

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

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. November 10, 2015.

APPROVAL OF MINUTES

- *Approval of the June 16, 2015 Executive Session Meeting Minutes*

Upon a motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the minutes of the June 16, 2015 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 congratulated Deputy Mayor Burchette and Committeeman Suraci on their re-election.

Committeeman DelCore noted that the Childrens Halloween party and the First Annual Howl-O-Ween Dog Parade were both a big success. There were nearly 300 children that participated at the Halloween Party and over 40 dogs marched in the dog parade and costume contest.

Committeeman DelCore stated that the Winter Recreation brochure will be coming out soon, so be sure to check e-news or the website for the complete listing of all the upcoming programs.

Committeeman DelCore noted that Friday, December 4th will be the Annual Christmas Tree Lighting and on Sunday, December 6th the Chabad Center for Jewish Life will sponsor the Menorah Lighting with a reception following in the multi purpose room. Additional details for both events will be released shortly.

Committeewoman McCauley

Committeewoman McCauley stated that the Somerset County Commission on the Status of Women is seeking nominations for the 2016 Outstanding Women in Somerset County awards program. Nominations must be received by December 31, 2015.

Committeewoman McCauley noted that the Somerset County Sheriff's Office is hosting a Medication Drop-off on November 14th as Part of the American Medicine Chest Challenge. Expired, unused or unwanted medications can be disposed on Saturday, November 14th, at the American Medicine Chest Challenge (AMCC) drop-off at the Somerset County Sheriff's Office, located in the County Administration building at 20 Grove St.

Committeewoman McCauley stated that there is also a permanent drop-off receptacle located at Police Headquarters here in Hillsborough Township for convenient and proper medication disposal.

Committeewoman McCauley congratulated both Deputy Mayor Burchette and Committeeman Suraci on their re-election.

Deputy Mayor Burchette

Deputy Mayor Burchette noted that tomorrow evening at 6:30 at the Garden of Honor as the Township hosts the annual Veterans Day Ceremony out at the Garden of Honor. Coffee and cake will be served in the multi-purpose room immediately following the ceremony.

Deputy Mayor Burchette stated that the Department of Public Works reminds Hillsborough residents that the 2015 Leaf Pick Up and Drop Off Program began Monday, November 2nd. This free program runs through December, weather permitting. Residents are reminded not to rake leaves into the roadway. For more information and details, please visit the Hillsborough Township Department of Public Works website and look for 2015 Leaf Pick Up and Drop Off Flyer or call the office at 908-369-3950.

Deputy Mayor Burchette noted that Operation Shoebox which is hosted by the Rotary Club of Hillsborough will be having a Christmas Packing Event to benefit our soldiers overseas who cannot come home for the holidays. They are hoping to pack their 100,000th box on Saturday, December 5th from 10am until 2pm at the Hillsborough Family YMCA.

Mayor Tomson

Mayor Tomson congratulated Deputy Mayor Burchette and Committeeman Suraci on their re-election.

Mayor Tomson also congratulated Brett Cooper, Dana Boguszewski and Deena Centofanti who were all elected to three year terms on the Board of Education.

Mayor Tomson noted that he was able to attend the Camp DeWitt Ground Breaking Ceremony for their new campsite. The main building burnt down in 2014. Mayor Tomson said a ribbon cutting will hopefully take place next summer.

Mayor Tomson noted that December 11th is the Hillsborough Township New Jersey Devils' My Town Series Hockey Game. The Hillsborough High School Marching Band will be performing on the main concourse. Tickets are available at newjerseydevils.com/Hillsborough and the special code is MyTownHills.

PROCLAMATIONS

- ***Proclamation honoring Eagle Scout TJ Harkins***

WHEREAS, TJ Harkins, a student at the Hillsborough Middle School, and a member of Boy Scout Troop 1776, recently earned the status of Eagle Scout; and

WHEREAS, TJ is the youngest scout in Troop 1776 to earn this rank; and

WHEREAS, we the Township Committee of the Township of Hillsborough recognize the many hours TJ has devoted to attaining the status of Eagle Scout, working with diligence and making sacrifices in order to achieve this highly coveted position; and

WHEREAS, TJ's Eagle Scout Project involved building a Gaga Pit on the grounds of Hillsborough Elementary School, and in addition he built four benches around the pit for the lunch aides, teachers, and students to enjoy while watching the games; and

WHEREAS, TJ started playing Gaga at the YMCA at a very young age, and since he was a Cub Scout in third grade he knew that building a pit for his grammar school was what he wanted to do for his Eagle Scout project; and

WHEREAS, TJ earned the highest rank, Arrow of Light as a Cub Scout with Pack 89, and as a Boy Scout he held various leadership positions including Den Chief, First Aid Trainer, and Assistant Senior Patrol Leader of Service; and

WHEREAS, TJ is a member of Hillsborough Middle School Boys Cross Country team, Somerset Valley YMCA's Swim Team, and is a Junior Coach in both swimming and running.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby recognize and extend our sincere congratulations to TJ Harkins for having achieved the status of Eagle Scout, an honor for both him and for those who have guided him, with best wishes for a bright future.

BE IT FURTHER PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, thank all the members of the Boy Scouts of America, both past and present for their continued dedication and support within our community.

- ***Proclamation honoring the Youth Corp Team***

WHEREAS, the New Jersey Youth Corps of Middlesex provided municipal support to the Hillsborough Township Municipal Complex, by volunteering their services to the Department of Parks and Recreation assisting with litter clean-up, recycling, graffiti clean-up, painting and beautifying the grounds of the Township; and

WHEREAS, the New Jersey Youth Corps of Middlesex worked to enhance the landscaping surrounding the Hillsborough Township Municipal Complex with plantings and by spreading mulch at our local parks; and

WHEREAS, the New Jersey Youth Corps of Middlesex made improvements at local playgrounds in Hillsborough Township; and

WHEREAS, the New Jersey Youth Corps of Middlesex is comprised of the following young Corpsmembers: Sharif Austin, Larry Arrington, La'Quan Bass, Andy DeJesus, Kyle Winkey, Q'uron Hoagland, Nasir Smith, Ja'

Mira Evans, Elaysia Brown, Jeldi Castillo, Walter Velazquez, William Bravo, Ty Dawson, Tiffany Baker, Amari Madkins, Corelle Abrams, and Idania Galindo; and

WHEREAS, *the New Jersey Youth Corps of Middlesex Corpsmembers are led by Crew Leader, Kevin Fassett; and*

WHEREAS, *the New Jersey Youth Corps of Middlesex was established in 1985 by the New Jersey State Legislature; and*

WHEREAS, *the New Jersey Youth Corps of Middlesex operates at twelve locations around the state; and*

WHEREAS, *the New Jersey Youth Corps of Middlesex emphasizes education and work experience as the keys to preparing an individual to be a contributing member of society.*

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 New Jersey Youth Corps of Middlesex, by helping to make our community a better place.*

BE IT FURTHER PROCLAIMED *that we, the Mayor and the Township Committee, further commend the New Jersey Youth Corps of Middlesex for their dedication to our community through their many achievements.*

- **Proclamation honoring Corporal David Fisher for his act of life saving heroism**

WHEREAS, *Corporal David Fisher, is a Police Officer with the Hillsborough Township Police Department; and*

WHEREAS, *on January 13, 1993 Corporal Fisher began his career with the Hillsborough Township Police Department in the Patrol Division through August 30, 1998; and*

WHEREAS, *Corporal Fisher served in the Investigative Division from August 31, 1998 through April 30, 2000; and*

WHEREAS, *Corporal Fisher served in the Patrol Division beginning May 1, 2000 and was appointed Corporal on April 1, 2007 and currently serves in that position; and*

WHEREAS, *on October 12, 2015 the heroic actions of Corporal David Fisher and his daughter were quick and decisive when coming upon a traffic accident in Raritan Township; and*

WHEREAS, *Corporal Fisher pulled the front seat passenger from a burning vehicle while his daughter dialed 911; and*

WHEREAS, *if it were not for the heroic actions of Corporal Fisher and his daughter, the outcome of this crash may have been significantly different; and*

WHEREAS, *Corporal Fisher has received many commendations from the Hillsborough Township Police Department recognizing him for his excellent work and dedication to serving the community; and*

WHEREAS, *Corporal Fisher's knowledge, judgement, and heroism are a testament to Hillsborough Township's Police Department being recognized as "The Best of the Best".*

NOW, THEREFORE, BE IT PROCLAIMED, *that we, the Mayor and the Township Committee of the Township of Hillsborough hereby express our gratitude for Corporal Fisher's act of heroism and dedication to his community and to all of those around him.*

BE IT FURTHER PROCLAIMED, *that we the Mayor and Township Committee of the Township of Hillsborough, along with the Hillsborough Township Police Department, and the citizens of Hillsborough Township, thank Corporal Fisher for his dedication to all citizens.*

CONSIDERATIONS

1. RESOLUTION TO HIRE BRIAN S. HOLLENBACH AND CARLY K. VALENTINO AS POLICE OFFICERS IN THE HILLSBOROUGH TOWNSHIP POLICE DEPARTMENT

WHEREAS, *there exists two (2) vacancies in the position of Police Officer in the Hillsborough Township Police Department; and*

WHEREAS, the Chief of Police and the Police Committee have conducted a detailed examination of the top candidates; and

WHEREAS, the Chief of Police recommends that Brian S. Hollenbach and Carly K. Valentino be hired as Police Officers in the Hillsborough Township Police Department at an annual salary of \$40,293.00, effective on November 16, 2015.

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

Mayor Tomson stated that vacancies exist within the Police Department. The Police Department conducted a detailed examination and interview process. The above mentioned individuals were recommended by the Chief of Police to fill the vacancies of Police Officer in the Police Department. This resolution authorizes that hiring.

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

- *Swearing in of Brian S. Hollenbach and Carly K. Valentino as Police Officers in the Hillsborough Township Police Department*

Mayor Tomson administered the Oath of Office to Brian S. Hollenbach and Carly K. Valentino.

PRESENTATIONS

- *Cancer Callout Presentation*

Officer, John Dapkins thanked Hillsborough Township and the many others involved in helping make the Cancer Callout a huge success. The event is run by the Somerset County SWAT Team and is designed to assist families every year who are in need of assistance due to their battle with Cancer and or other life threatening illnesses. Information about the organization can be found at www.cancercallout.com

NEW BUSINESS

- *None*

Mayor Tomson stated that at the last Township Committee meeting he requested that Mr. Willard look into the issue as to whether the Township Committee had jurisdiction or authority to reverse or grant a 6 month moratorium pertaining to the Hillsborough Preservation Commission's decision regarding the demolition of the Duke Farms main residence.

Township Attorney Bill Willard stated that the Township Committee and the Doris Group have asked him to see if the Township Committee has any jurisdiction in reversing the demolition decision of the Doris Duke Mansion. Attorney Willard researched Township ordinances and statutes, and was not able to find that the Township Committee has any authority over the demolition decision. Attorney Willard noted that the Doris Group has now made an appeal with the Board of Adjustment. This matter now rests with the Board of Adjustment. Attorney Willard stated that any discussions on this matter now need to go through the Board of Adjustment.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

John Anderson of JCP&L 147 Rt. 31 S Flemington stated that Tuesday, November 17th at Raritan Valley Community College there will be a PSI program orientation. This is a Line school for lineworkers and substation worker candidates. It is a full 2 year commitment.

Mayor Tomson thanked Mr. Anderson and JCP&L for all of their hard work over the years in the Township of Hillsborough.

PUBLIC HEARINGS

ORDINANCE 2015-20 AN ORDINANCE AUTHORIZING THE SALE OF A PORTION OF BLOCK142.02, LOT 18 TO NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROADWAY PURPOSES AND AUTHORIZING GRANTING OF UTILITY AND SLOPE EASEMENTS

WHEREAS, the Township of Hillsborough is the owner of the property shown as Block 142.02, Lot 18 on the tax map of the Township of Hillsborough ("Property"); and

WHEREAS, the Property is located at the corner of U.S. Route 206 and Park Avenue and consists of less than .145 acres; and

WHEREAS, the Property was acquired by the Township via tax sale foreclosure; and

WHEREAS, by Ordinance 2005-05 the Township authorized the sale of the Property to Lorisa Realty, Inc., with certain conditions, including the transfer of a portion of the Property to the State of New Jersey Department of Transportation ("NJDOT") for right of way purposes; and

WHEREAS, due to complications which arose from the proposed right of way transfer to the NJDOT the sale of the Property to Lorisa Realty and the transfer to the NJDOT of the Right of Way never occurred; and

WHEREAS, the issues have now been addressed and the NJDOT has presented an offer to purchase a portion of the Township's Property and Utility and Slope Easements; and

WHEREAS, the property to be purchased and the Utility and Slope Easements are detailed on a Parcel Map created by NJDOT for Parcel number 171A and AE171B, dated October 1999; and

WHEREAS, NJDOT commissioned an appraisal of the property proposed for purchase, by George A. Copeland, Jr., which values the portion of the Property to be purchased along with the Easements required at \$6,600; and

WHEREAS, the Property has not been used nor is it needed for Township purposes, yet the Township's Department of Public Works must expend resources to maintain the Property; and

WHEREAS, the Municipal Land Use Law does not require a subdivision for a transfer of land from one government entity to another, further the NJDOT is an arm of the state with eminent domain powers and is not subject to municipal land use regulations; and

WHEREAS, any improvements to state roadways, such as U.S. Route 206 that traverse the Township advance the health and safety of all of the residents of the Township; and

WHEREAS, the NJDOT under its eminent domain powers seeks to acquire the Township Property and rights detailed on the Parcel Map and the Township and the NJDOT have reached an agreement on this transfer which will avoid the expense of proceeding to condemnation; and

WHEREAS, the Township Committee is of the opinion that the offer to purchase provided by NJDOT is fair and the future improvements to US Route 206 will benefit the Township; and

WHEREAS, the Township is desirous of selling the portions of its Property detailed in the NJDOT Parcel Map 171A and AE171B, dated October 1999 along with the Utility and Slope Easements to NJDOT for future roadway improvements per the conditions contained herein.

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

1. The portions of the Property and Utility and Slope Easements detailed on Parcel Map 171A and AE171B, dated October 1999, be sold to the New Jersey Department of Transportation for the sum of \$6,600.
2. The Township Attorney is hereby authorized to review and prepare the necessary documents to convey the Property and Easements and to attend the closing.

3. The Mayor and Clerk are hereby authorized to sign the Offer of Purchase, Payment Voucher and the necessary eminent domain and closing documents required to transfer the Property and Easements.
4. The Property was obtained by the Township via tax sale foreclosure and is sold "as is".
5. This Ordinance supersedes and repeals Ordinance 2005-05.
6. This Ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor Tomson stated that the Township acquired a piece of property along Route 206 South by way of tax sale foreclosure. The Township has no need for said parcel.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman Mc Cauley, to open the public hearing, the resolution was unanimously approved upon call of the role.

Township Attorney Bill Willard stated that when Hillsborough Township first acquired this property it was known as Block 142A Lot 18. The Tax Assessor has notified him that it is now known as Block 142.02, please note this on the Ordinance.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the Public Hearing Ordinance 2015-20 was adopted.

INTRODUCTION OF NEW ORDINANCES

ORDINANCE 2015-21 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 \$58,000.00, IN AND FOR THE TOWNSHIP OF HILLSBOROUGH FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON DECEMBER 15, 2015

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of \$58,000.00; 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.	Upgrades/Repairs at Municipal Complex	\$19,000.00
2.	Purchase of DPW Snow Removal Equipment	\$19,000.00
3.	Upgrade/Replace DPW Radios	<u>\$20,000.00</u>
	Total	<u><u>\$58,000.00</u></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.

Mayor Tomson stated that this ordinance provides necessary funding for upgrades, repairs and equipment purchases in the municipal building and the Department of Public Works.

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

ORDINANCE 2015-22 AN ORDINANCE AUTHORIZING ACCEPTANCE OF RIGHT OF WAY DEED FOR HILLSBOROUGH ROAD (BLOCK 204.04, Lot 24); RIGHT OF WAY DEED FOR SHELBURNE PLACE (BLOCK 204.04, LOT 24); DETENTION BASIN, DRAINAGE AND ACCESS EASEMENT (BLOCK 204.04, LOT 24.05); STORM SEWER EASEMENT (BLOCK 204.04, LOT 24.02); AND CONSERVATION EASEMENT (BLOCK 204.04, LOTS 24.04 AND 24.05) FROM MAAC DEVELOPMENT GROUP, INC. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON DECEMBER 15, 2015

WHEREAS, on April 2, 2015, MAAC Development Group, Inc., obtained from the Township of Hillsborough Planning Board Amended Preliminary and Final Major Subdivision approval for Applications #05-PB-01-MJ and #05-PB-02--MJF, memorialized by Resolutions dated June 4, 2015; and

WHEREAS, the Resolutions of approval require MAAC Development, Inc., to grant to the Township of Hillsborough the following Dedications and Easements attached hereto:

1. Right of Way Deed for a portion of Block 204.04, Lot 24 also known as Hillsborough Road;
2. Right of Way Deed for a portion of Block 204.04, Lot 24 also known as Shelburne Place;
3. Detention Basin, Drainage and Access Easement for a portion of Block 204.04, Lot 24.05;
4. Storm Sewer Easement for portions of Block 204.04, Lot 24.02;and
5. Conservation Easement for portions of Block 204.04, Lots 24.04 and 24.05.

