

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 January 10, 2017.

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

Mayor Suraci advised that in accordance of section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975 that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on January 10, 2017.

SALUTE TO THE FLAG

APPROVAL OF MINUTES

- *Approval of the December 20, 2016 Regular Session Meeting Minutes*

Upon a motion by Deputy Mayor McCauley, seconded by Committeeman DelCore, the minutes of the December 20, 2016 Regular Session were approved upon the call of the roll.

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

Committeeman Burchette

Committeeman Burchette reminded residents that the Building Department offers evening hours on Tuesdays until 7 pm.

Committeeman Burchette said that the Engineering Department would like to inform the public that if they are in the process of constructing additions, pole barns, garages, etc. and they will be looking for a final inspection for certificate of occupancy, due to the time of the year with snow covered site grading, that the Engineering Department would require a cash escrow be submitted and temporary certificate of occupancy be issued until the spring season. Committeeman Burchette added that once the site work can be verified, the cash escrow can be returned and a permanent certificate of occupancy can be issued.

Committeeman DelCore

Committeeman DelCore reminded residents that Ordinance 143-21 prohibits parking on snow covered roads. Committeeman DelCore added that when snow is anticipated, use off street parking as an alternative as vehicles are subject to summonses and the potential of being towed at the owner's

expense. Committeeman DelCore said that it is necessary to have the streets accessible and free from vehicles parked on the side to allow for the plows to complete their work.

Committeeman DelCore added that these parking prohibitions shall remain in effect after the snow has ceased until the streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic. Committeeman DelCore also reminded residents that there are motor vehicle statutes that require all snow and ice to be cleared from a vehicle before operating said vehicle on the roadway. Committeeman DelCore said this is to avoid flying ice and snow, which can potentially cause visibility problems for other drivers.

Committeeman DelCore stated that snow should not be shoveled, thrown nor deposited in the roadway from sidewalks and driveways. Committeeman DelCore said that when clearing sidewalks and driveways, snow should be piled on the side of the driveway and not thrown in the street.

Committeeman DelCore also reminded residents to clear snow away from fire hydrants and that after a snowfall, please clear a 3 foot radius around fire hydrants near your home.

Committeeman DelCore stated that The Hillsborough Board of Fire Commissioners will hold their annual election on Saturday, February 18, 2017. Committeeman DelCore added that this year one commissioner will be elected to serve a three year term.

Committeeman DelCore said if an individual is interested in running they can obtain petitions from Fire Safety. Committeeman DelCore added that completed petitions are due back to fire safety by the close of business Friday, January 20th.

Committeeman DelCore stated that there has been some confusion recently over the "Thin Blue Line". Committeeman DelCore added that last year Hillsborough painted a "Thin Blue Line", in recognition of our Police force and the work and sacrifices our officers make, here at the municipal complex in the parking lot in the front of the building. Committeeman DelCore said there was concern from the US Highway Transportation Association as far as compliance issues related to the "Thin Blue Line" if they were painted on a major roadway. Committeeman DelCore added the Hillsborough painted the "Thin Blue Line" on municipal property at the parking lot. Committeeman DelCore stated that the non-compliance issue is not applicable to Hillsborough because of the location of the "Thin Blue Line".

Committeeman Tomson

Committeeman Tomson said that the Board of Health had their Reorg recently and he swore in Chair Dr. Schwirck and Vice Chair Bill Potter

Deputy Mayor McCauley

Deputy Mayor McCauley said that she attended the Robo Raiders Team 75 kickoff with Mayor Suraci. Deputy Mayor McCauley thanked the Robo Raiders for the invitation.

Deputy Mayor McCauley stated that the 2017 Dog Licenses are now available and the renewal notices have been mailed. Deputy Mayor McCauley advised that the cost is \$21 for spade/neutered and \$24 for nonspade/non-neutered dogs. Deputy Mayor McCauley added in order to be able to license your dog, their rabies vaccination must be valid through October 2017.

Deputy Mayor McCauley stated that there are 3 ways to renew the license - you may mail the renewal form with your check and the license will be mailed back to you, you can renew in person at the Tax Office, or you can use the online system on the Township website www.hillsborough-nj.org

Deputy Mayor McCauley advised that there will be a Free Rabies clinic for Cats and Dogs on Saturday, January 14th at the Hillsborough Department of Public Works, located at 21 East Mountain Road. Deputy Mayor McCauley said the clinic will run from 10 am until noon and there is no registration necessary. Deputy Mayor McCauley advised residents to please check the website before coming out to ensure that the clinic will be taking place.

Mayor Suraci

Mayor Suraci thanked the Chabad Center for Jewish Life for sponsoring the annual Menorah Lighting held last month here at the Complex.

Mayor Suraci also thanked the Robo Raiders Team 75 for inviting them to their kickoff event. He provided a summary of the event and of their upcoming season.

Mayor Suraci congratulated Freeholder Peter Palmer of Bernardsville who was named 2017 Director of the Somerset County Board of Chosen Freeholders at the board's annual reorganization meeting. Mayor Suraci added that Freeholder Patrick Scaglione of Bridgewater will serve as Deputy Director this year.

Mayor Suraci noted that Hillsborough Night at the New Jersey Devils is Sunday, February 12th. Mayor Suraci added that this will be our 3rd time participating in the My Town Series sponsored by the New Jersey Devils. Mayor Suraci noted that special ticket promotional pricing is available and to look for the flyer in Friday's e-newsletter.

PROCLAMATIONS/PRESENTATIONS/APPOINTMENTS

PROCLAMATIONS / APPOINTMENTS

- **Proclamation honoring Safe+Sound Somerset for serving people whose lives have been impacted by domestic abuse**

WHEREAS, Safe+Sound Somerset is the county's only non-profit organization exclusively dedicated to serving those whose lives have been impacted by domestic abuse; and

WHEREAS, Safe+Sound Somerset agency services include emergency shelter, 24-hour call and text hotline, transitional housing, legal advocacy, outreach counseling, community education and volunteer Domestic Violence Response Teams; and

WHEREAS, Safe+Sound Somerset has instituted the first 24 Hour TOLL FREE hotline to accept voice calls and text messages; and

WHEREAS, Safe+Sound Somerset has been serving people affected by domestic violence for over 37 years; and

WHEREAS, Safe+Sound Somerset has a mission to empower survivors of domestic abuse and engage the community to break the cycle of violence; and

WHEREAS, by reinventing and rebranding their image they have met the changing demands of the clientele they serve and helps better represent the programs and services they have to offer; and

WHEREAS, by re-inventing & re-branding their name from the Resource Center of Somerset to Safe+Sound Somerset they have successfully maintained pace with changing demands of the clientele they serve and help better represent the programs and services they have to offer; and

WHEREAS, the Somerset County Business Partnership recognized Safe+Sound Somerset with the Business Partnership's Economic Vitality Award for 2016.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and Township Committee, of the Township of Hillsborough, do hereby commend the efforts of Safe+Sound Somerset in aiding victims of domestic violence and helping improve the quality of life for the people in our community.

- **Proclamation honoring Christopher (John) Dombrowski for earning the status of Eagle Scout**

WHEREAS, Christopher (John) Dombrowski, a Senior at Hillsborough High School and a member of Boy Scout Troop 1776, has recently earned the status of Eagle Scout; and

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

WHEREAS, John has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, John's Eagle Scout Project consisted of installing an outdoor worship area at his family's church, Bridgewater United Methodist Church; and

WHEREAS, John built a fire pit with benches, two picnic tables and a large free standing cross; and

WHEREAS, John completed his project on schedule and the area has already been used for evening worship during the summer months; and

***WHEREAS**, John serves as an example to the youth of Hillsborough Township through his high level leadership and community service, and we are very proud that he is a member of our community.*

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

- **Proclamation honoring the Hillsborough High School Girls Cross Country Team**

***WHEREAS**, the Hillsborough High School Girls Cross Country Team had another very successful season due to their hard work and dedication; and*

***WHEREAS**, the Hillsborough High School Girls Cross Country Team consisted of Chloe Wong, Jenny Tavares, Natalie Tavares, Peri Bongiovanni, Kate Van Pelt, Diana Voronin and Brianna De la Cruz; and*

***WHEREAS**, the Hillsborough High School Girls Cross Country Team was led by Coach Refi, Coach Hicks and Coach Rudich; and*

***WHEREAS**, the Hillsborough High School Girls Cross Country Team were the champions of the Cherokee Challenge Invitational; and*

***WHEREAS**, the Hillsborough High School Girls Cross Country Team were the Central Jersey Group 4 State Sectional Champions; and*

***WHEREAS**, the Hillsborough High School Girls Cross Country Team qualified for the prestigious Meet of Champions and finished 7th in New Jersey.*

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

***BE IT FURTHER PROCLAIMED** that we, the Mayor and Hillsborough Township Committee, further commend the Hillsborough High School Girls Cross Country Team for the honor they have brought themselves, their team, and our community through their many achievements on and off the course.*

PRESENTATIONS

- None

CONSIDERATIONS

Mayor Suraci asked for the consent of the Committee to move on Consideration #1.

1. RESOLUTION AUTHORIZING THE HIRING OF THOMAS EDWARD STOUT TO FILL A VACANCY IN THE HILLSBOROUGH TOWNSHIP'S POLICE DEPARTMENT FOR THE ONE (1) FULL-TIME POSITION OF POLICE OFFICER AND TO BEGIN THE SERGEANT PROMOTIONAL PROCESS

WHEREAS, there exists a vacancy 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 Thomas Edward Stout be hired as Police Officer in the Hillsborough Township Police Department at an annual salary of \$47,624.00, effective on January 11, 2017; and

WHEREAS, there exist a vacancy for Sergeant in the Hillsborough Township Police Department; and

WHEREAS, the Police Chief is requesting to begin the Sergeant promotional process.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Police Chief is hereby authorized to hire Thomas Edward Stout as Police Officer and to begin the Sergeant promotional process.

Mayor Suraci stated that there remains a vacancy in the police department for the position of police officer. Mayor Suraci also stated that there is a vacancy in the position of Sergeant. Mayor Suraci added that this resolution addresses those vacancies.

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

Mayor Suraci swore in Office Stout who was joined by his family, Chief Powell, Committeeman DelCore and Committeeman Burchette.

NEW BUSINESS

- *None*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- *None*

PUBLIC HEARINGS

- *None*

INTRODUCTION OF NEW ORDINANCES

2017-01 ORDINANCE AMENDING CHAPTER 255 “SOLID WASTE” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH WITH THE ADDITION OF ARTICLE III “PROOF OF SOLID WASTE COLLECTION SERVICE”

Mayor Suraci stated that further consideration of this ordinance and public hearing will be held on February 14, 2017.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 255 “Solid Waste” of the Code of the Township of Hillsborough is hereby amended with the addition of Article III “Proof Of Solid Waste Collection Service” as follows:

Section 1. Article III. Proof Of Waste Collection Service.

§255-19. Definitions.

As used in this article the following terms shall have the meanings indicated.

Proof of Collection Service

A written record, log, bill or document evidencing receipt of service for the collection of solid waste for the preceding month from a person lawfully engaging in private solid waste collection services within the Township or receipts from a solid waste facility evidencing that a responsible solid waste generator has transported his solid waste directly to that facility for disposal.

Regular Solid Waste Collection Service

The scheduled pickup and removal of solid waste from residential, commercial or institutional premises located within the boundaries of the Township at least once a week.

Responsible Solid Waste Generator

Any property owner, tenant or occupant of any single-family residential dwelling or multiple dwelling or the owner of any commercial or institutional building or structure located within the boundaries of the Township who generates solid waste at those premises.

Solid Waste

Garbage, refuse and other discarded materials resulting from industrial, commercial and agricultural operations and from domestic and community activities, and shall include all other waste materials including liquids, except for solid animal and vegetable wastes collected by swine producers licensed by the State Department of Agriculture to collect, prepare and feed such wastes to swine to their own farms.

Solid Waste Collection

The activity related to pickup and transportation of solid waste from its source or location to a solid waste facility or other destination.

Solid Waste Container

A receptacle, container or bag suitable for the depositing of solid waste.

Solid Waste Disposal

The storage, treatment, utilization, processing or final disposal of solid waste.

Solid Waste Facilities

The plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by any person, including transfer stations, incinerators, resource recovery facilities, sanitary landfill facilities or other plants for the disposal of solid waste, and all vehicles, equipment and other real and personal property and rights therein and appurtenances necessary or useful and convenient for the collection or disposal of solid waste in a sanitary manner.

§ 255-20. Proof Of Solid Waste Collection Service.

- A. In the case of single-family residential housing, each responsible solid waste generator shall, in those instances where a solid waste collection system is not otherwise provided for by the Township, enter into a contract for regular solid waste collection service with any person lawfully providing private solid waste collection services within the Township. This requirement shall not apply in those instances where the responsible solid waste generator is transporting the solid waste which is generated at the residential premises directly to the solid waste facility utilized by the Township for disposal.
- B. In the case of multi-family residential housing, the responsible solid waste generator shall, in those instances where a solid waste collection system is not otherwise provided for by the Township, enter into a contract for regular solid waste collection service with any person lawfully providing private solid waste collection services within the Township. This requirement shall not apply in those instances where the responsible solid waste generator is transporting the solid waste which is generated at the residential premises directly to the solid waste facility utilized by the Township for disposal. It shall be the responsibility of the owner of a multiple dwelling to provide a sufficient number of appropriate solid waste containers for the deposit of non recyclable waste materials to be disposed of as solid waste.
- C. In the case of any commercial or institutional building or structure located within the boundaries of the Township, the responsible solid waste generator shall, in those instances where regular solid waste collection services are not otherwise provided for, enter into a contract with any person lawfully providing private solid waste collection services within the Township.
- D. Each responsible solid waste generator within the Township who is transporting the solid waste which is generated at his or her residential premises directly to the solid waste facility utilized by the Township for disposal shall furnish proof of collection service to the Township at least once every 12 months. In order to fulfill the requirements of this section, the responsible solid waste generator may include the proof of collection service with the municipal tax payment mailed to the Township Tax Collector.

§ 255-21. Notification To Solid Waste Generators.

The Township shall, within six months of the effective date of this article and at least once every six months thereafter, notify all responsible solid waste generators of the requirements of this article. This notification shall be provided by posting a notice within the Municipal Building where public notices are customarily posted and publishing such notice on the Township website.

§ 255-22. Solid Waste Collectors To Provide Solid Waste Generators With Opportunity To Contract For Regular Service.

Every solid waste collector engaging in private solid waste collection services within the Township who is registered pursuant to N.J.S.A. 13:1E-4 and N.J.S.A. 13:1E-5 and holds a certificate of public convenience and necessity pursuant to N.J.S.A. 48:13A-6 and N.J.S.A. 48:13A-9 shall provide all responsible solid waste generators with the opportunity to contract for, on an individual basis, regular solid waste collection services.

§ 255-23. Solid Waste Facilities To Provide Weekly Hours For Direct Transport Of Solid Waste From Residential Premises.

The owner or operator of a solid waste facility utilized by the Township shall establish weekly hours during which individuals may directly transport the solid waste generated at their residential premises for disposal at the solid waste facility. The owner or operator of such solid waste facility shall establish an equitable rate schedule for individual solid waste disposal by citizens on a per pound basis.

§ 255-24. Solid Waste Collection Service Hours.

Pursuant to N.J.S.A. 40:66-1.6 and N.J.S.A. 40:66-5.1, regular solid waste collection service for residential housing within the Township shall be performed between the hours of 5 a.m. and 10 p.m. in order to preserve the peace and quiet in neighborhoods during the hours when most residents are asleep.

§ 255-25. Violations And Penalties.

Any responsible solid waste generator, solid waste collector, solid waste facility or other individual who violates or fails to comply with the provisions of this article shall be subject to a fine of up to \$2,000 or imprisonment for a term of not more than 90 days, or both. A separate and distinct offense shall be deemed committed each day a violation or failure to comply with the provisions of this article occurs.

§ 255-26. Notification Of New Jersey Department Of Environmental Protection.

Pursuant to N.J.S.A. 40:66-5.2(c), the Township Clerk is directed to forward a copy of this ordinance by certified mail to the New Jersey Department of Environmental Protection.

§ 255-27. Notification To Solid Waste Facilities.

Pursuant to N.J.S.A. 40:66-5.2(e), the Township Clerk is directed to forward a copy of this ordinance by certified mail to the owner or operator of every solid waste facility utilized by the Township

Section 2. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law.

Section 3. All other ordinances or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.

Section 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 5. This Ordinance shall take effect immediately upon final adoption and publication according to law.

Mayor Suraci said as indicated last year when this ordinance was originally introduced, the Township has been in receipt of complaints from residents within the Township that there have been solid waste companies making pickups as early as 4 am. Mayor Suraci added that based on feedback obtained by our Health Officer and Township Administrator this ordinance will limit the times for pickup in residential areas to between the hours of 5 am and 10 pm.

Dr. Glen Belnay, Hillsborough Health Officer stated that this ordinance reflects a consensus of the waste hauling community allowing for two cycles of collection each day and allows them to make it to the transfer station in a timely fashion, as a result of a meeting with collectors.

Administrator Ferrera thanked Dr. Belnay for hosting the meeting and thanked the Township Committee for tabling the ordinance last year in order to make the right decision moving forward.

Upon motion by Deputy Mayor McCauley, seconded by Committeeman Tomson, to introduce the ordinance, the motion was unanimously approved upon call of the role.

CONSIDERATIONS

2. RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY IN CONSULTATION WITH THE TAX ASSESSOR TO TAKE ACTIONS DEEMED NECESSARY AND IN THE BEST INTERESTS OF THE TOWNSHIP OF HILLSBOROUGH PERTAINING TO TAX APPEALS

WHEREAS, due to the nature and time constraints of the County Tax Board Appeal process, the Township Committee finds it to be in the best interests of the Township to authorize the Township Attorney in consultation with the Tax Assessor to file with the Somerset County Tax Board all pleadings and counterclaims deemed necessary and in the best interests of the Township and to revise and correct assessments and settle such tax appeals on behalf of the Township of Hillsborough; and

WHEREAS, due to the nature and time constraints of the pleading process at the State of New Jersey Tax Court, the Township Committee further finds it to be in the best interests of the Township to authorize the Township Attorney in consultation with the Tax Assessor to file with the State of New Jersey Tax Court all pleadings and counterclaims deemed necessary and in the best interests of the Township of Hillsborough.

NOW, THEREFORE, BE IT RESOLVED by the Hillsborough Township Committee, County of

Somerset, State of New Jersey, as follows:

1. The Township Attorney in consultation with the Tax Assessor is hereby authorized to file with the Somerset County Tax Board all pleadings and counterclaims deemed necessary and in the best interests of the Township and to revise and correct assessments and settle such tax appeals on behalf of the Township of Hillsborough.
2. The Township Attorney in consultation with the Tax Assessor is hereby authorized to file with the State of New Jersey Tax Court all pleadings deemed necessary and in the best interests of the Township of Hillsborough.

Mayor Suraci said that state regulations require the Township to authorize the Tax Appeal Attorney, in consultation with the Tax Assessor to file or settle tax appeals. Mayor Suraci stated that on an annual basis the County Board of Taxation requires a resolution be passed by the governing body from each taxing district authorizing the Township Attorney to file appeals on behalf of the district and only after consulting with the Township Tax Assessor. Mayor Suraci added that this resolution fulfills that requirement.

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

3. RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF ONE (1) 2017 F-450 MASON DUMP TRUCK WITH SALT SPREADER AND SNOW PLOW FROM BEYER FORD IN AN AMOUNT NOT TO EXCEED \$69,615.50 THROUGH NEW JERSEY STATE CONTRACT #A88214

WHEREAS, the Township of Hillsborough Department of Public Works has requested authorization to purchase one (1) 2017 F-450 Mason Dump Truck with Salt Spreader and Snow Plow; and

WHEREAS, the Director of Public Works and the Township Qualified Purchasing Agent recommend the purchase of this equipment from Beyer Ford through New Jersey State Contract #A88214 in an amount not to exceed \$69,615.50; 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 hereby ratifies and confirms the purchase of one (1) 2017 Ford F-450 Mason Dump Truck with Salt Spreader and Snow Plow from Beyer Ford in an amount not to exceed \$69,615.50 through State Contract #A88214.

Mayor Suraci stated this resolution authorizes the purchase of a dump truck for DPW through the 2016 budget.

Committeeman Burchette commented that the piece of equipment desperately needed replacing.

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

4. RESOLUTION RATIFYING AND CONFIRMING THE PURCHASE OF A VIDEOCONFERENCING CART SYSTEM FROM TELE-MEASUREMENTS, INC. , IN AN AMOUNT NOT TO EXCEED \$12,780.85 THROUGH NEW JERSEY STATE CONTRACT #T1466

WHEREAS, the Hillsborough Township Municipal Court needs to purchase a Videoconferencing Cart System for the Court Room; and

WHEREAS, Court Administrator and the Township Qualified Purchasing Agent recommend the purchase of this equipment from Tele-Measurements, Inc. through New Jersey State Contract #T1466 in an amount not to exceed \$12,780.85; 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 hereby ratifies and confirms the purchase of a Videoconferencing Cart System in an amount not to exceed \$12,780.85 through New Jersey State Contract #T1466.

Mayor Suraci stated that this resolution authorizes the purchase of a video-conferencing system necessary for the shared municipal court for testimony of individuals who are unable to appear in court. (2016 budget)

Administrator Ferrera commented that the liability of the old equipment is not great and that he looks forward to using the Video Conferencing System in other areas down the road.

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

5. RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE COUNTY OF SOMERSET AND THE TOWNSHIP OF HILLSBOROUGH FOR RECYCLING PICK-UP JANUARY 1, 2017 - DECEMBER 31, 2017 AT A RATE OF \$23.85 PER HOUSEHOLD PER YEAR REPRESENTING NO INCREASE FOR SIXTEEN (16) CONSECUTIVE YEARS

WHEREAS, the County of Somerset entered into negotiations regarding an Agreement between the County of Somerset and each of the nineteen municipalities located within Somerset County for recycling pick-up; and

WHEREAS, the County of Somerset has agreed that the County fee shall be based upon the number of households within the Municipality as determined by the County Planning Board at the rate of \$23.85 per household per year; and

WHEREAS, the County of Somerset has determined that it is in the best interest of the County to execute an Agreement with each of the nineteen municipalities formulated as a result of negotiations; 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 it hereby authorizes the Mayor and Township Clerk to execute an Agreement for recycling pick up with the Township of Hillsborough, more particularly described in the Agreement prepared by the County Counsel and on file in the Office of the Clerk of the Board for the period January 1, 2017 to December 31, 2017.

Mayor Suraci said that through participation in the recycling program, we are assisting in reducing our landfill footprint which is good for our environment. Mayor Suraci reminded residents to visit the County website at www.co.somerset.nj.us for some great recycling tips.

Dr. Belnay, Recycling Coordinator, commented that Hillsborough does a wonderful job recycling and that he is glad the County still offers the service at the same low price.

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

6. RESOLUTION AUTHORIZING RIGHT OF WAY AGREEMENT BETWEEN THE TOWNSHIP OF HILLSBOROUGH AND SUNESYS, LLC

WHEREAS, Sunesys is a telecommunications service provider authorized by the New Jersey Board of Public Utilities to do business as a competitive local exchange company in the State of New Jersey; and

WHEREAS, Sunesys' primary business is the construction and leasing of dark fiber to other telecommunications carriers, enterprise customers, and corporations and the provision of wide area network services to educational, health and library systems; and

WHEREAS, Sunesys wishes to install fiber optic cable on existing utility poles and within existing underground conduit located within the public right-of-way along Opie Road, Falcon Road, Sunnymeade Road and Champlain Road within the Municipality; and

WHEREAS, Sunesys has entered into agreements with Verizon New Jersey, Inc., and Public Service Electric and Gas Company authorizing the installation of fiber optic cable on existing utility poles and within existing underground conduit located within the public right-of-way along Opie Road, Falcon Road, Sunnymeade Road and Champlain Road within the Municipality; and

WHEREAS, Sunesys seeks permission from the Municipality pursuant to N.J.S.A. 48:17-10 et. seq., to install fiber optic cable on existing utility poles and within existing underground conduit located within the public right-of-way along Opie Road, Falcon Road, Sunnymeade Road and Champlain Road within the Municipality pursuant to the Right of Way Agreement and Routing Plan attached hereto; and

WHEREAS, the Municipality is empowered to enter into this Right of Way Agreement pursuant to N.J.S.A. 48:17-10 through 48:17-12.

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 the attached Right of Way Agreement between the Township of Hillsborough and Sunesys, LLC.

Mayor Suraci said that this resolution authorizes the execution of an agreement with Sunesys for the installation of dark fiber cable within the public right of way.

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

7. MAYORAL APPOINTMENTS

Environmental Commission

Chairperson	(1-year term)	Deborah Boyea	12/31/17
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Planning Board

Alt. #1	(2-year term)	Ron Skobo	12/31/18
Alt. #2	(2-year unexpired term)	Sam Weinstein	12/31/17

8. TOWNSHIP COMMITTEE APPOINTMENTS

Sustainable Hillsborough Steering Committee

Chairman	(1-year term)	Dr. Chris Obropta	12/31/17
Alt. #1	(1-year term)	Roy Freiman	12/31/17

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

CONSENT AGENDA

1. RESOLUTION APPROVING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF HILLSBOROUGH AND SOMERSET COUNTY FOR COPY AND PRINT SERVICES

WHEREAS, the Township of Hillsborough is desirous of contracting with Somerset County for the provision of copy and print services; and

WHEREAS, the Uniform Shared Services & Consolidation Act (N.J.S.A. 40A:65-1 et seq) authorizes and empowers the County of Somerset and the Township of Hillsborough to enter into such agreement.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the attached Agreement between the Township of Hillsborough and the County of Somerset for the provision of copy and print services by the County to the Township is hereby approved and the Mayor and the Township Clerk are authorized to execute the Agreement.

2. RESOLUTION AUTHORIZING REDUCTION IN AMOUNT OF PERFORMANCE BOND NO. PAIFSU0692697 AND THE RELEASE OF A PORTION OF CASH BOND FOR COUNTRY CLASSICS PHASE 4D

WHEREAS, Country Classics IV, LLC, provided the Township with Performance Bond No. PAIFSU0692697 in the current amount of \$562,853.00 and a Cash Bond in the current amount \$62,539.00 for Country Classics Phase 4D; and

WHEREAS, Country Classics IV, LLC, requested a reduction in the amount of the posted Performance Bond and the return of a portion of the Cash Bond based on the status of the work performed; and

WHEREAS, the Assistant Township Engineer certifies that sufficient progress in the work at Country Classics Phase 4D has been made warranting a reduction in the posted Performance Bond and the return of a portion of the Cash Bond; and

WHEREAS, the Assistant Township Engineer recommends the Township Committee authorize a reduction in the current amount of Performance Bond No. PAIFSU0692697 from \$562,853.00 to \$312,126.00 (\$250,727.00 reduction) and the reduction of the current amount of the Cash Bond from \$62,539.00 to \$34,680.00 (\$27,859.00 reduction) for Country Classics Phase 4D.

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.

3. RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS OF \$5,514.95 FROM THE SUBDIVISION AND SITE PLAN ENGINEERING TRUST ACCOUNTS TO THE TREASURER'S ACCOUNT

WHEREAS, in accordance with the following summary of accrued Engineering charges related to various indicated projects, a total of \$5,514.95 should be transferred from Engineering inspection escrow accounts into the Treasurer's Account as indicated; and

WHEREAS, each of the project line items has been verified against the Treasurer's Office account records through January 3, 2017, to ensure that sufficient funds are available for these transfers of unanticipated revenues.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that a total of \$5,514.95 is to be transferred from the Engineering Escrow Accounts into the Treasurer's Account.

Client	Number	Transfer Amount
Country Classics – 4A	640	-844.40
Country Classics – 4C	612	-647.72
Country Classics – 4D	626	-104.85
Gateway@Sunnymeade	472	-398.62
Gateway Phase 5	614	-878.52
Gateway Phase 6	620	-209.70
Green Village	607	-52.42
MAAC Development	615	-860.22
RPM Dev/Westerling Place	637	-854.95
Senior Housing	636	-663.55
Grand Total		\$-5,514.95

4. **RESOLUTION APPOINTING SEAN CAROLAN, NICK SPECIALE, STEVEN ECKERT AND JOSEPH PASCHALL TO ONE (1) YEAR TERMS AS EMERGENCY MANAGEMENT Deputy COORDINATORS AND APPOINTING LUCY BUSH TO A ONE (1) YEAR TERM AS THE EMERGENCY MANAGEMENT ADMINISTRATIVE ASSISTANT EFFECTIVE JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 AND AUTHORIZING ANNUAL STIPENDS IN THE AMOUNT OF \$500.00 EACH**

WHEREAS, the Township Office of Emergency Management Coordinator recommends the appointment of Sean Carolan, Nick Speciale, Steven Eckert, and Joseph Paschall to one (1) year terms as Deputy Coordinators effective January 1, 2017 through December 31, 2017 and authorizing an annual stipend in the amount of \$500.00 each; and

WHEREAS, the Township Office of Emergency Coordinator recommends the appointment of Lucy Bush to a one (1) year term as Office of Emergency Management Administrative Assistant effective January 1, 2017 through December 31, 2017 and authorizing an annual stipend in the amount of \$500.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that: (1) Sean Carolan, Nick Speciale, Steven Eckert, and Joseph Paschall are appointed to one (1) year terms as Emergency Management Deputy Coordinators effective January 1, 2017 through December 31, 2017 with an annual stipend in the amount of \$500.00 to be paid to each for said service; and (2) Lucy Bush is appointed to a one (1) year term as Office of Emergency Management Administrative Assistant effective January 1, 2017 through December 31, 2017 with an annual stipend in the amount of \$500.00 to be paid to her for said service.

5. **RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$110.00**

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 \$110.00.

<u>Name</u>	<u>Amount</u>
Georgeanne Valis	\$110.00

6. RESOLUTION RATIFYING AND CONFIRMING THE REFUND OF TAX OVERPAYMENTS IN THE AMOUNT OF \$80,857.63
(total properties 40)

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, \$80,857.63, properties 40.

Block	Lot	Name	Amount	Qtr	Year
178	2	Bank of America	\$941.40	4	2016
178.02	195	Chen, Zhonghua & Jong Si	\$1454.26	4	2016
141	161	Connelly, Geraldine A	\$459.37	4	2106
153.14	1 C7916	Juhasz, Kristen	\$830.61	4	2016
182	47.06	Rhodes, Ronald Ray & Patricia	\$1940.80	4	2016
151.10	17	US Bank Home Mortgage	\$2508.23	4	2016
149.04	13	US Bank Home Mortgage	\$2750.97	4	2016
63	3	Valvano, Anthony F & Jayne M	\$250.00	4	2016
168	5.03 Qfarm	Watts, Leon Jr & Lori	\$11.64	4	2016
175.06	24	Wells Fargo	\$2849.54	4	2016
178.02	33	Wells Fargo	\$1413.87	4	2016
205.15	107	Wells Fargo	\$4192.86	4	2016
163.05	1.01 C1705	Wilson, Tamara	\$843.10	4	2016
12	1.07	CoreLogic	\$2349.11	4	2016
12	3.26	CoreLogic	\$5470.93	4	2016
34	8	CoreLogic	\$1869.51	4	2016
142.01	6	CoreLogic	\$2476.36	4	2016
149.14	35	CoreLogic	\$2335.05	4	2016
150.02	68	CoreLogic	\$3553.05	4	2016
150.02	70	CoreLogic	\$3589.63	4	2016
150.03	27	CoreLogic	\$2447.68	4	2016
153.07	68.01 C0200	CoreLogic	\$651.25	4	2016
153.08	68 C0288	CoreLogic	\$651.25	4	2016
153.13	1 C0980	CoreLogic	\$1049.55	4	2016

153.13	1	C1022	CoreLogic	\$1075.27	4	2016
153.15	1	C4308	CoreLogic	\$1274.91	4	2016
160	20		CoreLogic	\$1944.01	4	2016
162	25		CoreLogic	\$1390.09	4	2016
163.04	10		CoreLogic	\$1779.79	4	2016
163.04	100	C1901	CoreLogic	\$1129.41	4	2016
163.06	3	C1813	CoreLogic	\$1280.57	4	2016
163.21	4	C4434	CoreLogic	\$1600.76	4	2016
173	68		CoreLogic	\$2619.88	4	2016
175	19.32		CoreLogic	\$2625.79	4	2016
175	36.01		CoreLogic	\$1970.58	4	2016
191	26.02		CoreLogic	\$2588.88	4	2016
199	27.01		CoreLogic	\$1792.45	4	2016
205.02	12		CoreLogic	\$3334.15	4	2016
205.04	3		CoreLogic	\$3424.74	4	2016
205.32	13		CoreLogic	\$4136.33	4	2016

7. RESOLUTION APPOINTING TOM BELANGER TO THE RARITAN & MILLSTONE RIVERS FLOOD CONTROL COMMISSION

WHEREAS, the Township needs to appoint a representative (member) and alternates to the Raritan & Millstone Rivers Flood Control Commission; and

WHEREAS, the Township wishes to appoint Tom Belanger to the Raritan & Millstone Rivers Flood Control Commission with David Fritzingler as 1st Alternate and Anthony Ferrera as 2nd Alternate.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Tom Belanger is appointed to the Raritan & Millstone Rivers Flood Control Commission with David Fritzingler as 1st Alternate and Anthony Ferrera as 2nd Alternate.

8. RESOLUTION EXTENDING THE INITIAL PROBATIONARY PERIOD FOR MARK AMERMAN IN THE HILLSBOROUGH TOWNSHIP DEPARTMENT OF PUBLIC WORKS FOR AN ADDITIONAL 3 MONTHS

WHEREAS, Mark Amerman was hired as a full-time Public Works Worker I in the Department of Public Works on July 5, 2016; and

WHEREAS, the Director of the Department of Public Works recommends that Mr. Amerman's initial probationary period be extended for an additional 3 months.

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 Director of Public Works be and hereby is accepted and approved.

9. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO MICHAEL KELLOGG IN THE HILLSBOROUGH TOWNSHIP DEPARTMENT OF PUBLIC WORKS, EFFECTIVE JANUARY 11, 2017

WHEREAS, Michael Kellogg was hired as a full-time Public Works Worker I in the Department of Public Works on July 11, 2016; and

WHEREAS, the Director of the Department of Public Works certifies that Mr. Kellogg has performed his duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the six-month probationary period, the Director of Public Works recommends that regular employee status be conferred upon Mr. Kellogg, effective January 11, 2017.

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 Director of Public Works be and hereby is accepted and approved.

10. RESOLUTION AUTHORIZING JOHN FIEDLER, CONSTRUCTION OFFICIAL, TO CONDUCT SATURDAY BUILDING INSPECTIONS FOR THE TOWNSHIP'S BUILDING DEPARTMENT ON AN AS NEEDED BASIS EFFECTIVE JANUARY 14, 2017 THROUGH MARCH 31, 2017

WHEREAS, there exists a need for Saturday building inspections for the Township's Building Department; and

WHEREAS, the Township Administrator recommends John Fiedler, Construction Official, be authorized to conduct Saturday building inspections on an as needed basis effective January 14, 2017 to March 30, 2017 at a rate of \$30.00 per hour.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey authorizing John Fiedler, Construction Official to conduct Saturday building inspections on an as needed basis effective January 14, 2017 to March 30, 2017 at a rate of \$30.00 per hour.

11. TOWNSHIP COMMITTEE LIAISON ASSIGNMENTS

Economic & Business Development
Commission Liaison

Committeeman Burchette

Open Space Advisory Committee

Committeeman Tomson

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

CLAIMS LIST

Mayor Suraci asked to approve Claims List 2017-01.

Upon the motion of Deputy Mayor McCauley, seconded by Committeeman DelCore, Claims List 2017-01 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. *Potential Litigation:*
 - i. *Hainesport Enterprises*
 - ii. *Hillsborough Properties*
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 the motion of Committeeman Tomson, seconded by Deputy Mayor McCauley, the aforesaid resolution was unanimously approved upon call of the roll.

Upon motion by Committeeman Tomson, seconded by Committeeman DelCore, the public meeting was reopened at 9:08.

Township Labor Attorney Eric Bernstein stated that direction was given regarding the Hainesport Enterprises and no formal action is required. Township Labor Attorney Eric Bernstein stated that Dr. Glen Belnay and Nancy Costa were present for a portion of the executive session and that direction was given in regards to Hillsborough Properties.

ADJOURNMENT

Upon motion by Committeeman Tomson, seconded by Committeeman DelCore, the meeting duly adjourned at 9:09 pm. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk