE - VEHICLE REPAIR	337.96		<b>337.96</b>
230 - FLYNN'S TRUCK REPAIR INC.	PO 25113 DPW - OE - VEHICLE MAINT		53.11	
62510028	SEWER - OE - VEHICLE REPAIR	53.11		<b>53.11</b>
92 - GREENBAUM ROWE SMITH & DAVIS LLP	PO 24863 LEGAL - TOC		16,677.50	
6251004201	TOC-LEGAL-GREENBAUM	16,677.50		<b>16,677.50</b>
2039 - GREENBAUM, ROWE, SMITH & DAVIS	PO 24965 SEWER - OE - TREATMENT CHARGE - 1ST		53,330.20	
62510062	SEWER - OE - SEWER TREATMENT CHARGE	53,330.20		<b>53,330.20</b>
90 - JCP&L	PO 24808 SEWER- STREET LIGHTING - MAY 2018 -		856.66	

## List of Bills - (All Funds)

Vendor	Description	Account	PO Payment	Check Total
62510098	SEWER - OE - ELECTRIC		856.66	856.66
1453 - PUMPING SERVICES, INC	PO 24999 SEWER - OE - REPAIRS		1,850.00	
62510051	SEWER - OE - REPAIRS/CONTRACTS		1,850.00	1,850.00
246 - TOWN OF CLINTON	PO 24961 2018 - 1ST QUARTER - SEWER TREATMEN		75,366.57	
62510062	SEWER - OE - SEWER TREATMENT CHARGE		75,366.57	75,366.57
<b>SOLID WASTE UTILITY FUND</b>				
1813 - PREMIER DISPOSAL, INC	PO 24832 SOLID WASTE - CONTRACTED HAULER- 20		21,776.00	
64510090	SOLID WASTE-OE-CONTRACTED HAULER		21,776.00	21,776.00
<b>DEVELOPER ESCROW TRUST FUND</b>				
1398 - MASER CONSULTING PA	PO 25185 ESCROW - ELIZABETHTOWN GAS - CREGAR		111.00	
7118551	E'TOWN-LARRISON/CREGAR-ST OPEN		111.00	111.00
1398 - MASER CONSULTING PA	PO 25207 ESCROW - FLOREZ - DENNIS AVE		86.25	
7118550	FLOREZ-DENNIS AVE-PB#02-2017		86.25	86.25
<b>SPECIAL EVENTS</b>				
2183 - ARF RENTAL SERVICES, INC	PO 24976 RECREATION & SPECIAL EVENTS - PORTA		48.00	
781004	CONCERTS		48.00	48.00
1409 - BRODEAN, ERIC	PO 25206 GARDEN GRANT - 2018		71.92	
781008	GARDEN GRANT		71.92	71.92
213 - COUNTY OF HUNTERDON	PO 25213 SOAP BOX DERBY 2018 - BOOKLETS		351.00	
781010	SOAP BOX DERBY		351.00	351.00
1984 - CROWN TROPHY OF FLEMINGTON	PO 25212 SOAP BOX DERBY 2018 - AWARDS		167.70	
781010	SOAP BOX DERBY		167.70	167.70
1444 - FASTSIGNS	PO 25183 SPECIAL EVENTS 2018 - BANNERS		120.00	
781004	CONCERTS		120.00	120.00
2367 - ALEX MAXWELL	PO 25134 SPECIAL EVENTS - SHIRTS		367.75	
781010	SOAP BOX DERBY		367.75	367.75
2178 - NATALIE FERRY	PO 25227 SOAP BOX DERBY 2018		238.82	
781010	SOAP BOX DERBY		238.82	238.82
2434 - P&W SERVICES, LLC	PO 25193 SOAP BOX DERBY 2018 - PORTABLE TOIL		295.00	
781010	SOAP BOX DERBY		295.00	295.00
1914 - RILEY'S PUBLIC HOUSE	PO 25210 SOAP BOX DERBY 2018 - FOOD		472.00	
781010	SOAP BOX DERBY		472.00	472.00

## List of Bills - (All Funds)

Vendor	Description	Account	PO	Payment	Check	Total
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TOTAL

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359,658.95

Total to be paid from Fund 10	CURRENT FUND	119,116.77				
Total to be paid from Fund 22	PREMIUM FUND	800.00				
Total to be paid from Fund 30	GENERAL CAPITAL FUND	24,255.43				
Total to be paid from Fund 60	WATER UTILITY FUND	9,903.56				
Total to be paid from Fund 61	WATER CAPITAL FUND	32,705.75				
Total to be paid from Fund 62	SEWER UTILITY FUND	148,772.00				
Total to be paid from Fund 64	SOLID WASTE UTILITY FUND	21,776.00				
Total to be paid from Fund 71	DEVELOPER ESCROW TRUST FUND	197.25				
Total to be paid from Fund 78	SPECIAL EVENTS	2,132.19				
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		359,658.95				

## Checks Previously Disbursed

60818	HIGH BRIDGE BOROUGH-PAYROLL	CASH		1,639.55	6/08/2018
60818	HIGH BRIDGE BOROUGH-PAYROLL	CASH		13,035.11	6/08/2018
60818	HIGH BRIDGE BOROUGH-PAYROLL	CASH		14,493.08	6/08/2018
60818	HIGH BRIDGE BOROUGH-PAYROLL	CASH		49,223.37	6/08/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		701.49	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		967.00	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		1,088.40	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		2,210.08	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		1,425.97	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		1,954.20	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		2,267.97	6/07/2018
60718	HIGH BRIDGE BOROUGH-PAYROLL	CASH		4,497.23	6/07/2018
9999	NJ DEPT OF TREASURY	CASH - TREASURER		43,145.62	6/06/2018
9999	CHASE MANHATTAN BANK	CASH - TREASURER		36,275.00	6/01/2018
52518	HIGH BRIDGE BOROUGH-PAYROLL	CASH		2,803.97	5/25/2018
52518	HIGH BRIDGE BOROUGH-PAYROLL	CASH		6,303.69	5/25/2018
52518	HIGH BRIDGE BOROUGH-PAYROLL	CASH		7,874.78	5/25/2018
52518	HIGH BRIDGE BOROUGH-PAYROLL	CASH		53,369.53	5/25/2018

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243,276.04

Total paid from Fund 10	CURRENT FUND	188,720.83
Total paid from Fund 60	WATER UTILITY FUND	25,724.23
Total paid from Fund 62	SEWER UTILITY FUND	22,260.00
Total paid from Fund 64	SOLID WASTE UTILITY FUND	6,570.98

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243,276.04Total for this Bills List: **602,934.99**