

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 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. April 28, 2015.

MOMENT OF SILENCE FOR NEPAL

Mayor Tomson asked for a moment of silence for those injured and killed in the earthquake in Nepal.

APPROVAL OF MINUTES

- *Approval of the March 24, 2015 Regular Meeting Minutes*

Upon motion by Deputy Mayor Burchette , seconded by Committeewoman McCauley, the minutes of the March 24, 2015 meeting were approved by all but Committeeman DelCore and Mayor Tomson who abstained.

- *Approval of the March 30, 2015 Special Meeting Minutes*

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Burchette, the minutes of the March 30, 2015 special meeting were approved upon the call of the roll.

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

Committeeman DelCore

Committeeman DelCore noted The Economic & Business Development Commission (EBDC) will be holding their Spring Networking Event – to be held on Monday, May 4, 2015 5:30-8:00 pm at the Polish Falcons. The cost is 17.00 per person.

The Keynote Speakers are the New Jersey Business Action Center (BAC) and New Jersey Economic Development Authority (NJEDA). Anyone with a business or affiliated with a business in town is welcome to attend and is a good opportunity to network with the local businesses in town. Advanced registration is required.

Committeeman DelCore stated last week we had the 2nd Annual Run Around the Park at Ann VanMiddlesworth Park. There were 180 runners from all age levels and medals were given out to all of the children runners. Committeeman DelCore stated he was proud to say he finished the race and was a fun and beautiful Sunday morning. Thank you to all who came out and for the support of the volunteers.

Committeeman DelCore noted softball started last weekend and there are over 250 participants. Additionally, the Township has entered into partnership with Montgomery, Princeton, and Branchburg recreation softball leagues to play additional cross-town recreational games.

The Spring Soccer program is underway and is the largest by far of the recreation programs with 900 participants.

Registration for the 2015 Summer Recreation Camps is now available on the Township website.

Committeeman Delcore noted the Cultural and Arts Commission will be starting a gallery walk in the municipal building, along the wall that leads to the library. It will be an opportunity for local artists to display their works. It will change about once every month and will be an opportunity to showcase artists' works. The artwork should be age appropriate and more information will be coming out from the Arts Commission on how to be able to showcase your work in the gallery.

Committeewoman McCauley

Committeewoman McCauley commented Hillsborough Township has been ranked the 46th Safest City in America, according to the SafeWise Report which was released yesterday, listing the "100 Safest Cities in America".

To compile this report, SafeWise used the most recent FBI crime data from 2013 to analyze and rank these cities, which all have a minimum population of 10,000 people.

Committeewoman McCauley stated that being ranked among the Top Safest Cities in America, is obviously a direct result of the diligent efforts and prevention programs of our Police Department and Emergency Responders as well as the overall community involvement in Hillsborough Township.

Committeewoman McCauley stated the Township will hold its second "Green Living and Wellness Fair" on Wednesday, June 17th from 2-5pm, across the hall in the multi-purpose room.

Last year, we added a green twist to the Annual Health Fair and it was so informative and well attended by our residents.

Participating local businesses will have informative presentations, displays and demonstrations to raise awareness of the many facets of living a healthy lifestyle, including making sound nutritional choices, making long-term life planning decisions, choosing a green lifestyle as well as many health screenings.

Robert Wood Johnson – Somerset will also be conducting a Blood Drive in the Senior Activity Center. Please mark your calendars to come to the Fair and also consider giving the gift of life and donating blood at the drive.

Be sure to check out Friday's e-news for more information and all the details for the Poster Contest.

Committeeman Suraci

Committeeman Suraci stated, as a reminder, any community based, non-profit organizations that wish to participate in the Memorial Day Parade are invited to sign up online through the Parks and Recreation website.

Also, all Veterans, Spouses and Widows are invited to register for the Annual Salute to Veterans Breakfast by visiting the Recreation website, by calling the Recreation Department at 908-369-4832 or by completing a registration form available at the Administration Office.

Deputy Mayor Burchette

Deputy Mayor Burchette noted the Rail Crossings at Auten Road and Valley Road have been upgraded by Norfolk Southern. Additional paving will be done but this will not result in complete road closures and the entire project is expected to be completed by mid-next week.