WHEREAS, the Township Attorney for Hillsborough has reviewed the Dedications and Easements and finds them to be acceptable.

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 the acceptance of the above listed and attached Dedications and Easements.

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

Mayor Tomson stated that this ordinance allows the Township to accept various easements and rights of way as required conditions of the Planning Board approval. Local land and building law only allows a municipality to accept land or interests in land through the adoption of an ordinance. This has been reviewed and found acceptable by the Township Attorney.

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

CONSIDERATIONS

2. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY SAFETY FUND GRANT PROJECT

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 grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized to submit an electronic grant application identified as HSF-2015-Hillsborough Township-000014 to the New Jersey Department of Transportation on behalf of Hillsborough Township.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized to sign the grant agreement on behalf of Hillsborough Township and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mayor Tomson stated that Hillsborough Township has received grant funds from the New Jersey Department of Law and Public Safety Division of Highway Traffic Safety. This resolution requests the Director of Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2015 in the amount listed in the resolution.

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

3. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR AN AFFORDABLE HOUSING ADMINISTRATIVE AGENT FOR REHABILITATION PROGRAM TO CME ASSOCIATES FOR THE PERIOD NOVEMBER 16, 2015 THROUGH DECEMBER 31, 2016, FOR A LUMP SUM FEE OF \$1,500 PER UNIT OR EIGHT PERCENT (8%) OF THE TOTAL REHABILITATION CONTRACT UP TO A MAXIMUM OF \$4,000.00

PER UNIT, WHICHEVER IS GREATER, PLUS ADDITIONAL COSTS AS NEEDED PER THE HOURLY RATE SCHEDULE PROVIDED

WHEREAS, the Township of Hillsborough solicited proposals through the Fair and Open Process for an Affordable Housing Administrative Agent for Rehabilitation Programs and the following two (2) proposals were received:

CME Associates – a lump sum fee of \$1,500 per unit or eight percent (8%) of the total rehabilitation contract up to a maximum of \$4,000.00 per unit, whichever is greater, plus additional costs as needed per the hourly rate schedule provided

CGP&H, LLC – a base cost of not to exceed \$5,600 per unit, plus additional costs as needed per the hourly rate schedule provided

WHEREAS, both the Township Attorney and the Township Qualified Purchasing Agent have recommended that the Township enter into an agreement with CME Associates as Affordable Housing Administrative Agent for Rehabilitation Programs for the period November 16, 2015 through December 31, 2016, based on their proposal, which will ensure compliance with the applicable affordable housing requirements; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Mayor and the Township Clerk are hereby authorized to execute a contract for an Affordable Housing Administrative Agent for Rehabilitation Programs to CME Associates for the period November 16, 2015 through December 31, 2016, for a lump sum fee of \$1,500 per unit of eight percent (8%) of the total rehabilitation contract up to a maximum of \$4,000 per unit, whichever is greater, plus additional costs as needed per the hourly rate schedule provided.

Mayor Tomson stated that the Township solicited proposals for an Affordable Housing Administrative Agent for Rehabilitation Programs and received two proposals. This resolution authorizes a contract with CME Associates for said proposal. This resolution and the next one ensure the Township's continued compliance with the Affordable Housing requirements.

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

4. **RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR AN AFFORDABLE HOUSING ADMINISTRATIVE AGENT TO CME ASSOCIATES FOR THE PERIOD NOVEMBER 16, 2015 THROUGH DECEMBER 31, 2016, IN AN AMOUNT NOT TO EXCEED \$19,000.00**

WHEREAS, the Township of Hillsborough solicited proposals through the Fair and Open Process for an Affordable Housing Administrative Agent and the following two (2) proposals were received:

CME Associates	\$19,000.00
CGP&H, LLC	\$44,250.00

WHEREAS, both the Township Attorney and the Township Qualified Purchasing Agent have recommended that the Township enter into an agreement with CME Associates as Affordable Housing Administrative Agent in an amount not to exceed \$19,000.00 for the period November 16, 2015 through December 31, 2016, based on their proposal, which will ensure compliance with the applicable affordable housing requirements; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Mayor and the Township Clerk are hereby authorized to execute a contract for an Affordable Housing Administrative Agent to CME Associates for the period November 16, 2015 through December 31, 2016, in an amount not to exceed \$19,000.00.

Mayor Tomson stated that the Township solicited proposals on Affordable Housing Administrative Agent again, through the Fair and Open Process and received two proposals. This resolution authorizes a contract with CME Associates for said proposal.

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

5. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO CAMBRIA AUTOMOTIVE CO., INC. FOR TWO (2) 6-WHEEL DUMP TRUCKS WITH SNOWPLOWS AND SPREADERS, INCLUDING OPTION #1 FOR ONE VEHICLE IN AN AMOUNT NOT TO EXCEED \$438,912.00

WHEREAS, a notice of advertisement for bids and an Invitation to Bid were prepared and advertised on October 8, 2015; and

WHEREAS, sealed bids were opened and read on October 28, 2015 at 10:00 AM, which was the time and place as provided for in the Invitation to Bid entitled "The Acquisition of Two (2) 6-Wheel Dump Trucks with Snowplows and Spreaders" in accordance with the Local Public Contracts Law; and

WHEREAS, one (1) bids were received from the following vendor:

<u>Vendor</u>	<u>Amount</u>
Cambria Automotive Co., Inc.	\$208,509.00 base bid for 6-wheel dump truck with Snowplow and Spreader

\$230,403.00 base bid plus Option #1, for 6-wheel dump truck with Front Mounted Patrol Wing Plow System and Spreader

WHEREAS, the specifications provide that the award of the contract shall be made to the lowest responsible bidder for the bid; and

WHEREAS, pursuant to N.J.S.A. 40A:11-2(27) "The lowest responsible bidder is the one who conforms to all requirements of a specification and applicable statutory provisions"; and

WHEREAS, the Qualified Purchasing Agent has determined that the lowest responsible bidder is Cambria Automotive Co., Inc.; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer, said certification is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, the Mayor and Township Clerk are hereby authorized to execute a contract with Cambria Automotive Co., Inc. for Two (2) 6-Wheel Dump Trucks with Snowplows and Spreaders, including Option #1 for One Vehicle in an amount not to exceed \$438,912.00.

Mayor Tomson stated that these items have been previously approved through Capital ordinances. This resolution simply authorizes the contract to purchase said vehicles.

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

6. RESOLUTION APPROVING 2015 BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 allows for appropriation transfers during the last 2 months of a budget fiscal year when there is a need for these transfers; and

WHEREAS, there is a need to do appropriation transfers between appropriations in the 2015 Municipal Budget.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the Chief Finance Officer be authorized to make transfers between the following appropriations in the 2015 Budget:

TO:	Planning Board	S&W	720	28,000.00
	Snow Removal	OE	769	41,000.00

	Electric	OE	825	20,000.00
	Street Lighting	OE	826	68,000.00
	Water	OE	828	18,000.00
	Condo Services Act	OE	847	16,100.00
	TOTAL			191,100.00
FROM:	Engineering	OE	715	15,000.00
	Cultural Arts	OE	724	4,000.00
	Police	OE	745	25,000.00
	DPW Streets & Roads	OE	765	41,700.00
	DPW Motor Vehicles	S&W	767	12,000.00
	Landfill	OE	773	7,500.00
	Board of Health	OE	785	10,000.00
	Dog Census	S&W	788	4,400.00
	Wildlife Management	OE	789	1,500.00
	Gasoline	OE	833	40,000.00
	Diesel	OE	834	30,000.00
	TOTAL			191,100.00

Mayor Tomson stated that budget transfers are only permitted in the last 2 months of the fiscal year or in the first 3 months of the new fiscal year. This resolution transfers funds within budget line items to fund appropriations where we have incurred additional expenditures.

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

7. RESOLUTION AMENDING HILLSBOROUGH – MILLSTONE MUNICIPAL ALLIANCE SERVICES CONTRACT FOR JOHN MORELLO FOR PRESENTING THE DIRT ASSEMBLY EDUCATION PROGRAM TO THE HILLSBOROUGH HIGH SCHOOL

WHEREAS, the Hillsborough-Millstone Municipal Alliance presents various programs and activities throughout the year; and

WHEREAS, the Township Committee adopted a Resolution on October 13, 2015 for a service contract to be awarded to John Morello for presenting the DIRT assembly educational program to Hillsborough High School in an amount not to exceed \$3,000.00; and

WHEREAS, the amount of the service contract to be awarded to John Morello for presenting the DIRT assembly educational program to Hillsborough High school should have been in an amount not to exceed \$3,600.00; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer, said certification is attached to this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the amount of the service contract to be awarded to John Morello for presenting the DIRT assembly educational program to Hillsborough High school be amended to a total amount not to exceed \$3,600.00.

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

CONSENT

- 1. RESOLUTION APPROVING A REQUEST FROM JEFF FERNANDEZ CONSTRUCTION, LLC TO WORK FROM 10:00 P.M TO 5:00 AM STARTING ON WEDNESDAY, NOVEMBER 11 THROUGH THURSDAY, DECEMBER 31, 2015, AT THE POWERHOUSE GYM LOCATED AT 129 STRYKER LANE**

WHEREAS, a request has been received by Jeff Fernandez Construction, LLC for the ability to work from 10:00 p.m. to 5:00 a.m. starting Wednesday, November 11, 2015 through December 31, 2015; and

WHEREAS, the Township Code of the Township of Hillsborough prohibits construction work Monday through Friday between the hours of 8:00 p.m. and 7:00 a.m. and on Sundays; and

WHEREAS, the Township Administrator recommends granting relief to Jeff Fernandez Construction, LLC from the aforementioned Code and authorizing them to work from 10:00 p.m. to 5:00 a.m. starting Wednesday, November 11, 2015 through December 31, 2015; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the request from Jeff Fernandez Construction, LLC to work from 10:00 p.m. to 5:00 a.m. starting on Wednesday, November 11 through Thursday, December 31, 2015, at the Powerhouse Gym located at 129 Stryker Lane.

- 2. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY SAFETY FUND GRANT PROJECT**

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 grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized to submit an electronic grant application identified as HSF-2015-Hillsborough Township-000014 to the New Jersey Department of Transportation on behalf of Hillsborough Township.

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized to sign the grant agreement on behalf of Hillsborough Township and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

3. RESOLUTION WAIVING CONSTRUCTION PERMIT FEES FOR THE HUNTINGTON PARK HOMEOWNERS TO INSTALL FIREWALLS AND / OR OTHER FIRE STOPPING MEASURES

WHEREAS, the Huntington Park Homeowners have requested the Township waive the Construction Permit fees associated with the installation of firewalls and / or other fire stopping measures; and **WHEREAS**, the Township Committee would like to relieve the residents of the costs associated with the Construction Permit fees for the installation of firewalls and / or other fire stopping measures. **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Construction Permit fees pertaining to the residents of Huntington Park for the installation of firewalls and / or other fire stopping measures are hereby waived.

4. RESOLUTION AUTHORIZING THE TOWNSHIP QUALIFIED PURCHASING AGENT TO SOLICIT REQUESTS FOR PROPOSALS THROUGH THE FAIR AND OPEN SELECTION PROCESS FOR PROFESSIONAL SERVICES FOR 2016

WHEREAS, beginning January 1, 2006, all municipalities began operating under the “New Jersey Local Unit Pay to Play” law, Public Law 2004, Chapter 19 (N.J.S.A. 19:44A-20.4-5 et seq); and

WHEREAS, each municipality was subsequently required to choose a method for selection of professionals who will be paid \$17,500 or more during the course of a year; and

WHEREAS, the Hillsborough Township Committee has chosen the Fair and Open process for the selection of professionals, which requires the public solicitation on the Township’s website of a request for proposal from any interested party for the various professional services and the Township Committee intends to use the process again in 2016; and

WHEREAS, the Township Committee will seek proposals for the following positions:

- Township Attorney
- Labor Attorney
- Planning Board Attorney
- Board of Adjustment Attorney
- Bond Counsel
- Municipal Auditor
- Consulting Township Engineer and Planning Consulting Services
- Planning Board Engineer
- Planning Board Alternate Engineer
- Board of Adjustment Engineer

Board of Adjustment Alternate Engineer
Township Architect
Financial Advisor
Affordable Housing Planning Consultant
Special Counsel for Affordable Housing Matters
Engineering Inspection Services
Risk Management Consultant – JIF and Employee Benefits Management
Employee Assistance Program (March 1, 2016 through December 31, 2016)

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 is hereby authorized to solicit Requests for Proposals through the Fair and Open Selection Process for the above listed positions for 2016.

5. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$80.00

WHEREAS, there are refunds due from Recreation program fees; and

WHEREAS, the Chief Financial Officer has received proof of such refunds being due and payable.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Chief Financial Officer is hereby authorized to refund said amounts as detailed below, in a total amount of \$80.00.

6. RESOLUTION AUTHORIZING THE ACCEPTANCE OF PERFORMANCE BOND NO. PA1FSU0692697 FROM INTERNATIONAL FIDELITY INSURANCE COMPANY IN THE AMOUNT OF \$562,853.00 FOR COUNTRY CLASSICS – PHASE 4D

WHEREAS, a request has been received from Country Classics – Phase 4D for the acceptance of Performance Bond No. PA1FSU0692697 from International Fidelity Insurance Company in the amount of \$562,853.00; and

WHEREAS, the Assistant Township Engineer recommends that the Township Committee take action to accept the Performance Bond.

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.

7. RESOLUTION APPROVING THE REQUEST FROM RICHARD GROSSO LAND DEVELOPMENT FOR THE RELEASE OF ENGINEERING INSPECTION FEES IN THE AMOUNT OF \$2,663.64

WHEREAS, a request has been received from Richard Grosso Land Development for the release of engineering inspection fees; and

WHEREAS, the Assistant Township Engineer certifies that all work has been satisfactorily completed; and

WHEREAS, the Assistant Township Engineer recommends that the Township Committee take action to release \$2,663.64 engineering inspection fees to Richard Grosso Land Development.

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.

8. RESOLUTION AMENDING THE 2015 TOWNSHIP COMMITTEE MEETING SCHEDULE

BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the schedule of regular public meetings of the Township Committee to be held during 2015 is amended as follows:

**2015 TOWNSHIP COMMITTEE MEETINGS
AMENDMENT**

**7:30 P.M. – Regular Meetings
at the Hillsborough Municipal Complex
(TUESDAYS)**

DECEMBER

8th – cancelled and re-scheduled to the 15th at 7:30 pm

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that this meeting notice amendment shall be provided to and posted in two official newspapers within seven (7) days of its passing and shall be distributed according to law, with notice that official action may be taken.

9. RESOLUTION ACCEPTING THE RETIREMENT OF CHIEF PAUL A. KAMINSKY, EFFECTIVE FEBRUARY 1, 2016 AND CAPTAIN PAUL MERKLER, EFFECTIVE DECEMBER 31, 2015

WHEREAS, Paul A. Kaminsky has been a dedicated member of the Township of Hillsborough Police Department for more than twenty six years; and

WHEREAS, Chief Kaminsky will retire from the Police Department, effective February 1, 2016; and

WHEREAS, Paul Merkler has been a dedicated member of the Township of Hillsborough Police Department for more than twenty five years; and

WHEREAS, Captain Merkler will retire from the Police Department, effective December 31, 2015; and

WHEREAS, the Mayor and the Township Committee hereby expresses our gratitude for all the hard work Chief Kaminsky and Captain Merkler have done for the Township of Hillsborough and the community.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby accepts the retirement of Chief Kaminsky, effective February 1, 2016 and Captain Merkler, effective December 31, 2015.

10. RESOLUTION AUTHORIZING THE PROMOTION PROCESS FOR CHIEF, CAPTAIN AND LIEUTENANT

WHEREAS, there will be vacancies in the positions of Chief, Captain and Lieutenant in the Police Department due to the retirement of Chief of Police Paul Kaminsky, Captain Paul Merkler and the promotion of two Police Lieutenants to the positions of Chief of Police and Captain; and

WHEREAS, the Chief of Police has requested authorization to move forward with the Chief, Captain and Lieutenant promotional process in order to create a promotional list and to provide for a smooth transition of command upon his retirement; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that authorization is given to begin the promotion process for Chief, Captain and Lieutenant in the Police Department.

Mayor Tomson noted that Resolution #9 is accepting the resignations of both Chief Paul Kaminsky, and Captain Paul Merkler. Mayor Tomson acknowledged their years of service with the Hillsborough Police Department and their dedication to the township. There will be more time before they leave to wish them well.

Committeeman DelCore thanked both Chief Kaminsky and Captain Merkler for their many years of service and dedication noting that they will be missed.

Mayor Tomson stated that because of the dedication of both the Chief and Captain Hillsborough Township has been rated Best of the Best numerous times and being recognized twice as one of the 20 safest towns in NJ.

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

CLAIMS LISTS

Mayor Tomson asked to approve Claims Lists 2015-21.

Upon motion by Deputy Mayor Burchette, seconded by Committeewoman McCauley, the Claims List 2015-21 was unanimously approved upon call of the roll.

ADJOURNMENT

Upon motion by Committeewoman McCauley, seconded by Deputy Mayor Burchette, the meeting duly adjourned at 8:29 p.m. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk