

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 McCauley, Committeeman Carl Suraci, Deputy Mayor Greg Burchette and Mayor Doug Tomson. Also, in attendance were Township Clerk Pamela Borek, Township Administrator Anthony Ferrera and Township Attorney William Willard.

### **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 February 24, 2015.

### **APPROVAL OF MINUTES**

- *Approval of the December 22, 2014 Executive Session Minutes*
- Upon motion by Deputy Mayor Burchette, seconded by Committeeman DelCore, the minutes of the December 22, 2014 Executive Session were approved upon the call of the roll.

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

#### **Committeeman DelCore**

Committeeman DelCore stated that he, along with Mayor Tomson, attended the Art Show held by the Cultural Arts Commission last Friday. There were 230 pieces of artwork from local artists and several awards were handed out in 4 different categories. He thanked the local artists and the Cultural Arts Commission for their outstanding effort.

Committeeman DelCore reported that registration is ongoing for the Soccer and Softball Spring Leagues and that volunteer coaches are needed for the leagues. Anyone interested in becoming a volunteer coach should visit the "Volunteer Coaches" page on the Parks and Recreation website or email [recreation@hillsborough-nj.org](mailto:recreation@hillsborough-nj.org). More information on all of the programs, leagues and events is available on the Parks and Recreation website.

#### **Committeewoman McCauley**

Committeewoman McCauley announced that Sustainable Hillsborough Kick Off Meeting was held last week. Chris Obropta has been appointed Chair, Harry Skeele as Vice Chair and Ann Harris as Secretary.

Committeewoman McCauley stated that the Fire Election results were in and congratulated Michael Carone and Patrick Buckley on being elected to the Board of Fire Commissioners this past Saturday. Committeewoman McCauley thanked former Commissioners Greg Kane and Nick Patullo for their service.

Committeewoman McCauley announced that new FEMA maps for Somerset County are available for review and there will be a public open house on Thursday March 19<sup>th</sup> from 4pm – 8pm at the Somerset County Training Academy located at 402 Roycefield Road. Representatives from the State, County, FEMA our Office of Emergency Management and Engineering Department will be available to answer questions and explain the maps.

Committeewoman McCauley reminded residents that the second annual Run Around the Park 5K hosted by the Hillsborough Parks and Recreation Department will take place on Sunday April 19<sup>th</sup> at 9:30am at Ann Van Middlesworth Park and is in partnership with the Mayors Wellness Campaign. This non-competitive run is held on trails and through fields of Ann Van Middlesworth Park and is fun for the whole family.

#### Committeeman Suraci

Committeeman Suraci announced there will be a dodgeball tournament this Friday at 6:30pm at the YMCA held by Youth Services. There will be a division for Middle School and one for High School. Teams of five to seven players are asked to sign up in advance. There is no fee for this tournament and refreshments will be served and a grand prize for the champion.

Committeeman Suraci reminded the residents that grant applications are currently being accepted through the Credit Card Advisory Committee. Grant applications can be found on the Township website at [www.hillsborough-nj.org](http://www.hillsborough-nj.org) or copies are available at the Municipal Clerk/Administration office. Completed applications are to be returned by February 27, 2015. The Hillsborough Credit Card Reward Program is a great resource for our local organizations that qualify to obtain funding without any expense to our Hillsborough Taxpayers.

Committeeman Suraci reminded residents that the last day to license your dog and avoid the \$5 late fee is March 2nd. Contact the Finance Office for your dog license or renew online if your dog's rabies vaccine is current. The can be done on the Township website under eGov and go to online payments, then to dog licenses.

#### Deputy Mayor Burchette

Deputy Mayor Burchette announced that Hillsborough Township's Annual Clean-Up Program will begin in April. Coupons for the Auten Road Facility will be available beginning Monday March 9<sup>th</sup> at the Hillsborough Department of Public Works located at 21 East Mountain Road between the hours of 7am and 3pm. Senior Citizen curbside pickup service requires registration and stickers which will also be available beginning on March 9<sup>th</sup>. Please see this Friday's e-news for more details.

#### Mayor Tomson

Mayor Tomson stated that the art show featured an amazing amount of talent and thanked all who were in attendance at the art show.

Mayor Tomson reminded residents that the deadline for submission for the Louis Bay 2<sup>nd</sup> Future Municipal Leaders Scholarship Competition is March 10<sup>th</sup>. High School Seniors and College students may apply. Please check the e-News for additional information.

### PROCLAMATIONS / APPOINTMENTS

- ***Proclamation honoring the Hillsborough Township School District's Art Festival***

*WHEREAS, Hillsborough Township School District's Arts Festival will take place on Monday, March 2<sup>nd</sup> from 6:30-8:00 pm at the Peter J. Biondi Building of the Hillsborough Township Municipal Complex; and*

*WHEREAS, selected artwork from Hillsborough Township School District's students will be on display throughout the month of March; and*

*WHEREAS, art, music and writing are the basic nourishment of a growing mind and the foundation of a child's future education and enrichment; and*

*WHEREAS, the philosophy that developing children into artists today is the best way of promoting cultural appreciation of tomorrow; and*

*WHEREAS, the National Art Education Association and the Music Educators National Conference have stated that arts education is fundamental to the overall educational experience; and*

*WHEREAS, the National Endowment for the Arts recommends that arts education should provide all students with a sense of the arts in civilization, of creativity in the artistic process, of the vocabularies of artistic communication, and of the critical elements necessary to making informed choices about the products of the arts.*

*NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and the Township Committee extend our hopes for a successful District Arts Festival in which the talent and creativity of our District's young artists is showcased and encourage all residents to recognize and show their appreciation for the many memories and contributions the Festival has made to our community over the years.*

- ***Proclamation honoring Jared Burchette for his Kart Racing Championships***

*WHEREAS, Jared Burchette, a freshman at Hillsborough High School, a member of Boy Scout Troop #489 and a Competitive Kart Driver has achieved great success in the Karting Circuit; and*

*WHEREAS, Jared began his career in Kart Racing in 2009 at the age of 9; and*

*WHEREAS, the 2014 Season was very successful for Jared, as he finished in first place in both the Yamaha Junior and the Parilla Junior classes in the Raceway Park Karting Racing Series; and*

*WHEREAS, this particular racing series consisted of 19 races between April and November of 2014; and*

*WHEREAS, Jared won a total of 12 races in the weekly competitions in the 2014 racing season, starting in the spring of 2014 and ending in the fall, taking place at Raceway Park in Englishtown, NJ.*

*NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Township Committee of the Township of Hillsborough, that Jared Burchette is hereby recognized not only for his awards and championships, but also for his unwavering dedication, and sportsmanship throughout the season.*

*BE IT FURTHER PROCLAIMED that we, that we, the Mayor and the Township Committee, congratulate Jared Burchette for his dedication and commitment and wish him all the best in his future endeavors.*

## PRESENTATIONS

- *Recognition of Hillsborough Businesses / Organizations that have served the citizens of Hillsborough Township in excess of 25 years*

Mayor Tomson stated that the Township will continue with the Business Recognition program, recognizing Hillsborough Businesses / Organizations that have served the Citizens of Hillsborough Township for more than 25 years.

The following businesses were recognized: Dr. Marulli and Norz Hill Farm.

## NEW BUSINESS

- *None*

## PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Steve Pick, 3 Wakeman Circle, inquired about the status of the bridge on Amwell Rd. between Hillsborough and Franklin Township.

Mayor Tomson stated that he spoke to the Mayor of Millstone Township and reached out to the DOT and was told that they are trying to complete the work by the end of this week or the beginning of next week. Work has been delayed because of the weather but they are trying to get it done as quickly as possible.

Mr. Pick stated that there is not much information available as to how or why the bridge fell under disrepair and when it will be open and the closed bridge negatively impacts our township.

Mayor Tomson stated that the DOT has put out numerous communications through their website. Information regarding the bridge has also been published in the weekly e-News and on TV 29 and in county press releases.

## PUBLIC HEARINGS

- *None*

## CONSIDERATIONS

### 1. RESOLUTION INCREASING THE 2015 TEMPORARY EMERGENCY BUDGET.

**WHEREAS**, there is a need to increase the 2015 Temporary Emergency Budget for unforeseen expenditures prior to the adoption of the 201 Budget; and

**WHEREAS**, the amount of said increase is not to exceed \$201,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that the following increase to the appropriation be made and that a certified copy of this Resolution be given to the Chief Finance Officer for her records:

Cultural Arts		
Other Expense		\$ 5,000.00
Snow Removal		
Salaries & Wages		\$ 40,000.00
Other Expense		<u>\$145,000.00</u>
 SUBTOTAL APPROPRIATIONS: INSIDE CAP		 <u>\$190,000.00</u>
 DPW Stormwater		
 Other Expense		 <u>\$11,000.00</u>
SUBTOTAL APPROPRIATIONS OUTSIDE CAP		\$11,000.00
 TOTAL APPROPRIATIONS		 <u>\$201,000.00</u>

Mayor Tomson stated that due to the recent snow and ice events, it is necessary to increase the Snow Removal budget for 2015 to allow for the payment of overtime and encumbering of expenses that have been incurred. An additional 1500 tons of salt have been ordered and should be sufficient to cover us through the remainder of this winter.

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

**2. RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO ENTER INTO STIPULATIONS OF SETTLEMENT RELATIVE TO THE TAX APPEALS CAPTIONED LISA BALDUCCI VS. HILLSBOROUGH TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NOS. 018592-2013 AND 012718-2013.**

**WHEREAS**, Lisa Balducci ("Taxpayer"), the owner of the residential condominium at Block 153.15, Lot 4408 on the Township Tax Assessment Maps, located at 182 Wildflower Lane, filed an Appeal of her 2013 tax assessment in the Tax Court of New Jersey, Docket No. 018592-2013 in the original total tax assessment amount of \$232,800; and

**WHEREAS**, Taxpayer, was also the owner of the residential condominiums at Block 163.21, Lot 1114 Condo (488 Auten Road 1D) with the original 2013 total tax assessment amount of \$235,000; Lot 724 Condo (510 Auten Road 2D) with the original 2013 total tax assessment amount of \$238,600; and Lot 2234 Condo (114 Bluebird Drive 3D) with the original 2013 total tax assessment amount of \$250,000, filed Appeals of her 2013 tax assessments on said properties in the Tax Court of New Jersey, Docket No. 012718-2013; and

**WHEREAS**, the Township Committee met and discussed the aforesaid tax appeals and the recommendations of its Tax Assessor and Attorney; and

**WHEREAS**, the Township Committee has reviewed copies of the proposed Stipulations of Settlement in these matters; and

**WHEREAS**, acceptable settlements of the aforesaid tax appeals have been negotiated which settlements reduce the 2013 tax assessments on all of the properties referenced above to reduced total tax assessments of \$214,000 each, except for the property at 163.21, Lots 1114 Condo, 488 Auten Road 1D on which the 2013 assessment is to be affirmed at the original 2013 tax assessment of \$235,000, all as more particularly set forth in the Stipulations of Settlement; and

**WHEREAS**, the reductions in assessment are nominal in comparison to the costs of continued litigation and trials of these matters; and

**WHEREAS**, the reduced 2013 tax assessments shall not be subject to the Freeze Act; and

**WHEREAS**, the settlements also provide that the Taxpayer agrees to waive the payment of interest on any adjusted taxes and agrees to accept credits in lieu of references in the discretion of the Tax Collector; and

**WHEREAS**, the Tax Assessor has conducted a review of the market given the factual circumstances pertaining to the subject properties and determined that the settlements will result in an assessment fair assessable values of the Properties, consistent with assessing practices applicable in the Township as required by law; and

**WHEREAS**, the aforesaid reduction has no general application to other properties within the Township because of the aforesaid specific fact situation; and

**WHEREAS**, the Township will make this settlement with Taxpayer without prejudice to its dealings with any other Township taxpayer's request for tax assessment reduction.

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

1. The Township Attorney is hereby authorized to execute a Stipulation of Settlement relative to the tax appeals of Lisa Balducci, Docket Nos. 018592-2013 and 012718-2013; which settlements result in reductions to the 2013 assessments on Block 153.15, Lot 4408; Block 163.21, Lot 1114 Condo; Lot 724 Condo; and Lot 2234 Condo on the Township Tax Assessment Maps, as more particularly set forth on the annexed Stipulations of Settlement; which further provides that the Freeze Act will not be applicable to any of the 2013 judgments; which further

provides that the Taxpayer waives interest on any adjusted taxes and agrees to accept credits in lieu of refunds in the discretion of the Township Tax Collector.

2. The settlement outlined above shall be without prejudice to Hillsborough Township's dealings with any other Township taxpayers' request for tax assessment reductions.
3. The Tax Assessor is directed to allocate the adjustments between land and improvements in a manner which is in the best interests of the Township of Hillsborough.

Mayor Tomson stated that the Township's Tax Appeal Attorney and Tax Assessor have recommended a settlement regarding the above referenced tax appeal. A negotiated settlement was reached in which the 2013 assessment will be reduced.

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

**CONSENT**

**1. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS IN THE AMOUNT OF \$28,203.36.**

**WHEREAS**, real property tax payers overpaid their real property taxes; and

**WHEREAS**, the Tax Collector has received proof of such payments after correspondence with said property owners.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Tax Collector is hereby authorized to refund said amounts to the property owners; Total, \$28,203.36, properties, 21.

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<b>Block</b>	<b>Lot</b>	<b>Name</b>	<b>Amount</b>	<b>Qtr</b>	<b>Year</b>
203.14	59	Wu, Edward T k & Kathy S	2,690.52	1 <sup>st</sup>	2015
171	63.04	D'Amore, Michael & Mary QFarm	7.01	1 <sup>st</sup>	2015
199	2-C0203	Siju Associates, LLC	1,477.43	1 <sup>st</sup>	2015
178.01	107	Bhasin, D & R	1,341.47	1 <sup>st</sup>	2015
151.07	20	Ardent Title Group, LLC	2,540.56	1 <sup>st</sup>	2015
65.03	8	Lereta, LLC	1,822.27	1 <sup>st</sup>	2015
163.21	2034Condo	Lereta, LLC	1,249.28	1 <sup>st</sup>	2015
153.05	22234	CoreLogic Real Estate Tax Service	1,356.06	1 <sup>st</sup>	2015
151.02	14	CoreLogic Real Estate Tax Service	2,393.52	1 <sup>st</sup>	2015
179	34.09	CoreLogic Real Estate Tax Service	2,017.75	1 <sup>st</sup>	2015

173	21	CoreLogic Real Estate Tax Service	2,954.84	1 <sup>st</sup>	2015
153.08	5.66Condo	CoreLogic Real Estate Tax Service	692.62	1 <sup>st</sup>	2015
200.10	13	CoreLogic Real Estate Tax Service	86.36	1 <sup>st</sup>	2015
151.09	205	CoreLogic Real Estate Tax Service	64.19	1 <sup>st</sup>	2015
205.19	16	CoreLogic Real Estate Tax Service	2,309.50	1 <sup>st</sup>	2015
200.08	4	CoreLogic Real Estate Tax Service	207.15	1 <sup>st</sup>	2015
199	19.16	CoreLogic Real Estate Tax Service	53.49	1 <sup>st</sup>	2015
58	72.115	CoreLogic Real Estate Tax Service	229.90	1 <sup>st</sup>	2015
183.05	19	CoreLogic Real Estate Tax Service	1,896.38	1 <sup>st</sup>	2015
175.10	16	CoreLogic Real Estate Tax Service	2,720.28	1 <sup>st</sup>	2015
180.03	8	CoreLogic Real Estate Tax Service	92.78	1 <sup>st</sup>	2015

**2. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO ANTHONY MENAFRO, IN THE HILLSBOROUGH TOWNSHIP BUILDING DEPARTMENT, EFFECTIVE FEBRUARY 17, 2015.**

**WHEREAS**, Anthony Menafro was hired as Plumbing Subcode Official in the Building Department on November 17, 2014; and

**WHEREAS**, the Construction Official certifies that Mr. Menafro has performed his duties and assignments in a capable and competent manner; and

**WHEREAS**, having qualified for regular employee status during the three-month probationary period, the Construction Official recommends that regular employee status be conferred upon Mr. Menafro, effective February 17, 2015.

**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 Construction Official be and hereby is accepted and approved.

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

**CLAIMS LISTS**

Mayor Tomson presented Claims Lists 2015-05.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, Claims List 2015-05 was unanimously approved upon call of the roll.



### EXECUTIVE SESSION RESOLUTION

**WHEREAS**, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Township Committee is of the opinion that such circumstances exist.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough in the County of Somerset, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

*a. Contract Negotiations:*

*i. Sanitary Sewer Expansion*

3. The Township Committee may take official action on those items discussed in Executive Session upon completion of the Executive Session.

4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.

5. This Resolution shall take effect immediately.

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

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the public meeting was reopened at 8:57 p.m.

### ADJOURNMENT

Upon motion by Committeewoman McCauley, seconded by Committeeman Suraci, the meeting duly adjourned at 8:58 pm. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek  
Township Clerk