Deputy Mayor Burchette noted a program update for the Municipal Alliance. Save the date, May 27th at 7pm the Documentary "An American Epidemic" will be presented by Michael DeLeon. There will be more details forthcoming.

Deputy Mayor Burchette stated there are over 80 local businesses participating in the Shop Hillsborough program. If you haven't done so already, be sure to register your card so you can take advantage of the benefits.

Mayor Tomson

Mayor Tomson stated the Grand Opening of the Tractor Supply Company was well attended. There were some unique animals there, including alpacas.

Mayor Tomson congratulated all the participants of the Run Around the Park.

Mayor Tomson noted last Thursday was Take Your Child to Work Day. The Township hosted 44 Municipal, Police, Library and Board of Education Children for the day. They toured the various departments, had a chance to be put in jail, met the Judge and saw some other cool equipment used by the Emergency Services. Mayor Tomson thanked all those who helped make that day a success.

Mayor Tomson thanked Girl Scout Troop 60203 for the invitation to attend the opening of their Free Library next to the Boro Toy Shop, as part of their Bronze Award.

Mayor Tomson noted the next Shred It Day will be here in Hillsborough on Saturday, May 2nd from 9am until 1pm at the Auten Road School.

PROCLAMATIONS / APPOINTMENTS

- ***Proclamation declaring 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 person's 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; and
WHEREAS, the Hillsborough/Millstone Municipal Alliance envisions having our local community understand that alcohol use and abuse is a chronic condition that can be successfully prevented and treated. The Municipal Alliance is a committee of volunteers who works tirelessly to provide programs focusing on education and prevention for all members of the community.
NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and 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 2015 as Alcohol Awareness Month in Hillsborough Township.
BE IT FURTHER PROCLAIMED, that we, the Mayor and Township Committee of the Township of Hillsborough, also call upon all Hillsborough citizens, parents, governmental agencies, public and private institutions, businesses, and schools in Hillsborough Township to support the 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.

- ***Proclamation declaring April as National Donate a Life Month***

WHEREAS, realizing the urgent need for donors around the country, the NATIONAL "DONATE LIFE" MONTH observance was established in 2003, to promote a greater understanding about the life-saving benefits of donation; and
WHEREAS, the transplantation of organs and tissues is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. Donors not only give the gift of life, but also often restore health and sight to the recipients of the tissue and organs. People of all

ages, ethnic backgrounds and religions are affected by the need for organ transplants and by the serious shortage of organ donors that exists; and

WHEREAS, every capable person should support this vital effort by learning more about donating tissue and organs, registering as organ and tissue donors, making their families aware of their wishes, and be willing to give the precious gift of health, sight, and life to people in need; and

WHEREAS, registering as an organ and tissue donor at a local Motor Vehicle Agency or online at www.NJSharingNetwork.org signifies our fundamental human responsibility to help others.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and Township Committee of the Township of Hillsborough recognize NATIONAL "DONATE LIFE MONTH" as a great opportunity to join in the fight to save lives by giving the greatest gift.

BE IT FURTHER PROCLAIMED, that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby proclaim April 2015 as: "DONATE LIFE" MONTH in Hillsborough, New Jersey, and urge all residents to join in promoting organ and tissue donor education through the NATIONAL "DONATE LIFE" MONTH observance.

- **Proclamation honoring Hillsborough High School's Wrestling Team**

WHEREAS, the 2014-2015 Hillsborough High School Wrestling Team had a very successful season because of their hard work and dedication; and

WHEREAS, the 2014-2015 Hillsborough High School Wrestling Team comprised of the following young athletes: Devin Boylan, Jack Donnadio, Andrew Duarte, Cory Glinsky, Alexander Hunt, Joseph Versaci, Alec Aboosamara, Anthony DelGuercio, Kevin Gallego, Ryan Geoghegan, Leyla Hirsch, Tanner Johnson, Brett Magliaro, Michael McClellan, Austin Schimmel, Stryker Schultz, Alexander Trani, Joshua Villa, Waleed Channa, Anthony Donnadio, Michael Dooley, Kevin Faulkner and Noah Quick, reached exceptional achievements; and

WHEREAS, the Hillsborough High School Wrestling Team was led by Head Coach Steve Molinaro and Assistant Coaches Brian West and Dave Palmece; and

WHEREAS, the Hillsborough High School Wrestling Team earned 3rd place at the District 18 Championships, qualified for the Group 5 Team Sectionals, advanced to the sectional Semi-finals eventually falling to the sectional champ, won the Truman H.S. Pennsylvania/New Jersey Dual meet tournament and finished their season with an overall record of 21 wins and 8 losses; and

WHEREAS, the Hillsborough High School Wrestling Team achieved great success both at the team and individual level, including 5 individual qualifiers at Regions, 2 individual qualifiers at States and 4 All Skyland Conference Wrestlers. Jack Donnadio was County, District and Regional Runner up, and earned his 100th career victory. Austin Schimmel was County and District Runner up, and earned 3rd place in Regionals and qualified for States. Leyla Hirsch was the Individual State Champion in the Girls Division; and

WHEREAS, members of the Hillsborough High School Wrestling Team set the second best record in the program's history and helped Coach Molinaro receive his 250th career win as Head Coach.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby commend all of the members of the Hillsborough High School Wrestling Team, not only for the awards and championships they have won, but also for their unwavering teamwork, dedication, and sportsmanship throughout the season.

BE IT FURTHER PROCLAIMED that we, the Mayor and the Township Committee, further commend the Hillsborough High School Wrestling Team for the honor that they have brought to themselves, their team and our community through their many achievements.

NEW BUSINESS

- *None*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- *None*

PUBLIC HEARINGS

- *None*

INTRODUCTION OF NEW ORDINANCES

**ORDINANCE 2015-05 ORDINANCE TO EXCEED THE 2015 MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 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, N.J.S.A. 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 2015 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 \$851,304.48 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 2015 budget year, the final appropriations of the Township of Hillsborough shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14. be increased by 3.5%, amounting to \$851,304.48 and that the CY 2015 municipal budget for the Township of Hillsborough be approved and adopted in accordance with this ordinance; and

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; and

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; and

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 further consideration of this ordinance and public hearing will be held on May 26, 2015. Under the 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.

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

ORDINANCE 2015-06

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 \$1,196,708.10, IN AND FOR THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of \$659,208.10; and

WHEREAS, the following off-site contributions of \$250,000.00 have been received from various developers to be utilized for road and general improvements throughout the Township in accordance with Planning Board and Engineering resolutions of approval; and

C-04-52-700-010	Ace Copy	15,550.00
	Hillsboro Days	
C-04-52-700-027	Inn	25,000.00
C-04-52-700-091	Country Classics	87,047.65
C-04-54-000-008	Brentwood Hills	1,250.03
	Hillsboro Ind.	
C-04-54-000-028	Park	974.91
C-04-54-000-046	Maximum Fitness	4,307.00
C-04-54-000-054	Orchard Hill	4,000.00
C-04-54-000-056	Pargas	2,180.00
C-04-54-000-060	Raider Blvd.	420.00

C-04-54-000-064	Raritan Mills	2,040.50
C-04-54-000-066	Rhoda, Douglas	5,100.00
C-04-54-000-070	Schlott	1,700.00
C-04-54-000-075	Southgate	143.86
C-04-54-000-076	Sullivan, Donna	2,100.00
	Sullivan,	
C-04-54-000-077	Sylvester	3,000.00
C-04-54-000-085	Willows Landing	51,516.00
C-04-54-000-086	Woodfield	9,532.92
C-04-54-000-092	CoventryChase	22,011.50
C-04-54-000-098	Colonial Square	12,125.63
Total		<u>250,000.00</u>

WHEREAS, a grant has been awarded to the Township of Hillsborough from the New Jersey Department of Transportation, Transportation Trust Fund for paving of New Amwell Road in the amount of \$175,000.00; and

WHEREAS, the following off-site contributions are available through Developers Contributions for the purpose of funding Recreational projects; and

C-04-52-600-002	April Valley	46,135.00
C-04-52-600-067	Riverview Estates	66,365.00
Total		<u>112,500.00</u>

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

1.	Road Improvements	696,008.10
2.	Replacement of Damaged Wooden Guide Rails	100,000.00
3.	6-Wheel Dump Truck w/snowplow & spreader set-up	210,000.00
4.	Replace Toro 4000 Wide Mower	60,000.00
5.	Natural Gas Fired Power Washer	15,000.00
6.	2 Defibrillators for Police Department	3,200.00
7.	AVM Basketball Court (2) Surface Renovations	75,000.00
8.	AVM Dog Park	17,500.00
9.	AVM Skate Park Resurfacing	20,000.00
		<u>1,196,708.10</u>

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.

This ordinance shall take effect upon final adoption and publication according to law.

Mayor Tomson stated further consideration of this ordinance and public hearing will be held on May 26, 2015. This ordinance is for the 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 grants and developer contributions.

Upon motion by to introduce this ordinance by Committeeman Delcore, seconded by Committeewoman McCauley the aforesaid ordinance approved upon call of the roll.

ORDINANCE NO. 2015-07 AN ORDINANCE AUTHORIZING ACCEPTANCE OF CONSERVATION, SIGHT TRIANGLE, AND STORM SEWER EASEMENTS, AND DEEDS OF DEDICATION FOR OPEN SPACE AND RIGHTS OF WAY THROUGH COUNTRY CLASSICS IN THE MILLSTONE VALLEY, PHASE 4C

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept Conservation Easements, dated April 20, 2015, conveyed to the Township by Country Classics IV, Limited Liability Company, for portions of:

<u>Lots</u>	<u>Block</u>
2, 3, 4 and 5	205.21; and

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept Sight Triangle Easements, dated April 20, 2015, conveyed to the Township by Country Classics IV, Limited Liability Company, for portions of:

<u>Lots</u>	<u>Blocks</u>
23	205.21
14	205.22
1	205.20
1	205.35
5	205.21; and

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept Storm Sewer Easements, dated April 20, 2015, conveyed to the Township by Country Classics IV, Limited Liability Company, for portions of:

<u>Lots</u>	<u>Block</u>
15	205.21
26	205.22; and

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept Deed of Dedication – Open Space, dated October 1, 2014, conveyed to the Township by Country Classics IV, Limited Liability Company, for:

Lot
93

Block
205.15; and

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept Deeds of Dedication – Right of Way, dated March 17, 2015, conveyed to the Township by Country Classics IV, Limited Liability Company, for portions of:

Miller Drive
Boorum Drive
Bernart Court; and

WHEREAS, the purpose of this conveyance is to satisfy conditions of Subdivision approval, as set forth in a Resolution adopted by the Planning Board of the Township of Hillsborough, dated January 17, 2008 and as supplemented by Resolution dated September 4, 2014; and

WHEREAS, the Township Attorney for the Township of Hillsborough has reviewed the above Easements and Deeds of Dedication and finds them acceptable in all respects.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes acceptance of the above Easements and Deeds of Dedication attached hereto and directs its appropriate officials to execute and file such documents as may be necessary.

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

Mayor Tomson stated further consideration of this ordinance and public hearing will be held on May 26, 2015. This ordinance allows the township to accept various easements and right of ways as required conditions of the planning board approval. Local land and building law only allows a municipality to accept land or interest in land through the adoption of an ordinance. This has been reviewed and found acceptable by the Township Attorney.

Upon motion by to introduce this ordinance by Committeeman Suraci, seconded by Committeewoman McCauley the aforesaid ordinance approved upon call of the roll.

ORDINANCE NO. 2015-08

AN ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A MUTUAL POLICE AID AGREEMENT BETWEEN VARIOUS SOMERSET COUNTY MUNICIPALITIES, THE SOMERSET COUNTY PROSECUTOR'S OFFICE AND THE SOMERSET COUNTY SHERIFF'S DEPARTMENT

WHEREAS, N.J.S.A. 40A:65-4 et seq. authorizes any local unit of the State to enter into a contract with any other local unit within the State for the joint provision within their territorial jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, pursuant to N.J.S.A. 40A:14-156 et. seq., municipalities of the State of New Jersey are authorized, in the event of an emergency, to provide police assistance outside their territorial jurisdictions in order to protect life and property or to assist in suppressing a riot or disorder; and

WHEREAS, N.J.S.A. 40A:14-156.1 provides that Local Units may by reciprocal ordinances enter into agreements with each other for mutual police aid in the case of emergency and such agreement may provide for reimbursement of the municipality rendering such aid, for any damage to police equipment or other property, and for payment to any member of a police force for injuries sustained while serving pursuant to such agreements; and

WHEREAS, the Township Committee of the Township of Hillsborough deems it to be best interests of the Township and its residents to enter into the attached Mutual Police Aid Agreement with the participating Somerset County municipalities and the Somerset County Prosecutor's Office and the Somerset County Sheriff's Department as recommended by the Hillsborough Township Chief of Police.

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

1. The Mayor and Township Clerk are hereby authorized to execute the attached Mutual Police Aid Agreement.
2. The Township Clerk is hereby directed to provide the original executed Mutual Police Aid Agreement together with a copy of this Ordinance to the Hillsborough Township Chief of Police for processing with Somerset County and the other participating municipalities.

Mayor Tomson stated further consideration of this ordinance and public hearing will be held on May 26, 2015. This ordinance is a form of shared services agreement with various municipalities located in Somerset County as well as Somerset County Prosecutor's Office and Sheriff's Office for providing police services throughout Somerset County in the event of an emergency situation.

Upon motion by to introduce this ordinance by Deputy Mayor Burchette, seconded by Committeewoman McCauley the aforesaid ordinance approved upon call of the roll.

ORDINANCE NO. 2015-09

ORDINANCE AUTHORIZING ACCEPTANCE OF VARIOUS EASEMENTS REQUIRED FOR THE EXTENSION OF THE TRIANGLE ROAD SIDEWALK LOCATED IN THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY

WHEREAS, the Township Committee finds that the extension of the existing Triangle Road sidewalk to Route 206 South will enhance and provide greater safety to members of the general public accessing the Route 206 shopping areas; and

WHEREAS, the extension of the existing Triangle Road sidewalk to Route 206 required the Township to obtain various Easements from property owners along Triangle Road; and

WHEREAS, the Township Attorney negotiated and obtained the required Easements for the extension of the Triangle Road sidewalk; and

WHEREAS, the Township Committee wishes to accept the following Easements attached hereto as negotiated and obtained by the Township Attorney for the extension of the Triangle Road Sidewalk for the consideration set forth in the Easements:

1. Temporary Access and Grading Easement – Block 153, Lot 4;
2. Temporary Access and Grading Easement – Block 153, Lot 5;
3. Temporary Access and Grading Easement – Block 153, Lot 8;
4. Temporary Access and Grading Easement– Block 153, Lot 10;
5. Temporary Access and Grading Easement– Block 153, Lot 11;
6. Permanent Sidewalk Easement – Block 153, Lot 11;
7. Temporary Access and Grading Easement– Block 153, Lot 12;
8. Permanent Sidewalk Easement - Block 153, Lot 12;
9. Temporary Access and Grading Easement– Block 153, Lot 13;
10. Permanent Sidewalk Easement- Block 153, Lot 13.

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

1. The Easements set forth herein and attached hereto for the extension of the Triangle Road Sidewalk are hereby accepted and approved for the consideration set forth in the Easements.
2. This Ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor Tomson stated further consideration of this ordinance and public hearing will be held on May 26, 2015. This ordinance allows the township to accept the easements required for an extension of the sidewalk along Triangle Road to Route 206. Local land and building law only allows a municipality to accept land or interest in land through the adoption of an ordinance. This has been reviewed and found acceptable by the Township Attorney.

Upon motion by to introduce this ordinance by Deputy Mayor Burchette, seconded by Committeewoman McCauley the aforesaid ordinance approved upon call of the roll.

PRESENTATIONS MUNICIPAL BUDGET

Mayor Tomson stated each year; the preparation of the municipal budget creates a challenge of minimizing the impact on tax payers, while providing the township departments with the funds necessary to deliver needed and expected services for all of our residents.

Mayor Tomson further stated that CFO, Nancy Costa, will be making a presentation on the budget details in a few moments, after which he will provide additional comments.

He thanked the full finance team, led by Ms. Costa, along with Administrator Ferrera, our Finance Chair, and all the Municipal Department Heads for their hard work and diligence in preparation of this 2015 Municipal Budget.

Ms. Costa gave a PowerPoint presentation about the 2015 Municipal Budget and indicated that 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.

Mayor Tomson stated that as noted by Ms. Costa, this budget is under the 2% levy cap.

Another key component 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 .003 cents per \$100 of assess property value.

Committeeman Suraci thanked Ms. Costa for the presentation and everyone for the hard work that was put into the budget. Committeeman Suraci also stated that this budget was very fiscally prudent and highlighted that if the township had taken advantage of the exceptions, or as the Mayor put it the loopholes to exceeded the cap, the taxpayers would have incurred and additional \$140K in taxes. That did not happen for the 5th consecutive year. He further noted that the energy tax receipts are in lieu of property taxes and are not state aide. Additionally, the Library expansion and is paid for.

Committeewoman McCauley thanked everyone for their hard and diligent work on the budget.

- **RESOLUTION AUTHORIZING THE 2015 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, the municipal budget as advertised, may be read by its title at the public hearing, a complete copy of the approved budget, as advertised, is made available for public inspection, in the municipal building and library, and is made available to each person requesting the same, one week prior to the date of public hearing and during the public hearing; and

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 2015 municipal budget shall be read by 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 2015 MUNICIPAL BUDGET AND SETTING THE PUBLIC HEARING FOR MAY 26, 2015**

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 2015 Municipal Budget and sets the public hearing for May 26, 2015.

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

CONSIDERATIONS

1. RESOLUTION AUTHORIZING SELF-EXAMINATION OF THE 2015 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hillsborough has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2015 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Hillsborough, County of Somerset that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mayor Tomson stated State law allows a municipality that is deemed to be fiscally sound and operating in accordance with the law to perform a self-examination of the budget. Once again, Hillsborough has met this qualification.

The self-examination has specific guidelines established by the state Division of Local Government Services which must be met and the annual audit serves as an additional check on budget accounts. Self-examination reduces the workload in Trenton.

The program only allows self-examination for two years, which Hillsborough did in 2008 and 2009, as well as in 2011 and 2012. In 2010 and 2013, the budget was reviewed by the State; therefore permitting Hillsborough self-examination in 2014 and 2015.

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

2. RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE HILLSBOROUGH/MILLSTONE MUNICIPAL ALLIANCE GRANT CYCLE FOR JULY 2014 – JULY 2019

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, The Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset.

NOW, THEREFORE, BE IT RESOLVED by the Township of Hillsborough, County of Somerset, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Hillsborough/Millstone Municipal Alliance grant for fiscal year 2015 in the amount of:

DEDR	\$ <u>10,000.00</u>
Cash Match	\$ <u>2,500.00</u>
In-Kind	\$ <u>7,500.00</u>

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Mayor Tomson stated this resolution authorizes the Alliance to submit for the next grant cycle.

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

CONSENT

1. RESOLUTION AUTHORIZING THE TOWNSHIP QUALIFIED PURCHASING AGENT TO REQUEST PROPOSALS THROUGH THE COMPETITIVE CONTRACTING PROCUREMENT PROCESS FOR A RECREATION BASEBALL SUMMER CLINIC

WHEREAS, the Township of Hillsborough believes that it is in the best interests of its residents to provide for a youth recreation baseball summer clinic; and

WHEREAS, the Parks and Recreation Department does not have the staff to operate such a youth baseball clinic; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the Township to procure through the process of competitive contracting, N.J.S.A. 40A:11-4.1(b)(2), the services of a private entity to operate, manage and administer such a program; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that the competitive contracting process be authorized by Resolution.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Township Qualified Purchasing Agent to advertise the Request for Proposals through the Competitive Contracting Procurement Process for a Recreation Baseball Summer Clinic.

2. RESOLUTION CONFIRMING AND RATIFYING THE REFUND OF TAX OVERPAYMENTS IN THE AMOUNT OF \$2,993.25 (total properties 4)

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, \$2,993.25, properties, 4.

Block	Lot	Name	Amount	Qtr	Year
151.07	20	Tauriello, Phillip & Claudia	\$875.18	2 nd	2015
163.21	513 Condo	Jacarusso, Joanne	\$516.98	2 nd	2015
175	81	Kuzio, Elizabeth	\$601.09	2 nd	2015
203.07	13	Thies, Marilyn	\$1,000.00	2 nd	2015

3. RESOLUTION APPROVING THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR MANVILLE-HILLSBOROUGH ELKS FOR AN EVENT TO BE HELD ON MAY 17, 2015

WHEREAS, an application for a Special Permit for Social Affair has been filed by Manville-Hillsborough Elks for an event to be held on May 17, 2015; 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 Manville-Hillsborough Elks for an event to be held on May 17, 2015.

4. RESOLUTION AUTHORIZING JOHN FIEDLER, CONSTRUCTION OFFICIAL, TO BEGIN THE HIRING PROCESS FOR THE POSITION OF FULL-TIME MULTI-LICENSED INSPECTOR IN THE HILLSBOROUGH TOWNSHIP'S BUILDING DEPARTMENT

WHEREAS, there exists a vacancy in the Building Department for the position of full-time multi-licensed Inspector; and

WHEREAS, the Construction Official has determined that this position needs to be filled as soon as possible and thereby requests authorization to begin the hiring process for the position of full-time multi-licensed Inspector.

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 Construction Official to begin the hiring process for the position of full-time multi-licensed Inspector.

5. RESOLUTION REGARDING THE TOTAL AND PERMANENT DISABILITY OF TOWNSHIP EMPLOYEE

WHEREAS, John Ward, an employee in the Township, Pension Number 1104718, suffers from chronic back pain with radiculopathy; and

WHEREAS, as a result of that medical condition, John Ward has been unable to perform his employment duties for a continuous work week and has been forced to work an abbreviated work schedule for more than one (1) year; and

WHEREAS, the Township has medical reports from at least two (2) sources stating that John Ward will be permanently restricted in his physical activities, which restrictions will permanently preclude John Ward from returning to full duty for more than two (2) consecutive work days; and

WHEREAS, the Township is of the opinion that John Ward, Pension Number 1104718, is totally and permanently disabled from fulfilling his job duties as an employee for the Township of Hillsborough.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Township Administrator and the Township Labor Counsel be and are hereby authorized to pursue an involuntary disability retirement application on behalf of the Township of Hillsborough for John Ward.

6. RESOLUTION APPROVING THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR WOODS TAVERN, LLC FOR AN EVENT TO BE HELD ON JUNE 26, 2015 AT DUKE FARMS

WHEREAS, an application for a Special Permit for Social Affair has been filed by Woods Tavern, LLC for an event to be held on June 26, 2015 at Duke Farms; 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 June 26, 2015 at Duke Farms.

7. RESOLUTION ACCEPTING AN APPLICATION FOR CHANGE OF CORPORATE STRUCTURE FOR POLISH FALCONS CAMP, INC., FOR PLENARY RETAIL CONSUMPTION WITH BROAD PACKAGE PRIVILEGE LICENSE 1810-32-011-003

WHEREAS, an application has been filed by the Polish Falcons Camp, Inc. for a Change of Corporate Structure of Plenary Retail Consumption with Broad Package Privilege License 1810-32-011-003, at 140 Falcon Road; and

WHEREAS, the submitted application form is complete in all respects, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the Hillsborough Township Police Department has conducted a thorough investigation of the licensee to insure that criminally disqualified and other unfit person do not acquire or hold direct interest in the Polish Falcons Camp, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey does hereby accept the application for Change of Corporate Structure for Plenary Retail Consumption with Broad Package Privilege License 1810-32-011-003, and will send said application to New Jersey Alcohol and Beverage Commission for approval.

8. RESOLUTION ADDING BRIANNE CROSSEN TO THE "TOWNSHIP SUBSTITUTE CALL LIST"

WHEREAS, a resolution was passed on February 10, 2015 establishing a "Township Substitute Call List"; and

WHEREAS, the Township Clerk recommended that the candidates placed on the "Township Substitute Call List" are to be utilized on an as needed basis, at an hourly rate of \$14.50 per hour, not to exceed 29 hours per week, effective February 11, 2015; and

WHEREAS, the Township Clerk recommends that Brianne Crossen be added to the "Township Substitute Call List".

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 Township Clerk is hereby accepted and approved.

9. RESOLUTION AMENDING APRIL 14, 2015 RESOLUTION APPOINTING STEPHEN BEARSE TO THE ECONOMIC & BUSINESS DEVELOPMENT COMMISSION

WHEREAS, the Township Committee adopted a Resolution on (insert date) appointing Stephen Bearse to Seat #2 of the Economic & Business Development Commission for an unexpired 4-year term ending 12/31/15; and

WHEREAS, the (insert date) Resolution needs to be amended to correct the spelling of "Steven" Bearse to "Stephen" Bearse; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the (insert date) Resolution appointing Stephen Bearse to Seat #2 of the Economic & Business Development Commission for an unexpired 4 year term ending 12/31/15 be amended to correct the spelling of "Steven" Bearse to "Stephen" Bearse.

10. RESOLUTION AUTHORIZING THE SUBMISSION OF THE HILLSBOROUGH TOWNSHIP 2014 RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, C. 102, established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey hereby endorses the submission of the 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Dr. Glen Belnay to ensure that the application is timely and properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

11. RESOLUTION AUTHORIZING THE MAYOR & TOWNSHIP CLERK TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF SOMERSET TO ADOPT THE JUNE 6, 2011 DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, PROTOCOL FOR PROCESSING AND ISSUING ID CARDS FOR FIRST-RESPONDERS

WHEREAS, the State of New Jersey has established certain formal credentialing standards for the issuance of State Standard Credential Cards (“Credentialing Guideline”); and

WHEREAS, the State through the Office of the Attorney General has amended its credentialing guidelines to allow for issuance of County and Local First Responder Credentialing Standard Cards; and

WHEREAS, the County credentialing card may be used by county and local jurisdictions subject to certain criteria required as a condition for continued receipt of federal funding of county and local credentialing programs; and

WHEREAS, the County may issue such cards as appropriate to first responders in accordance with the Credentialing Guidelines, such cards to be used in accordance with the State protocol for processing and issuing ID Credentialing Card and the State ID Card Application Form; and

WHEREAS, the County and Local First Responder Credentialing Standard Card may only be issued to police, fire, hazmat, rescue, EMS, health, office of emergency management, and public works personnel; and

WHEREAS the Department of Law and Public Safety, Office of the Attorney General has drafted a “Protocol for Processing and Issuing ID Cards” providing guidelines for compliance with these policies, such guidelines setting forth procedures by which the County may comply with the Report on the State of New Jersey Credentialing Standard and the Requirements as most recently amended and updated by the Attorney General effective June 6, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the attached Memorandum of Understanding between the Township of Hillsborough and Somerset County is hereby approved and the Mayor and the Township Clerk are authorized to execute said Memorandum of Understanding.

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

CLAIMS LISTS

Mayor Tomson presented Claims Lists 2015-09.

Upon motion by Deputy Mayor Burchette, seconded by Committeeman DelCore, Claims List 2015-09 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. *Litigation:*
 - i. *Affordable Housing*
 - ii. *206 Holdings v. Hillsborough Township*
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 Committeeman Suraci, the aforesaid resolution was unanimously approved upon call of the roll.

Upon motion by Committeeman Suraci, seconded by Committeewoman McCauley, the public meeting was reopened at 9:33 p.m.

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman DelCore the meeting duly adjourned at 9:36 p.m. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk