

Minutes of the Regular Meeting of the Township Committee of the Township of Hillsborough, in the County of Somerset, State of New Jersey, held in the Municipal Complex at 7:30 p.m. on the above date.

Upon call of the roll, the following Committee members were recorded present: Committeeman Frank DelCore, Committeewoman Gloria McCauley, Committeeman Carl Suraci, Deputy Mayor Greg Burchette and Mayor Doug Tomson. Also, in attendance were Township Clerk Pamela Borek, Township Administrator Anthony Ferrera, Township Attorney William Willard and Township Labor Attorney Eric Bernstein.

SALUTE TO THE FLAG

Following roll call, Mayor Tomson advised that in accordance with Section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975, that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on April 22, 2014.

APPROVAL OF MINUTES

- ***Approval of the March 11, 2014 Executive Session Minutes***
 - Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the minutes of the March 11, 2014 Executive Session Minutes were approved upon the call of the roll.

REPORTS FROM COMMITTEE LIAISONS, AND RECEIPT OR REPORTS, PETITIONS OR COMMUNICATIONS

Committeeman DelCore

Committeeman DelCore reminded residents that the Second quarter property tax payments are due on May 1st, with a grace period until May 12th. The tax office cannot accept postdated checks. Therefore, any postdated checks will have to be returned to the property owner, and will need to be re-mailed to the tax office.

Committeeman DelCore stated that the Art Show that was scheduled for May 5th has been cancelled. The unveiling of a portrait will be scheduled at a later date.

Committeeman DelCore stated that another reason Hillsborough is one of the best places to live in New Jersey is that there was an article in nj.com stated that Hillsborough has the lowest car insurance rate in New Jersey.

Committeewoman McCauley

Committeewoman McCauley announced that Today is Earth Day and reminded residents that the 5th Annual Clean Community Day which will be held on Saturday, April 26th from 9am until noon in conjunction with Earth Day. The Community wide clean up is made possible through the Clean Communities Grant.

All Township Residents are invited to join the clean up on Saturday, April 26th. The kick-off will be here, at the Peter J. Biondi Building Municipal Complex, where supplies and location assignments will be distributed. The clean-up activities will take place until noon. To register please email dpw@hillsborough-nj.org.

Township Clerk Pamela Borek stated that the Township gave away seedlings on April 5th which was part of Earth Day to help rebuild the trees that were damaged by Super Storm Sandy.

Committeeman Suraci

Committeeman Suraci stated that the Summer Recreation Camp registration is open and camp will return to Auten Road and Amsterdam Schools for the 5-11 year olds campers this year. More information and registration can be found on the Hillsborough Township website.

Committeeman Suraci announced that the 3rd Annual Superintendent's Gallery Celebrating Excellence in the Arts Gala Reception and Awards Ceremony will be held in the municipal building multi-purpose room this Friday, April 25. The School district website has all the details. If residents would like you can see some of the wonderful student artwork on display from Hillsborough students located down the halls towards the Board of Ed offices.

Committeeman Suraci announced that Hillsborough Township and Somerset Medical Center will be hosting a blood drive tomorrow, Wednesday, April 23rd from 2-7 pm. Registration is not required.

Deputy Mayor Burchette

Deputy Mayor Burchette reminded residents that coupons are still available for the Auten Road Facility. They are being issued for April 26th and May 3rd, 17th and 31st. This program is for Hillsborough Residents only and proof of residency is required. The drop off site is open rain or shine. Please note electronics and hazardous materials are NOT accepted. For information on recycling electronics, hazardous waste and materials not permitted at the Auten Road facility, residents can contact Somerset County Recycling Department at 732-469-3363 or visit their website. Also there will be an Electronic Recycling collection event at Woods Road on April 26th see this Friday's e-newsletter for more information. Visit the Department of Public Works facility at the East Mountain location or the Administration office to pick up your tickets.

Mayor Tomson

Mayor Tomson thanked the Hillsborough Baseball League for having him throw out the first pitch on opening day and congratulations on their 59th Anniversary.

Mayor Tomson also thanked Senior Group A for the invitation to come to a meeting to answer questions and listen to their concerns and compliments about the Township.

Mayor Tomson thanked everyone who entered the Mayors Wellness Heart Challenge and the healthy recipes contest. See the enews for more info and how to enter.

Mayor Tomson stated that the Memorial Day letters have started to be sent out but just as a reminder Saturday, May 24th is the annual Salute to Veterans Breakfast, Memorial Day Parade and Garden of Honor Ceremonies. Veterans or widows can register for the breakfast on the Township website under the eGov link, by calling the Administration office or dropping off the response section of the flyer. Additionally, non-profit organizations who wish to participate in the parade can register online through the parks and recreation website.

Mayor Tomson reminded all the runners to register for the Ninth Annual Legal Runaround 5K Run and 3K Walk to be held on May 22, 2014. As he previously stated, Hillsborough has been challenged to compete for the Healthiest Town Award at the Legal Runaround 5K Run / 3K Poker Walk, sponsored by the Somerset County Bar Foundation. You can find information in our e-news and on the website to register.

PROCLAMATIONS

- ***Proclamation proclaiming Saturday April 26, 2014 as YMCA Healthy Kids Day***

WHEREAS, the mission of the YMCA is to build strong kids, strong families and strong communities through programs that focus on developing healthy mind, body and spirit; and

WHEREAS, as a community, we must work together to ensure the health and safety of all our children; and

WHEREAS, parents must be ever mindful that they are role models for their sons and daughters, and all children need to be taught healthy eating and exercise habits if they are to grow into strong, healthy adults; and

WHEREAS, the Hillsborough Family YMCA is dedicated to providing programs and services to children and adults throughout Hillsborough Township; and

WHEREAS, community-based programs are vital to helping alleviate the epidemic of childhood obesity and physical inactivity, particularly among young people; and

WHEREAS, on April 26, 2014, the Hillsborough Family YMCA will sponsor the YMCA Healthy Kid's Day to help our youth become healthier.

NOW, THEREFORE, BE IT PROCLAIMED that we, the members of the Hillsborough Township Committee, do hereby proclaim April 26, 2014, as YMCA Healthy Kids Day in Hillsborough, New Jersey and encourage all residents to support the efforts of the Hillsborough Family YMCA to promote healthy living in our community.

- **Proclamation proclaiming April as Alcohol Awareness Month**

WHEREAS, Alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, one in every 12 adults (17.6 million people) suffers from alcohol abuse or dependence; and

WHEREAS, more than half of all adults have a family history of alcoholism or problem drinking; and

WHEREAS, 100,000 persons die each year from alcohol - related causes: drinking and driving crashes, other accidents, falls, fires, alcohol - related homicides and suicides; and

WHEREAS, more than 7 million children live in a household where at least one parent is dependent on or has abused alcohol; and

WHEREAS, alcohol is a primary factor in the four leading causes of death for young persons ages 10-21; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21; and

WHEREAS, alcohol - related problems cost America \$224 billion (\$746 per person) in lost productivity, absenteeism, healthcare costs, crime and family - related problems; and

WHEREAS, the typical American will see 100,000 beer commercials before he or she turns 18;

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and the Township Committee of the Township of Hillsborough hereby join the National Council On Alcoholism and Drug Dependence, Inc. (NCADD) and do hereby proclaim that April 2014 as Alcohol Awareness Month in Hillsborough Township.

BE IT FURTHER PROCLAIMED, that we also call upon all Hillsborough citizens, parents, governmental agencies, public and private institutions, businesses, and schools in Hillsborough Township to support efforts that will reduce stigma, increase community awareness and increase support for individuals and families coping with alcoholism. Through these efforts, together, we can provide "Help for Today, Hope for Tomorrow" for those in our community who are facing challenges with alcohol use and abuse.

Lisa Gulla spoke about a variety of programs in the community and touched base on the Every 15 minutes program that will take place at the High School this week.

PRESENTATIONS

- **Atoms RCers presenting a donation to Hillsborough CAN (Community Assistance Network)**

The Atoms RCers is a RC Airplane Club which was founded in Hillsborough in the 1970's. They are donating a portion of the proceeds from the swap meet to the Hillsborough CAN (Community Assistance Network).

Mayor Tomson thanked the Atoms RCers for their generous donation.

- ***Credit Card Advisory Committee Grant presentations***

Mr. Fred Gladstone from Affinity Bank spoke about the Hillsborough Township credit card program and presented the ceremonial check to the recipients; Hillsborough Jr Raiders, Special Olympics, Hillsborough Boys and Youth Lacrosse Resource Center of Somerset.

Mayor Tomson thanked the Credit Card Advisory Committee for all of their efforts during the year, congratulated the grant recipients: Hillsborough Jr Raiders, Special Olympics, Hillsborough Boys Youth Lacrosse, Resource Center of Somerset and thanked the Atoms RCers for their generous donation.

NEW BUSINESS

- *None*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- *None*

PUBLIC HEARINGS

2014-06 An Ordinance amending Chapter 101, entitled "Tree Mitigation Trust Fund and Advisory Committee" Section 101-4, "Composition; Terms; Vacancy; Removal" of the Municipal Code of the Township of Hillsborough, County of Somerset, State of New Jersey.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey as follows:

Section 1: Section 101-4 entitled "Composition; terms; vacancies; removal" Subsection A is hereby deleted and replaced as follows:

A. The TMAC shall consist of five (5) members appointed by the Township Committee by resolution. One member shall be the Township's Director of Public Works.

Section 2: This Ordinance shall take effect upon its adoption, passage and publication according to law.

This Ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor Tomson stated that this ordinance amends the membership of the Tree Mitigation Advisory Committee to include the Director of Public Works.

Upon motion by Deputy Mayor Burchette seconded by Committeewoman McCauley, to open the public hearing, the aforesaid resolution was unanimously approved upon call of the roll.

Upon motion by Committeeman Suraci seconded by Committeewoman McCauley, to close the public hearing and adopt Ordinance 2014-06; the aforesaid resolution was unanimously approved upon call of the roll.

2014-07 AN ORDINANCE AUTHORIZING DISBURSEMENT IN THE AMOUNT OF \$25,000 FROM THE TOWNSHIP OF HILLSBOROUGH OPEN SPACE TRUST FUND TO ASSIST THE COUNTY OF SOMERSET IN THE PURCHASE OF A PORTION OF THE PROPERTY IDENTIFIED ON THE TOWNSHIP OF HILLSBOROUGH TAX MAP AS BLOCK 171, LOT 112.02 FOR OPEN SPACE.

WHEREAS, the County of Somerset has agreed to purchase from Nicholas and Marlene Durik approximately 11.32 acres of the 26.32 acres of property identified on the Tax Map of the Township of Hillsborough as Block 171, Lot 112.02 ("Property"); and

WHEREAS, the County of Somerset requested the Township of Hillsborough assist and provide a contribution to the County for the purchase of the Property to preserve the Property as open space; and

WHEREAS, the Property following purchase will be owned and maintained by the County of Somerset as open space; and

WHEREAS, the Township of Hillsborough Open Space Committee has recommended the Township assist the County with the purchase of the Property and that \$25,000.00 be appropriated from the Township Open Space Trust Fund for this purpose; and

WHEREAS, the Township Committee believes it is in the best interests of the residents of the Township that the Property be preserved as open space.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, and State of New Jersey, as follows:

1. \$25,000.00 is hereby appropriated from the Open Space Trust Fund to assist the County of Somerset with the purchase of the Property.
2. The Property shall be owned and maintained by the County of Somerset as open space.
3. In the event the County of Somerset sells the Property or does not maintain the Property as open space, the County shall reimburse the Township of Hillsborough in the amount of \$25,000.00.

4. The Township of Hillsborough Mayor and Clerk are hereby authorized to execute a Participation Agreement with the County of Somerset in accordance with this Ordinance and in a form approved by the Township Attorney.
5. This Ordinance shall take effect upon final adoption and publication according to law.

Mayor Tomson stated that this ordinance authorizes a contribution from the Open Space Trust Fund for the County purchase of 11.32 acres to be added to County Open Space. Land preservation continues to be a top priority in Hillsborough and this action is in line with that priority.

Committeeman DelCore added that the Open Space Committee discussed the topic and recommends that the Township moves forward on it.

Upon motion by Committeeman DelCore seconded by Committeeman Suraci, to open the public hearing, the aforesaid resolution was unanimously approved upon call of the roll.

Upon motion by Committeewoman McCauley seconded by Committeeman DelCore, to close the public hearing and adopt Ordinance 2014-07; the aforesaid resolution was unanimously approved upon call of the roll.

INTRODUCTION OF NEW ORDINANCES

2014-08 AN ORDINANCE APPROPRIATING CERTAIN MONIES HELD BY THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, FOR THE PURCHASE OF VARIOUS CAPITAL IMPROVEMENTS IN THE AMOUNT OF \$265,295.00, IN AND FOR THE TOWNSHIP OF HILLSBOROUGH. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON MAY 27, 2014.

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of \$265,295.00; and

WHEREAS, the Hillsborough Township Committee has determined there is a need to appropriate the aforesaid Capital funds for the following purposes and amounts:

1.	Replacement of Obsolete Rescue Tools	88,895.00
2.	Various Sidewalk Replacements	75,000.00
3.	Transportation Bus for Senior Citizens	60,000.00
4.	Bullet Resistant Protective Barrier (Finance Dept)	20,000.00
5.	Electronic Door Lock Replacement Parts	20,000.00
6.	Replacement Defibrillator (Police)	1,400.00
		\$265,295.00
		\$265,295.00

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the aforementioned sums are hereby appropriated.

Mayor Tomson stated that this ordinance is for those necessary items recommended as high in priority by the Capital Planning Committee; their purchases are based on what is available in the Capital Improvement Fund.

Deputy Mayor Burchette moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on May 27, 2014 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

2014-09 AN ORDINANCE AMENDING CHAPTER 221 ENTITLED "PARKS AND RECREATION AREAS" BY PROHIBITING SMOKING. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON MAY 27, 2014.

WHEREAS, the Surgeon General of the United States has determined that tobacco is the leading cause of preventable disease and death in the United States; and

WHEREAS, exposure to environmental tobacco constitutes a substantial health hazard to the nonsmoking majority of the public; and

WHEREAS, electronic smoking devices have not been approved as to safety and efficacy by the federal Food and Drug Administration, and their use may pose a health risk to persons exposed to their smoke or vapor because of a known irritant contained therein and other substances that may, upon evaluation by that agency, be identified as potentially toxic to those inhaling the smoke or vapor; and

WHEREAS, the prohibition of smoking at outdoor recreational and open space property owned or leased by the Township would better preserve the natural assets of the Township by reducing litter, increasing fire safety in those areas, and lessening the exposure to secondhand smoke among the public; and

WHEREAS, the public interest is especially concerned with preventing the youth of Hillsborough Township from being exposed and succumbing to the temptations of experimenting with tobacco related products and electronic smoking devices; and

WHEREAS, N.J.S.A. 40:48-2 declares that "any municipality may make and enforce such ordinance as it may deem necessary and proper for the preservation of the public health, safety and welfare of the municipality and its inhabitants."

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Chapter 221 of the *Code of the Township of*

Hillsborough entitled "Parks and Recreation Areas" is hereby amended by the addition of §221-6.1 entitled "Smoking Prohibited" as follows:

SECTION I. Chapter 221 entitled "Parks and Recreation Areas" is hereby amended by the addition of Section 221-6.1 entitled "Smoking Prohibited" as follows:

§221-6.1 Smoking Prohibited.

§221- 6.1

A. Definitions

As used in this Section, the following words shall have the following meanings:

"Electronic Smoking Device" shall mean an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo or pipe.

"Smoking" shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

"Parks and Recreational Facilities" shall mean all public parks, playgrounds, or ball fields, publicly owned or leased by the Township of Hillsborough, upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities including, but not limited to, any parking areas, driveways or drive aisles.

B. Smoking is prohibited in parks and recreational facilities. A sign indicating that such property is a designated smoke-free zone shall be clearly and conspicuously posted at all locations where smoking is prohibited by this Ordinance.

C. This Ordinance shall be enforced by the Police Department and/or the Health Officer of the Township of Hillsborough.

D. Any person observed to be in violation of this Ordinance shall be subject to a fine not to exceed \$250.00.

SECTION II. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION III. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township of Hillsborough, the provisions hereof shall be determined to govern.

All other parts, portions and provisions of *The Code of the Township of Hillsborough* are hereby ratified and affirmed, except where inconsistent with the terms hereof.

SECTION IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor Tomson stated that this concept of the Smoke-Free Parks Ordinance was brought to the attention of the Township Committee by the Hillsborough Municipal Alliance and the Hillsborough Health Department through the Regional Chronic Disease Coalition of Somerset and Morris Counties. The Coalition's mission is the prevention of chronic illness, and smoking prevention is a top goal because it is a major preventable cause of heart disease, cancer, and other chronic health conditions. The Regional Cancer Coalition will donate signs to be placed around our parks, letting people know about the law and the fine. In addition, Somerset County has passed a smoke-free parks ordinance for all county parks. The Sourland Mountain Preserve is a county park in Hillsborough Township, and as such is smoke-free. This ordinance brings all other Hillsborough parks under the same umbrella.

Committeeman DelCore moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on May 27, 2014 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

Ms. Donna Drummond of 317 George Street New Brunswick commented in favor of the ordinance in hopes of preventing children from smoking.

2014-10 AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF HILLSBOROUGH AND APPROPRIATING \$1,500,000 THEREFORE AND PROVIDING FOR THE ISSUANCE OF \$1,425,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON MAY 27, 2014.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Hillsborough, in the County of Somerset, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$1,500,000 and including \$75,000 as the several down payments required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,425,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefore, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(1) Purpose: Acquisition of various equipment for the Township, including, but not limited to, 2 ton – 4 ton Trailer Model Asphalt Recycler and Hauler and John Deere X729 Subcompact Tractor with glass cab and snow attachments, and including all work and materials necessary THEREFORE or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$57,530
<u>Maximum Amount of Bonds or Notes:</u>	\$54,654
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 2,876

(2) Purpose: Acquisition of a 6 wheel dump truck with snowplow and spreader, and including all work and materials necessary THEREFORE or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$210,000
<u>Maximum Amount of Bonds or Notes:</u>	\$199,500
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 10,500

(3) Purpose: Township wide road resurfacing and repaving project, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$1,232,470
<u>Maximum Amount of Bonds or Notes:</u>	\$1,170,846
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 61,624

(b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

- (c) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.
- (b) The average period of usefulness of the several improvements or purposes, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.49177 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,425,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Township reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required there under.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Tomson stated that this ordinance authorizes the issuance of bonds for non-routine capital purchases, mainly related to the resurfacing of roadways resulting from the higher than normal snowfall experienced this past year. A portion of this issuance would also be for necessary equipment for the Department of Public Works again related to the harsh winter.

Committeeman DelCore stated that this difficult winter has taken a toll on the roads. There is a program in place to replace the pot holes.

Deputy Mayor Burchette stated that he is the liaison for Public Works, there is a need for a 2 to 4 ton asphalt recycler filler and hauler to efficiently repair the roads in town.

Deputy Mayor Burchette moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on May 27, 2014 at 7:30 p.m. Said motion was seconded by Committeeman DelCore and unanimously approved upon call of the roll.

2014-11 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 232, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH TITLED "PROPERTY MAINTENANCE" TO IDENTIFY EXISTING SECTIONS 232-1 THROUGH 232-8 AS "ARTICLE I. NONRESIDENTIAL PREMISES AND MULTIFAMILY DWELLINGS", AND ADD A NEW "ARTICLE II. VACANT AND ABANDONED RESIDENTIAL PROPERTIES" TO REQUIRE MINIMUM PROPERTY MAINTENANCE STANDARDS FOR VACANT AND ABANDONED RESIDENTIAL PROPERTIES WITHIN THE TOWNSHIP. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON MAY 27, 2014.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 232 of the Code of the Township of Hillsborough titled "Property Maintenance" shall be amended as follows:

Section 1. Existing Sections 232-1 through 232-8 shall be identified under the title "Article I. Nonresidential Premises and Multifamily Dwellings".

Section 2. A new "Article II. Vacant and Abandoned Residential Properties" shall be added to Chapter 232.

Section 3. The following Sections shall be added under new "Article II. Vacant and Abandoned Residential Properties":

§ 232-9. Purpose.

The purpose of this article is to protect the public health, safety, morals and welfare by establishing minimum standards governing the maintenance, appearance and condition of vacant and abandoned properties by establishing standards governing facilities and conditions of said facilities and fixing penalties for the violation of this chapter.

§ 232-10. Definitions.

ENFORCEMENT OFFICER

The Township Enforcement Officer shall be defined as the Zoning Officer, Health Officer, Construction Official, Township Engineer or any other Township officials so designated by the Township Committee to enforce the provisions of this chapter. Nothing herein shall preclude any Township employee engaged in the enforcement of laws and ordinances from enforcing the provisions hereof. The

Construction Official shall be responsible for enforcement of violations of the New Jersey Uniform Construction Code.

EXTERIOR OF THE PREMISES

Those portions of a residential structure or accessory structure on residential property which are exposed to public view and the surrounding open space.

NUISANCES AND HAZARDS

The following shall be considered nuisances and hazards for the purposes of this Article: (1) any residential structure or accessory structure in disrepair by reason of deteriorating conditions or storm damage; (2) out of service swimming pools in disrepair by reason of deteriorating conditions or storm damage; (3) dead, rotting or diseased trees; (4) loose and overhanging tree limbs; (5) accumulated junk, litter or debris; (6) accumulated hazardous, noxious, or unhealthy substances or materials; and (7) overgrown or neglected lawns, bushes, trees, shrubbery and landscaping.

RESPONSIBLE PARTY

The title owner of a vacant and abandoned property or a creditor responsible for the maintenance of a property pursuant to N.J.S.A. 46:10B-51.

STREET ADDRESS

This means an address at which a natural person who is the responsible party or an authorized agent actually resides or actively uses for business purposes, and shall include a street name or rural delivery route.

VACANT AND ABANDONED RESIDENTIAL PROPERTY

Any improved residential property which is not physically occupied by a title owner, title owner's family member, title owner's relative or a tenant of the title owner and at which at least three of the following conditions exist at the property:

- 1) Overgrown or neglected vegetation;
- 2) The accumulation of newspapers, circulars, flyers, or mail on the property;
- 3) Disconnected gas, electric or water utility services to the property;
- 4) The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- 5) The accumulation of junk, litter, trash, or debris on the property;
- 6) The absence of window treatments such as blinds, curtains, or shutters;
- 7) The absence of furnishings and personal items;
- 8) Statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- 9) Windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- 10) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- 11) A risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or physical destruction or deterioration of the property;

- 12) An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- 13) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- 14) A written statement issued by mortgagee expressing the clear intent of all mortgagors to abandon the property; or
- 15) Any other reasonable indicia of abandonment.

YARD

An open space extending between the closest point of any building and a lot line or street line, excluding those portions of the yard that are critical areas as defined in Chapter 188-3 and/or subject to conservation restrictions.

§ 232-11. Registration of Vacant and Abandoned Residential Properties.

A. Registration. The responsible party for a vacant and abandoned residential property shall file a certificate of registration with the Township Clerk within 90 days after receipt of notice, pursuant to § 232-14, that the property has been determined to be vacant and abandoned, or within 30 days after the responsible party assumes ownership of or responsibility for a property already determined to be vacant and abandoned, whichever is later. A certificate of registration shall remain valid for one year from the date of issuance and shall be renewed on an annual basis if the property remains vacant and abandoned.

B. Form of Certificate of Registration. The certificate of registration shall be filed on forms prescribed by the Township Clerk and shall contain:

- 1) The name, street address, and telephone number of a person who resides or maintains an office within the State and who is either the responsible party or an authorized agent designated by the responsible party to receive notices and complaints of property maintenance and code violations on behalf of the responsible party;
- 2) The name, street address, and telephone number of the person responsible for maintaining the property, if different; and
- 3) A certificate from a licensed insurance provider evidencing the liability insurance coverage on the vacant and abandoned residential property as required by § 232-12.

C. Certificate of Registration Amendments. A responsible party for a vacant and abandoned residential property shall file an amended certificate of registration within 30 days after any change in the information required to be included thereon.

D. Certificate of Registration Fees. The following fees for a certificate of registration shall be paid by the responsible party:

- 1) \$250 for the initial registration fee;
- 2) \$250 for all annual renewals of the registration where there are no outstanding property maintenance or code violations at the time of renewal; and

- 3) \$500 for annual renewal of the registration where there are outstanding property maintenance or code violations at the time of renewal.

§ 232-12. Security; Notification; Liability Insurance.

A. Within 45 days after the property has been determined to be vacant and abandoned and until the property is reoccupied, the responsible party for a vacant and abandoned residential property shall:

- 1) Enclose and secure the property against unauthorized entry;
- 2) Post a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the responsible party, any authorized agent designated by the responsible party for the purpose of receiving service of process, and the person responsible for maintaining the property if different from the responsible party or authorized agent; and
- 3) Acquire and otherwise maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property.

§ 232-13. Maintenance Standards for Vacant and Abandoned Residential Properties.

A. Vacant and abandoned residential properties shall be maintained in accordance with the following standards:

- 1) The property shall be kept free of all nuisances and hazards, litter and debris.
- 2) The property shall be kept free of accumulations of water, vegetation or other matter which might serve as a source of food or as a harboring or breeding place for infestation.
- 3) Grass in the yard area shall be cut and maintained so as to prevent the grass from growing to seed or exceeding fourteen inches (14") in height.
- 4) The exterior of every structure or accessory structure, or other improvement on the premises shall be kept in good repair and all exposed surfaces subject to deterioration shall be protected against weathering or deterioration by a protective coating appropriate for the particular material involved as needed.
- 5) The exterior of the buildings shall be free of loose material that may create a hazard by falling on persons utilizing the premises.
- 6) All exterior walls, roofs, windows, window frames, doors, door frames, sky lights, foundations and other parts of the structure shall be maintained to keep water from entering the structure and to prevent excessive drafts or heat loss during cold or inclement weather and to provide a barrier against infestation. Damaged or badly worn materials shall be repaired or replaced and places showing signs of rot, leakage or deterioration or corrosion shall be treated or restored to prevent weathering or seepage.
- 7) Leaders and drain pipes shall be securely fastened to the building and maintained in good condition free of leaks and free of obstructions and shall direct storm waters into draining systems or away from the foundation walls of the structure.

§ 232-14. Notice of Vacancy and Abandonment.

Upon determination of the enforcement officer that a residential property is vacant and abandoned, the enforcement officer shall notify the responsible party by personal service, registered mail or posting of notice in a noticeable place on the property of the determination and the requirements of this Article.

§ 232-15. Notice of Violation.

The enforcement officer upon determination of any violation of the provisions of this Article, or any other applicable ordinances, statutes or regulations, shall serve a notice of such violation on the responsible party by personal service, registered mail or posting of notice in a noticeable place on the property. The notice shall advise the responsible party of the violation and the obligation to remedy the same within 10 days from the date of the notice. If the violation is not remedied to the satisfaction of the enforcement officer within said 10 days, the enforcement officer may issue a summons to the responsible party and request the governing body to adopt a resolution authorizing the municipality to abate the violation and place the property in compliance with the provisions of this Article and any other applicable ordinances, statutes or regulations at the responsible party's sole cost and expense and impose a lien on the property for all costs and fees associated therewith.

§ 232-16. Abatement by Municipality; Costs as Lien.

Upon adoption of a resolution by the governing body, the municipality may abate any nuisance, hazard or violation and place the property in compliance with the provisions of this Article and any other applicable ordinances, statutes or regulations. The enforcement officer shall certify the costs thereof to the governing body. The governing body shall review the certificate of costs and if found acceptable, authorize a lien be placed against the property. The amount of the lien shall be added to the taxes to be assessed and levied upon the property. The amount of the lien shall also bear interest at the same rate as taxes and be collected in the same manner as any other taxes assessed and levied upon the property.

§ 232-17. Violations and Penalties.

Any person or entity that violates any provision of this Article shall, upon conviction thereof, be punished by a fine not less than \$500 or more than \$1,000. Each day that a violation continues shall constitute an additional, separate and distinct offense. Any penalty imposed pursuant to this section shall be recoverable by a summary proceeding under the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court, Law Division, or the municipal court shall have jurisdiction to enforce such penalty.

Section 4. Severability. If any provisions of this Ordinance shall be determined to be invalid or unenforceable, such adjudication shall not affect the validity of the remaining provisions of this Ordinance.

Section 5. Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

Mayor Tomson stated that the proposed amendment will require minimum upkeep of a residential vacant and abandoned property, including securing the property from unauthorized entry. The responsible party will be required to register a vacant and abandoned property with the Township Clerk thereby providing necessary contact information to the Township. After notification the responsible party will be required to remove overgrown vegetation and provide minimum maintenance of the structure. Failure to act within the prescribed time frame, Township will initiate corrective action by placing a lien on the property for recovery of costs.

Committeeman DelCore moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on May 27, 2014 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

2014-12 AN ORDINANCE TO EXCEED THE 2014 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK. (N.J.S.A. 40A:4-45.14). FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON MAY 27, 2014.

WHEREAS, the Local Government Cap Law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to **\$833,930.86** in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as a cap exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, in the County of Somerset, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2014 budget year, the final appropriations of the Township of Hillsborough shall, in accordance with this ordinance and NJSA 40A:4-45.14. be increased by 3.5%, amounting to **\$833,930.86** and that the CY 2014 municipal budget for the Township

of Hillsborough be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Tomson stated that under state budget law the unused portion of the appropriations cap, which is different than the tax levy cap, may be reserved to be available in the next two years. Each year since 2002 Hillsborough has been able to reserve some appropriation authorization in the cap bank. The cap bank has no impact on taxes.

Committeeman DelCore moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on May 27, 2014 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

PRESENTATIONS

MUNICIPAL BUDGET

- *Nancy Costa – CCFO, CMFO, CTC, RPPO*

Mayor Tomson stated the preparation of the budget created a rigorous challenge to the Township Committee's goals of minimizing the impact on taxpayers, while providing the Township Departments with the funds necessary to deliver needed and expected services for our residents. The Township's CFO, Nancy Costa, will be making a presentation on the budget details and the Township's Finance Chairs are Committeeman Suraci and Committeeman DelCore.

Mayor Tomson thanked the full finance team, led by Ms. Costa, along with Administrator Ferrera, our Finance Chairs and all of the municipal department heads for their hard work and diligence.

Ms. Costa gave a PowerPoint presentation about the 2014 Municipal Budget and it will be available online at www.hillsborough-nj.org

Mayor Tomson thanked Ms. Costa for her presentation.

Mayor Tomson stated that balancing the municipal budget is never an easy task, but once again this budget held spending to below the 2008 levels and it continues our approach of managing the township's spending in a fiscally responsible way.

Mayor Tomson noted the budget is under the 2% levy cap, and results in an appropriations increase of 1.8% over 2013. Key cost drivers in this year's budget include the expense associated with the unusual amount of snow this winter and the increases in contractual wages and salaries, coupled with the final debt service payment for the 2002 Library expansion. Another key point in our fiscal philosophy is to minimize tax impacts by keeping any tax increase at or below the state cap. Once again, we stood our ground and said a resounding NO to using the exception loopholes to raise taxes above the 2% cap. The net result of this budget is that the municipal tax rate will increase 1.4 cents per \$100 of property valuations from 31.3 cents to 32.7 cents.

Mayor Tomson again thanked the Finance Committee members Committeemen Suraci and DelCore, along with our CFO, Ms. Nancy Costa and Administrator Ferrera for their hard work on this year's budget.

Committeeman DelCore thanked everyone for their help on the budget.

Committeeman DelCore added that this year was challenging. This year compared to last year is \$320,000 for snow removal. It is a significant amount of money in a 2% cap. Even with that increase the Township has stayed within the 2% cap. The Township was also affected by the Library debt this year with the final payment now behind the Township. This will create flexibility for the Township with notes which will be discussed at a later meeting.

Committeeman DelCore spoke about the employee insurance and annual salaries which will be discussed later in the meeting.

Committeeman Suraci thanked everyone with their help and great work on the budget and also touched upon the winter which had an impact on the budget.

Committeewoman McCauley added that she also agreed on what a great job the finance team has accomplished and that it is always challenging. Thank you for being diligent throughout the year.

John Beggiano a Hillsborough resident questioned the 3 years of budgets are not up on the website.

Ms. Costa responded that the budgets are on the website.

- **RESOLUTION AUTHORIZING THE 2014 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY**

WHEREAS, pursuant to N.J.S.A. 40A:4-8, as amended by Chapter 78, P.L. 1964, and further amended by Chapter 259 P.L. 1995, the municipal budget as advertised, may be read by its title at the public hearing, provided that a complete copy of the approved budget as advertised, shall be posted; and

WHEREAS, a complete copy of the approved budget as advertised:

- Shall be made available for public inspection in the public library
- Shall, also, be made available for public inspection at the Administration office

WHEREAS, the Township Committee of the Township of Hillsborough hereby determines that the above conditions have been met.

NOW, THEREFORE, BE IT RESOLVED that the 2014 municipal budget shall not be read in full, but by its title only.

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Burchette, the aforesaid resolution was unanimously approved upon call of the roll.

- **RESOLUTION AUTHORIZING THE INTRODUCTION OF THE 2014 MUNICIPAL BUDGET AND SETTING THE PUBLIC HEARING FOR MAY 27, 2014**

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it does hereby authorize the introduction of the 2014 Municipal Budget and sets the public hearing for May 27, 2014.

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Burchette, the aforesaid resolution was unanimously approved upon call of the roll.

CONSIDERATIONS

1. **RESOLUTION AUTHORIZING THE SALE OF EQUIPMENT AT THE 2014 SOMERSET COUNTY SEALED BID SALE OF SURPLUS.**

WHEREAS, the Township Committee of the Township of Hillsborough hereby declares that the vehicles identified in this Resolution are no longer needed for a public purpose and are surplus property which may be sold at public auction; and

BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the following unneeded vehicles are authorized to be sold at the 2014 Somerset County Sealed Bid Sale of Surplus:

<u>UNIT</u>	<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN NUMBER</u>
601	2006	FORD	CR VIC	2FAFP71W66X158568
609	2006	FORD	CR VIC	2FAFP71W66X156206
628	2006	FORD	CR VIC	2FAFP71W46X156205
626	2005	FORD	CR VIC	2FAFP71W05X148259
636	2005	FORD	CR VIC	2FAFP71W75X148257
625	2006	FORD	CR VIC	2FAFP71W26X156204
622	2009	FORD	CR VIC	2FAHP71V09X100265
620	2004	FORD	CR VIC	2FAHP71W34X143550
302	2003	FORD	CR VIC	2FAFP71W63X137716
305	1995	CHEVY	CAPRICE	1G1BL52P7SR155143
1		MOTT MOWER	74	
2		MOTT MOWER	88	
		Items Bought From County Auction - Returning to County		
96	1983	IH	S2500	1 1HTCA255XDHA12695
97	1984	IH	S2500	1 1HTCA2558EHA19467
98	1988	IH	S2500	1 1HTZLDBR2JH548458

Mayor Tomson stated that this resolution allows the Township to eliminate vehicles and equipment from the Township that are no longer in service. Participation at the auction is at no cost to the Township and all funds obtained from the auction are forwarded to Finance as surplus for use in future budgets.

Upon motion by Committeewoman McCauley, seconded by Deputy Mayor Burchette, the aforesaid resolution was unanimously approved upon call of the roll.

2. RESOLUTION RE-APPOINTING HANS WARNEBOLD, AS PLUMBING SUB-CODE OFFICIAL/BUILDING INSPECTOR, IN THE CONSTRUCTION DEPARTMENT, FOR A FOUR (4) YEAR TERM, AS REQUIRED BY N.J.A.C. 52:27D-126a AND N.J.A.C. 5:23-4(a)9i

WHEREAS, Hans Warnebold was appointed to a four (4) year term as Plumbing Sub-Code Official/Building Inspector in the Construction Department effective July 1, 2010; and

WHEREAS, Hans Warnebold has proven to be an asset as the Plumbing Sub-Code Official/Building Inspector, in the Construction Department; and

WHEREAS, the Construction Official recommend the re-appointment of Hans Warnebold to a four (4) year term as Plumbing Sub-Code Official/Building Inspector effective July 1, 2014.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Hans Warnebold be re-appointed Plumbing Sub-code Official/Building Inspector to a four (4) year term.

Mayor Tomson stated that the Plumbing Sub-Code Official is a mandated position by the State and accordingly at least 30 days prior to the expiration of the statutory four-year term of office of a construction code official, the appointing authority must act. Mr. John Fiedler, the Construction official has recommended the re-appointment of Mr. Warnebold and this resolution therefore re-appoints Mr. Warnebold to a four year term effective June 22, 2014.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the aforesaid resolution was unanimously approved upon call of the roll.

Committeewoman McCauley thanked Mr. Warnebold for his hard work and dedication.

Mayor Tomson thanked Mr. Warnebold for his hard work.

3. RESOLUTION AUTHORIZING THE MAYOR AND THE TOWNSHIP CLERK TO EXECUTE THE 2014/2015 SHARED SERVICES HEALTH AGREEMENT BETWEEN HILLSBOROUGH TOWNSHIP AND MILLSTONE BOROUGH.

WHEREAS, N.J.S.A. 40A:65-1 et. seq., the Uniform Shared Services and Consolidation Act, authorizes any local unit to enter into a contract with another local unit for the joint provision within their several jurisdictions of any services which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Township of Hillsborough and the Borough of Millstone are desirous to contract for the furnishing of health services of a technical and professional nature.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby authorizes the Mayor and Township Administrator/Acting Clerk to enter into and execute the attached Agreement between the Borough of Millstone and the Township of Hillsborough pursuant to N.J.S.A. 26:3A2-1 et seq. and N.J.S.A. 40A:65-1 et. seq. for the furnishing of health services of a technical and professional nature, effective January 1, 2014 through December 31, 2015.

Mayor Tomson stated that this is just another example of sharing resources, therefore reducing costs, though difficult to determine exact savings. Millstone faces similar health issues as Hillsborough and as such this proactive approach to provide the necessary oversight is an intangible benefit to our community. For example should there be in an issue in Millstone it could have an impact on Hillsborough's border and without proper monitoring – it could lead to a health safety risk for our residents. This agreement has been in existence for over 20 years.

Upon motion by Deputy Mayor Burchette, seconded by Committeeman Suraci, the aforesaid resolution was unanimously approved upon call of the roll.

4. RESOLUTION AUTHORIZING THE HIRING OF DANIEL KEOUGH, JR. AND RAYMOND MATYSKIEL TO THE POSITION OF PART-TIME FIELD INSPECTORS, IN THE TOWNSHIP'S TAX ASSESSOR OFFICE, EFFECTIVE APRIL 23, 2014, AT \$18.00 AND \$23.00 PER HOUR, RESPECTIVELY, NOT TO EXCEED 25 HOURS PER WEEK.

WHEREAS, there exists a need for two (2) part-time Field Inspectors, in the Township's Tax Assessor Office; and

WHEREAS, the Tax Assessor recommends the hiring of Daniel Keough, Jr. and Raymond Matyskiel as part-time Field Inspectors, effective April 23, 2014, at \$18.00 and \$23.00 per hour, respectively, not to exceed 25 hours per week.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, the recommendations of the Tax Assessor are hereby accepted and approved.

Mayor Tomson stated that there exists a vacancy in the Tax Assessor's office, and after an extensive interview process, the Assessor recommends the above mentioned individuals be hired on a part time basis. Part time employees do not incur the expense of health benefits.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the aforesaid resolution was unanimously approved upon call of the roll.

The Township Committee welcomed both Mr. Keough and Mr. Matyskiel.

5. RESOLUTION AUTHORIZING ACCEPTANCE OF STORMWATER MANAGEMENT FACILITIES AGREEMENT FOR THE PROPERTY IDENTIFIED AS BLOCK 162, LOTS 20.01 AND 20.01, ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY.

WHEREAS, Chabad Jewish Center of Greater Hillsborough, Inc. ("Chabad"), submitted an Application to the Board of Adjustment of the Township of Hillsborough ("Board") for Minor Subdivision, Preliminary and Final Major Site Plan, Use Variance, Conditional Use Variance and Bulk Variance Approvals to merge the two lots and locate a House of Worship with a Sunday School and Pre-School and a parsonage/residence within an office on the merged lot on the property identified as Block 162, Lots 20.01 and 20.02 on the Tax Map of the Township of Hillsborough, more commonly known as 22 and 26 New Amwell Road, Hillsborough, New Jersey ("Property"); and

WHEREAS, on June 5, 2013, the Board adopted a Resolution memorializing the April 3, 2013 decision of the Board to approve the Application submitted by Chabad; and

WHEREAS, the Resolution of Approval requires Chabad to enter into a Storm Water Management Facilities Agreement with the Township to ensure the maintenance of the proposed and approved Storm Water Management System for the Property; and

WHEREAS, the Township Attorney has reviewed and approved of the attached Storm Water Management Facilities Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that:

1. The Storm Water Management Facilities Agreement attached hereto is hereby accepted and approved.

2. The Mayor and Clerk are hereby authorized to accept and execute the Storm Water Management Facilities Agreement on behalf of the Township.

3. The fully executed Storm Water Management Facilities Agreement shall be recorded with the County of Somerset.

Mayor Tomson stated that there was a board of adjustment approval for a minor subdivision and as part of that approval the applicant was required to enter into an agreement with the Township and this resolution memorializes that agreement.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the aforesaid resolution was unanimously approved upon call of the roll.

6. RESOLUTION ESTABLISHING THE ANNUAL SALARIES & WAGES OF MUNICIPAL EMPLOYEES.

BE IT RESOLVED, by the Township Committee of the Township of Hillsborough that the annual salaries of the following employees are listed below, effective from January 1, 2014, unless otherwise indicated:

Name	Position	Salary
Belnay, Glen	Health Officer	122,535.00
Bergen, Nancy	Assistant Director of Recreation	53,579.00
Blaney, Debra	Tax Assessor	89,731.00
	Commercial Assessment Stipend	14,400.00
Borek, Pamela	Township Clerk	72,624.00
Borngesser, Dianne	Assistant to Township Clerk	55,658.00
Bush, Lucia	Admin. Secretary to Police Chief	57,164.00
Costa, Nancy	CFO/Tax Collector/QPA	114,444.00
Crossen, April	Deputy Treasurer/Tax Collector	57,597.00

Crossen, John	Asst Parks Supervisor	68,034.00
Davenport, Daniel	Asst Public Works Supervisor	68,034.00
DeAngelis, Glenn	Asst Public Works Supervisor	65,280.00
Decker, Mary	Secretary to Mayor & Township Administrator	39,700.00
Faerber, Cathy-Jean	Assistant Director of Social Services	51,033.00
Ferrera, Anthony	Administrator/Deputy Clerk	139,110.00
Fiedler, John	Construction Official	96,007.00
Haurey, James	Systems Administrator	86,761.00
Hollenbach, Elizabeth	Assistant Tax Assessor	49,450.00
Huxley, Jeff	Public Works Supervisor	79,707.00
Keeth, Susan	Municipal Court Administrator	71,400.00
Kois, David	Deputy Director of Planning/ Zoning Official	52,687.00
Pineno, Michael	IT Manager	96,337.00
Radano, William	Deputy Tax Assessor	61,001.00
Resavy, Richard	Director of Public Works	100,721.00
Rydel, Bruce	Director of Planning	96,900.00
Skobo, Ron	Director of Parks, Recreation and Social Services	88,219.00
Spano - Klimko, Siobhan	Deputy Health Officer/Educator	81,694.00
Strupinsky, Gene	Business Advocate	56,016.00

Mayor Tomson stated that this resolution establishes the 2014 salaries for the Department Heads, DPW Supervisors and non-union employees

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Burchette, the aforesaid resolution was unanimously approved upon call of the roll.

7. RESOLUTION TO ESTABLISH AND ADOPT A "COMPLETE STREETS POLICY" FOR THE TOWNSHIP OF HILLSBOROUGH.

WHEREAS, the Township of Hillsborough is committed to creating street corridors that safely accommodate all road users including pedestrians, bicyclists, transit vehicle users and motorists, of all ages and abilities; and

WHEREAS, the Township Committee of the Township of Hillsborough desires to implement a Complete Streets policy through the planning, design, construction, operation of new and retrofitted transportation facilities within public rights-of-way, enabling safe access and mobility of all users of all ages and abilities; and

WHEREAS, the New Jersey Department of Transportation's Complete Streets policy states "A Complete Street is defined as means to provide safe access for all users by designing and operating a comprehensive, integrated, connected multi-modal network of transportation options"; and

WHEREAS, the Hillsborough Planning Board adopted the Township's Master Plan - Circulation Plan Element update on March 14, 2013, which promotes a comprehensive network of "Complete Streets" to provide better connectivity between the Town Center, Transit Ready Development District and surrounding areas; and

WHEREAS, the benefits of Complete Streets are many and varied, the full integration of all modes of travel in the design of streets will increase the capacity and efficiency of the road network, reduce traffic congestion by improving mobility options, including pedestrian, bicycling and transit vehicle travel as an alternative to the automobile, reduce negative environmental impacts, provide connections to walking and bicycling trip generators such as employment, education, residential, retail centers and public facilities, promote healthy living, create more livable communities, saving money by incorporating sidewalks, bike lanes, safe crossings and transit amenities into initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, the design and construction of new roads and facilities should anticipate future demand for walking, biking and other alternative transportation facilities and not preclude the provision of future improvements; and

WHEREAS, The Township Committee of the Township of Hillsborough supports this "Complete Streets" initiative and wishes to reinforce its commitment to creating a comprehensive, integrated, connected multi-modal street network that safely accommodates all road users of all abilities and for all trips; and

NOW, THEREFORE, LET IT BE RESOLVED, by the Township Committee of the Township of Hillsborough that all public street projects, both new construction and reconstruction (excluding maintenance) undertaken by the Township of Hillsborough shall be designed and constructed as "Complete Streets" whenever feasible to do so in order to safely accommodate travel by pedestrians,

bicyclists, other alternate forms of transportation, transit, and motorized vehicle and their passengers, with special priority given to pedestrian safety; and

BE IT FURTHER RESOLVED, that bicycle, pedestrian and transit facilities shall be designed and conform with the best currently available standards, practices and should complement the context of the surrounding community; and

BE IT FURTHER RESOLVED, that requests for exemptions from the Complete Streets policy shall be presented in writing to the Township Committee, after review by the applicable municipal departments and professionals, and shall be documented with supporting data that indicates the reasons for exemption, which are limited to the following:

- a. Pedestrian and bicycle facilities and other alternate forms of transportation shall not be required where they are prohibited by law.
- b. Public transit facilities shall not be required on streets not serving as transit routes and the desirability of transit facilities will be determined on a project specific basis.
- c. There is scarcity of population, travel and attractors, both existing and future that would warrant these accommodations.
- d. Detrimental environmental impacts would outweigh the need for these accommodations.
- e. In any project, should the cost of pedestrian, public transit, bicycle facilities and/or other alternate forms of transportation cause an increase in project costs in excess of 10%, as determined by engineering estimates, that would have to be funded with local tax dollars, in that event approval by Township Committee must be obtained for same prior to bidding of the project.

Repaving of existing streets will only require a request for exemption when it does not comply with the applicable Township approved plan.

BE IT FURTHER RESOLVED, that municipal departments and professionals should review and either revise or develop proposed revisions to all appropriate plans, development regulations, laws, procedures, and rules including subsequent updates to the Township of Hillsborough Master Plan, to integrate, accommodate, and balance the needs of all users in all projects; and

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hillsborough hereby adopt this "Complete Streets" policy as outlined in the resolution.

Mayor Tomson stated that the New Jersey Department of Transportation (NJ DOT) adopted a "Complete Streets" policy in 2009 and has been advocate for the program ever since. When the Planning Board updated the Master Plan, Circulation Plan Element in 2013, "Complete Street" language was incorporated into the design of the street network in the Town Center, Transit Ready Development District and surrounding areas. A "Complete Street" policy will, over time, create a comprehensive, connected multi-modal street network that safely accommodates all road users. The policy will require that a review be conducted to evaluate the feasibility of designing a "complete street" for all public street projects, both new construction and reconstruction (excluding maintenance). This process would include review of existing Township plans for bike lanes and sidewalks.

Upon motion by Committeewoman McCauley, seconded by Committeeman DelCore, the aforesaid resolution was unanimously approved upon call of the roll.

CONSENT

1. RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS, IN AN AMOUNT OF \$7,133.86 FROM THE SUBDIVISION AND SITE PLAN ENGINEERING TRUST ACCOUNTS TO THE TREASURER'S ACCOUNT.

WHEREAS, in accordance with the following summary of accrued Engineering charges related to various indicated projects, a total of \$7,133.86 should be transferred from Engineering inspection escrow accounts into the Treasurer's Account as indicated; and

WHEREAS, each of the project line items has been verified against the Treasurer's Office account records through April 9, 2014, to ensure that sufficient funds are available for these transfers of unanticipated revenues.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that a total of \$7,133.86 is to be transferred from the Engineering Escrow Accounts into the Treasurers Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Belle Mead Tire	608	-1,123.20
CC @ Belle Mead	579	-229.04
Country Classics – 4B	589	-1,685.62
Gateway@Sunnymeade	472	-249.44
Green Village	607	-1,238.30
Hidden Brook Estates	603	-2,326.08
High Branch Land, Inc.	373	-45.42
Hillsborough Chase II	488	-78.92
PLEABEAZIN	477	-78.92
WISEMAN (HILLS. REALTY)	495	-78.92
Grand Total		\$-7,133.86

2. RESOLUTION REVISING THE APPROVAL OF APRIL 8, 2014 AUTHORIZING THE HILLSBOROUGH ROTARY CLUB TO HOLD THEIR SEVENTH ANNUAL HILLSBOROUGH ROTARY CLUB FAIR, A FUNDRAISING EVENT TO BE HELD FROM AUGUST 12, 2014 TO AUGUST 17, 2014, WITH FIREWORKS TO BE HELD ON AUGUST 15, 2014, WITH FIREWORKS RAIN DATE OF AUGUST 16, 2014 AND THE USE OF THE TOWNSHIP TENT.

WHEREAS, the Hillsborough Rotary Club requested the use of the Township's Celebration Tent for the Seventh Annual Hillsborough Rotary Club Fair, a fundraising event to be held from August 12, 2014 to August 17, 2014, with fireworks to be held on August 15, 2014, with fireworks rain date of August 16, 2014; and

WHEREAS, the Department of Parks and Recreation and the Recreation Commission has recommended that the Hillsborough Rotary Club request be approved.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the Hillsborough Rotary Club's request to use the Township's Celebration Tent for a fundraising event to be held on August 12, 2014 to August 17, 2014, with fireworks to be held on August 15, 2014, with fireworks rain date of August 16, 2014.

3. RESOLUTION AUTHORIZING TUITION REIMBURSEMENT TO OFFICER CHRISTOPHER MCMINN FOR COMPLETION OF "WEAPONS OF MASS DESTRUCTION/TERRORISM AWARENESS" AND "PREPARING FOR CATASTROPHIC EMERGENCIES" OFFERED THROUGH FAIRLEIGH DICKINSON'S HOMELAND SECURITY PROGRAM, IN THE AMOUNT OF \$2,677.68, PURSUANT TO ARTICLE XVIII OF THE CURRENT PBA CONTRACT.

WHEREAS, it is the policy of the Township of Hillsborough to encourage continuing education on the part of full-time employees for the purpose of enabling them to better perform in their jobs and to better prepare them in the event of an opportunity for advancement and promotion within the Township; and

WHEREAS, financial assistance for education is outlined in Article XVIII of the current PBA contract; and

WHEREAS, Officer McMinn has successfully completed the "Weapons of Mass Destruction/Terrorism Awareness" and "Preparing for Catastrophic Emergencies" courses through Fairleigh Dickinson's Homeland Security program; and

WHEREAS, Officer McMinn has requested consideration under the Township's Educational Assistance provisions; and

WHEREAS, the Chief of Police has requested favorable consideration of Officer McMinn's request for financial reimbursement of seventy-five percent (75%) of the \$3,570.24 cost incurred for a total of \$2,677.68.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Chief of Police is hereby accepted and approved.

4. RESOLUTION APPROVING THE REQUEST FROM JOHN TAYLOR FOR THE RELEASE OF ENGINEERING FEE, IN THE AMOUNT OF \$100.00 FOR GARAGE PERMIT.

WHEREAS, a request has been received from John Taylor for the release of engineering fee, in the amount of \$100.00; and

WHEREAS, Mr. Taylor was denied a Zoning permit to place an accessory structure on his property and was unable to proceed; and

WHEREAS, the Assistant Township Engineer recommends that the Township Committee take action to release the engineering fee in the amount of \$100.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Assistant Township Engineer be and hereby is accepted and approved.

5. RESOLUTION APPROVING THE APPLICATION FOR A CATERING PERMIT FOR WOODS TAVERN, LLC FOR AN EVENT TO BE HELD AT DUKE FARM ON APRIL 26, 2014.

WHEREAS, an application for a Catering Permit has been filed by Woods Tavern, LLC for an event to be held on April 26, 2014; and

WHEREAS, the submitted application is complete.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the application for Woods Tavern, LLC for an event to be held on April 26, 2014.

6. RESOLUTION APPROVING THE APPLICATION FOR A CARNIVAL LICENSE FOR CAROLINE KATMANN FOR AN EVENT TO BE HELD ON JULY 19, 2014 WITH A RAIN DATE OF JULY 20, 2014.

WHEREAS, an application for a Carnival License has been filed by Caroline Katmann for an event, to be held on July 19, 2014 with a rain date of July 20, 2014; and

WHEREAS, the submitted application is complete.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the application for a Carnival License for Caroline Katmann for an event, to be held on July 19, 2014 with a rain date of July 20, 2014.

Upon motion by Deputy Mayor Burchette, seconded by Committeeman Suraci, the consent agenda was unanimously approved upon call of the roll.

Committeeman Suraci added that the Hillsborough Rotary Club Fair will be held August 12 to August 17.

CLAIMS LISTS

Mayor Tomson presented Claims Lists 2014-08.

Upon motion by Deputy Mayor Burchette, seconded by Committeeman DelCore, Claims List 2014-08 was unanimously approved upon call of the roll.

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman DelCore, the meeting duly adjourned at 8:40 p.m. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk