

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 February 14, 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.

### **SALUTE TO THE FLAG**

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 February 14, 2017.

### **MOMENT OF SILENCE**

Mayor Suraci asked for a moment of silence in remembrance of Sonya Martin. Ms. Martin served two terms on the Hillsborough Township Committee from 1999 - 2004.

### **APPROVAL OF MINUTES**

- *Approval of the September 13, 2016 Executive Session Meeting Minutes*

Upon a motion by Committeeman Tomson, seconded by Committeeman Burchette, the minutes of the September 13, 2016 Executive Session were approved upon the call of the roll.

- *Approval of the December 13, 2016 Executive Session Meeting Minutes*

Upon a motion by Committeeman DelCore, seconded by Deputy Mayor McCauley, the minutes of the December 13, 2016 Executive Session were approved upon the call of the roll.

- *Approval of the January 24, 2017 Regular Session Meeting Minutes*

Upon a motion by Committeeman Burchette, seconded by Deputy Mayor McCauley, the minutes of the January 24, 2017 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 said the first Hillsborough Business Association Business Social will be held on April 19th at Royce Brook Golf Club. Committeeman Burchette said to stay tuned for more details and to sign up for the HBA enews at [www.hillsboroughbusiness.org](http://www.hillsboroughbusiness.org).

Committeeman Burchette stated that on February 15, 2017 there will be a NJDOT Public Information Meeting regarding the Route 206 Bypass from 4pm to 7pm in the Multi-Purpose Room to discuss the construction of the last two (2) sections of the Route 206 Bypass. Committeeman Burchette said that this is a public meeting and the residents are welcome to attend.

Committeeman Burchette added that there will also be a Public Hearing held between 4:30pm and 6pm for NJDEP Green Acres Program. Committeeman Burchette said this is being held because the NJDOT needs a small portion of land approximately 1.7 acres along the existing Route 206 in front of the Van der Veer House property which is on the Township Recreation and Open Space Inventory and it is needed by the NJDOT for the widening of Route 206. Committeeman Burchette said the NJDOT will be compensating the Township with a 13-acre parcel in consideration for the land taken. Committeeman Burchette stated that the Green Acres replacement requirements are compensation to be approximately 6 times the property being taken. Committeeman Burchette added that the 13-acre parcel is located on Township Line Road which adjoins the State owned open space. Committeeman Burchette said this hearing is also open to the public.

#### **Committeeman DelCore**

Committeeman DelCore said that he attended the reorganization meetings for the Youth Services Commission and the Historic Preservation Commission. Committeeman DelCore thanked Pastor Tim Wolf for chairing the Youth Services Commission and Greg Gillette for chairing the Historic Preservation Commission. Committeeman DelCore also thanked all the volunteers.

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

Committeeman DelCore reported that in an ongoing effort to maintain a drug-free school environment, on February 3rd a drug detection sweep was conducted at the Hillsborough High School.

Committeeman DelCore said that 50 law enforcement officers and 13 K9 units from around the state participated and an effort was made to minimize the disruption in the classrooms. Committeeman DelCore added that the students were sent into classrooms while a sweep of the lockers and parking lot were done. Committeeman DelCore said that no students were in contact with the canines as per the New Jersey School Search Police Manual. Committeeman DelCore said there was a random search of some of the vacated classrooms.

Committeeman DelCore said the result of this effort was that no illegal substances were located and that the main purpose of the sweep was as a deterrent and that no arrests were made.

Committeeman DelCore stated that Hillsborough Police Chief Darren Powell attended the Board of Education meeting last night and is here to address any further concerns of the parents and community.

Chief Powell reiterated what Committeeman DelCore said that the main purpose of the operation was for a deterrent effect and that there were no arrests made. Chief Powell stated that they had a lot of cooperation from Federal, County and State agencies to help with the sweep. Chief Powell thanked all

agencies who assisted.

Committeeman DelCore stated that effective March 1, 2017 we are no longer utilizing Nixel and will be transferring to Swiftreach 911 to provide emergency messaging notifications for the Township and he encouraged everyone to register for Swiftreach 911.

Committeeman DelCore addressed the process for the RFP as it relates to Emergency Services. Committeeman DelCore stated that currently EMS services for Hillsborough are provided by 2 entities, Hillsborough Rescue Squad which is a volunteer non-profit organization and Hillsborough Emergency Medical Services Corporation also known as HEMS Corp., which is also a non-profit but allows for paid EMT's to support the volunteer initiative. Committeeman DelCore stated that over time Hillsborough has experienced a degradation in the amount of volunteers available and that the process has migrated away from the volunteer initiative and into the paid side provided by HEMS Corp. Committeeman DelCore added that neither entities are strictly Hillsborough Township agencies or entities, they are separate legal entities outside the the Township's jurisdiction. Committeeman DelCore added that we have a very good working relationship with both entities and provide financial support. Committeeman DelCore added that the Township provides subsidies to those agencies in the amount of a little more than \$300K dollars per year, as well as vehicles used by the rescue squad and HEMS Corp. plus additional monetary contributions. Committeeman DelCore added that there is a limit, per statute as to what the Township can contribute on an annual basis. Committeeman DelCore said that the additional contribution of \$105K is split between The Hillsborough Rescue Squad and HEMS Corp.

Committeeman DelCore stated that since the Township has migrated primarily to a paid service there is some concern of the viability of services long term and that a sustainable operation is needed. Committeeman DelCore added that in 2014 the Township engaged with a premier consulting firm, Fitch & Associates, that specializes in EMS services to perform an assessment of the EMS services in Hillsborough. Committeeman DelCore said that the report addressed the current services provided, future needs based on population and community growth as well as available options going forward.

Committeeman DelCore stated that results were provided to both HEMS and The Hillsborough Rescue Squad with a request to incorporate changes to meet the guidelines provided as well as performance standards in an attempt to have the organizations become more financially self sufficient. Committeeman DelCore added that based upon those current circumstances and to ensure that there is a long term viable plan to meet the emergency services needs the Township went forward with an RFP to understand the available options for the provision of these services. Committeeman DelCore said that was conducted through the competitive bidding process under the local public contracts law. Committeeman DelCore said that bids were due last week and that one response was received. Committeeman DelCore said that the Township has 60 days to act or not act. Committeeman DelCore added that there will not be any action or decision taken tonight. Committeeman DelCore stated that the RFP response, the Fitch report and some Questions and Answers will be on the Township website by the end of the week.

**Committeeman Tomson**

Committeeman Tomson advised residents that the Annual Run Around the Park 2017 will be held on Sunday, April 23rd at the AVM park. Committeeman Tomson added that this is a fun, non-competitive, recreational fun run. Committeeman Tomson said to register by March 31st on the Recreation website to get a free t-shirt.

Committeeman Tomson added that Spring Soccer and Softball Registration is ongoing and the deadlines are both March 10.

Committeeman Tomson added that Summer Camp Registration begins on Friday, February 17th and that camps for 5 to 11-year-olds are held at Auten Road and Amsterdam Schools, camp for 12 to 14-year-olds will be held at Hillsborough Middle School and Tiny Camp for 4 and 5-year-olds will be at Hillsborough Elementary School. Committeeman Tomson said camps begin on Monday, June 26 and runs for 8 weeks through August 18.

Committeeman Tomson reminded residents that the Winter Farm Market will be held this Saturday, February 18th from 10:30 until 2:30 here in the multi-purpose room at the Municipal Complex.

Committeeman Tomson said that the Hillsborough Township Credit Card Advisory Committee is now accepting grant applications for the first round of 2017 grants. Committeeman Tomson added that applications are available on the Township website or can be picked up in the Administration Office for any Township based non-profit, senior or youth organizations to apply for up to a \$2,000 grant funded through the Hillsborough Township Credit Card Rewards Program.

Committeeman Tomson said that completed applications must be submitted by Friday, March 10, 2017 to the Administration office to be considered for eligible grant funding.

Committeeman Tomson said that residents are invited to apply for the Hillsborough Rewards Visa credit card by visiting the Affinity Federal Credit Union or online at [www.affinityfcu.com/hillsborough](http://www.affinityfcu.com/hillsborough).

**Deputy Mayor McCauley**

Deputy Mayor McCauley stated that she attended the Winterguard Festival at the High School with the Mayor and that the performance was phenomenal. Deputy Mayor McCauley added that it was creative and mesmerizing and that it was very nice to be invited to help hand out awards and she thanked Karen Johnson for the invite.

Deputy Mayor McCauley said that the American Lung Association is supporting the Lung Force Walk at Colonial Park in Somerset on May 20th, starting at 8:30 AM.

Deputy Mayor McCauley said that their website is a wealth of current information. Please visit [www.lung.org](http://www.lung.org) and help support the American Lung Association, and the walk at Colonial Park on May 20th at 8:30 AM.

**Mayor Suraci**

Mayor Suraci stated that along with Deputy Mayor McCauley, Committeeman Tomson and Committeeman Burchette he attended the Woods Road Firehouse Installation dinner last month. Mayor Suraci said that the new officers and trustees were sworn in for the year. Mayor Suraci congratulated the Woods Road Firehouse and thanked all of our volunteer fire companies for their continued service.

Mayor Suraci added that a little later on the agenda we will be recognizing them in honor of the first anniversary of the VA depot fire.

Mayor Suraci said that on February 2nd he joined Township employees for their Annual Wear Red Day - in an effort to bring awareness to the impact of heart disease for women.

Mayor Suraci stated that last Wednesday, along with Administrator Ferrera he attended the Mayors' Legislative day, which is held each year to give local leaders the opportunity to interact with individuals who are responsible for setting the agenda for Property Tax Reform, Affordable Housing, Pension and Health Benefits Reform, Transportation and Utility Issues. Mayor Suraci added that it is also a great way for local leaders to learn, first hand, about the state's legislative agenda from the Administration officials and key members of the Senate and Assembly at the start of the new legislative session.

Mayor Suraci stated that he attended a business grand opening in Hillsborough for Legend Equestrian which is a physical therapy service provider incorporating horses into their programs. Mayor Suraci said that they will be mainly focussing on children with special needs and disabled veterans.

Mayor Suraci said that this past Sunday, Hillsborough Township participated in the New Jersey Devils My Town Series at the Prudential Center. Mayor Suraci added that it was the 3rd time for Hillsborough to participate in the Devils event.

Mayor Suraci said that the Township is once again teaming up with the Hillsborough School District so Hillsborough students can participate in the Louis Bay II, Future Municipal Leaders Scholarship Competition.

Mayor Suraci said that The Louis Bay, II Future Municipal Leaders Scholarship Competition will offer up to three \$1,000 scholarships statewide. Mayor Suraci added that the deadline for applications is March 10, 2017. Mayor Suraci stated that completed applications need to be sent to Hillsborough Township Mayor Carl Suraci. Mayor Suraci said that information regarding this scholarship opportunity can be found on the Naviance Program utilized by the School District. Mayor Suraci added that information for this scholarship can be found at the Guidance Office at the High School.

Mayor Suraci said that you can stay connected with all these events and more via the Friday e-newsletter and Twitter. Mayor Suraci added that TV 29 and the Hillsborough YouTube channel showcase our meetings, Hillsborough the Good Life episodes and other information. Mayor Suraci advised residents to use SwiftReach 911 for traffic and emergency notifications.

## **PROCLAMATIONS/PRESENTATIONS/APPOINTMENTS**

### **PROCLAMATIONS / APPOINTMENTS**

- **Proclamation declaring February as American Heart Month**

***WHEREAS**, every year since 1964, the President of the United States of America has issued a proclamation designating the month of February as American Heart Month; and*

***WHEREAS**, 1 in 4 deaths are caused by Heart Disease, as a result Heart Disease is the leading cause of death in the United States, affecting both men and women of every age and race; and*

***WHEREAS**, more than 64 million Americans suffer from one or more forms of cardiovascular disease, including high blood pressure, coronary heart disease, congestive heart failure, stroke, and congenital heart defects that can lead to heart disease; and*

***WHEREAS**, only one in five heart attack victims are able to reach a hospital quickly enough to benefit from treatment as they do not recognize the signs until it is too late and about 95 percent of sudden cardiac arrest victims die before reaching the hospital; and*

***WHEREAS**, by making small changes such as developing good eating habits, being physically active, and taking advantage of preventive screenings, avoiding drugs, tobacco, and excessive use of alcohol, individuals and families can significantly reduce the onset and burden of heart disease; and*

***WHEREAS**, in the Township of Hillsborough, many Township employees wore red on Thursday, February 2nd in support of National Wear Red Day, sponsored by The American Heart Association to raise awareness of Heart Disease.*

***NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and the Township Committee of the Township of Hillsborough, in conjunction with the President of the United States of America do hereby declare February as American Heart Month.*

***BE IT FURTHER PROCLAIMED** that we, the Mayor and the Township Committee encourage all Hillsborough residents to join the fight against heart disease by wearing red and learning more about prevention, risk factors, warning signs, and lifesaving emergency response techniques.*

#### **PRESENTATIONS**

- *Certificates of Recognition for the 2017 Hillsborough Town Planner participants*
- *Certificates of Appreciation to Hillsborough Township's Dedicated Fire Companies for their Dedication and Service during the VA Depot Fire of February 2016*

#### **NEW BUSINESS**

- *None*

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

Frank Straz, 87 Valley Road, handed in a petition with comments that contained over 1000 signatures to Township Clerk, Pamela Borek to stop the RFP process and in support of keeping HEMS as the EMS provider.

Carl Cucchiara, 17 Elmendorf Circle, voiced concern over the outsourcing of the EMS services.

Committeeman DelCore clarified that HEMS is a private entity.

John Burke, 2 Sebring Round, showed support of HEMS and the EMTs.

Nelson Broaddus, 252 New Center Road, voiced concern over changing something that is not broken.

Stephanie Nejman, 745 DeCamp Drive, voiced concern over the response time and having ambulances at community events, sporting events and parades.

Committeeman DelCore suggested to read the RFP when it is out and see if concerns still remain or if issues aren't addressed.

Committeeman Tomson stated that they will look at all relevant facts and what is best for the community.

Ms. Nejman felt that the EMS should stay in town.

Susan Gulliford, Hunt Club Road, asked who submitted the proposal.

Mayor Suraci replied that it was Robert Wood Johnson.

Ms. Gulliford raised concerns over the recommendations of the Fitch report.

Committeeman DelCore replied that recommendations weren't necessarily implemented.

Ms. Gulliford asked if HEMS met the requirement of the RFP.

Mayor Suraci replied that they did not submit a proposal.

Attorney Willard said that they had the opportunity to submit a proposal and that they decided not to. Attorney Willard said that if they could not meet the requirements they could set forth alternatives.

Ms. Gulliford questioned the length of the contract.

Committeeman DelCore stated that if need be at the end of the contract period they would bid again.

Attorney Willard replied that they would be locked into a contract for 5 years.

Jane Statz, 101 Devonshire Court, questioned the budget allocation for HEMS and the percent of the budget.

Committeeman DelCore stated that the percent of the budget is small but the budget is not the only concern.

Committeeman Tomson said that legally the Township can not contribute more.

Attorney Willard stated as per the statute, the maximum that the Township can give is \$70K and an additional \$35K for extraordinary circumstances.

Ms. Statz is concerned with the connection Fitch & Associates has with Robert Wood Johnson.

Mayor Suraci stated that one employee was providing consulting services for Robert Wood Johnson.

Committeeman DelCore added that the RFP was a standard RFP for the services and that Robert Wood Johnson was the only one who responded.

Attorney Willard said that the RFP was created internally and that Fitch did not create the RFP.

Steve Pick, 3 Wakeman Circle, voiced concerns over a business that is not based in town and how it will support the community events such as High School events, youth sports and parades.

Committeeman DelCore encouraged everyone to read the RFP and that ambulance service will be at future community events at no extra cost.

Attorney Willard also stated that standby medical service is included in the RFP.

Mr. Pick questioned Robert Wood Johnson's business model being that they are doing this at no cost.

Committeeman DelCore clarified that there is no cost to the municipality but there will still be insurance billing for calls.

Attorney Willard said that Robert Wood Johnson feels this is in their best interest and that they already provide service to other towns in our area at the same cost.

Mr. Pick questioned the response time of Robert Wood Johnson's EMS Services.

Attorney Willard said that they must meet the National Average for a community of our type.

Mr. Pick asked what the primary reason was for the review and the RFP.

Attorney Willard stated that Questions and Answers, the Fitch report, the RFP and Robert Wood Johnson's bid will be online to review.

Committeeman DelCore said that a number of issues over time prompted the Township to look at how the services were provided and consulted with Fitch & Associates. Committeeman DelCore said that they reviewed the current operations and long term sustainability. Committeeman DelCore stated that the RFP was a natural flow from there.

Mr. Pick voiced concern with the future of the Volunteer Squad.



Committeeman DeICore stated that regardless of who our EMS provider is they will still need to collaborate with a volunteer service. Committeeman DeICore said we will still need a volunteer squad to supplement the paid service and to allow for training.

Administrator Ferrera added that the volunteer aspect is extremely important to the Township and that they are 100% behind the Volunteer Rescue Squad. Administrator Ferrera stated that Robert Wood Johnson currently responds 6 am - 6 pm and then the volunteer squad takes over as per the SASSA Agreement. Whoever the EMS vendor will be needs to work with the Hillsborough Volunteer Rescue Squad.

Mr. Pick asked if the community and the current organization can be a part of the process in choosing the new rescue squad.

Committeeman DeICore commented that we need to legally follow the bid process and that we can not have someone who is a competitive bidder determining the process for another bidder.

Mr. Pick stated that they were not a competitive bidder as they did not submit a bid.

Mayor Suraci stated that they chose not to participate by failing to submit a bid and wanted to clarify that they were not excluded.

Administrator Ferrera commented that as per the law we can not have residents participate in our RFP process. Administrator Ferrera added that once the contract is selected they will be working with the volunteer side and teaming efforts.

Attorney Willard said that being that the Township is paying over \$300K a year to obtain EMS service within the municipality to an organization in town that pays its members for their service, not a Township organization. Attorney Willard stated that HEMS is an entity that for a fee is providing a service. Attorney Willard noted that the government needs to go through the RFP process to obtain responses to find out what is the best alternatives are for the municipality.

Frank Straz, 87 Valley Road, questioned the independent dispatching services and why it is needed when 911 communications are made through Somerset County.

Attorney Willard responded that the RFP only asked to show how calls would be handled, not that you need your own communication system.

Mr. Straz questioned response time when you have multiple calls.

Committeeman DeICore advised residents to read the RFP and that facts are incorrect.

Mary Burke, 2 Sebring Round, questioned the amount of money allocated to the rescue squad and that they current rescue squad can not sustain for future development and is there a way to stay with what's working.

Committeeman DeICore stated that there are other alternatives that we have looked at and will continue to look at and that they will take that under consideration.

Jane Statz, 101 Devonshire Court, asked when the RFP was first available.

Committeeman DelCore replied that responses were due last week.

Ms. Statz confirmed with the Township Committee that the response will be available this week.

Judy Haas, 2 Titus Court and Hillsborough Board of Education Board member said she is speaking on behalf of herself not the Board of Education. Ms. Haas voiced concern over the rescue squad and the medical training that the volunteers receive.

Ms. Haas also voiced concern over response time being that we are farther away from Robert Wood Johnson New Brunswick. Ms. Haas questioned where the ambulances are going to be coming from.

Mayor Suraci noted that response time is covered in their response.

Ms. Haas asked the committee to reconsider the process as it is about saving lives not money.

Mayor Suraci said that it is not a cost issue but more of a sustainability issue and that the Fitch report was not critical of the people but a critique of the model of the organization.

Ms. Haas hopes that the feelings of the community will be taken into account for our EMS squad.

Mayor Suraci said that sustainability and long term stability is our main concern as the Fitch report outlined concerns.

Ms. Haas voiced her concern that a member of Fitch & Associates is the Executive Director of Robert Wood Johnson EMS and that they clearly had knowledge of Robert Wood Johnson's proposal to the Township.

Mayor Suraci stated that Fitch was recommended to us.

Deputy Mayor McCauley added that Chief David Gwin was the one who recommended Fitch Associates.

David Gwin, Chief of the Rescue Squad stated that first Jersey Professional Management was going to run the study to see if we should join SASSA and then found out that Jersey Professional Management was running SASSA. Chief Gwin stated that after that conflict of interest he gave Township Administrator Ferrera 4 names and Fitch was one of them however this was before Fitch was running Robert Wood Johnson EMS. Chief Gwin feels there is a conflict for them to come in and do the study. Chief Gwin feels that Robert Wood Johnson redefined the needs of the town based on how Robert Wood Johnson performs services.

Administrator Ferrera said that the disclaimer was in the study from the beginning and that Chief Gwin was aware. Administrator Ferrera added that the Hillsborough Rescue Squad and HEMS worked with Fitch from the beginning.

W. Brian Stack, 6 Burris Road, voiced concern over the Volunteer Rescue Squad if the bid goes to Robert Wood Johnson. Mr Stack feels that the Volunteer Rescue Squad will cease to exist and that they are just a back up to Robert Wood Johnson.

Administrator Ferrera stated that the Volunteer Rescue Squad won't be a back up, they would be the primary responder in the hours that they can cover. Administrator Ferrera is hopeful that people will continue to volunteer as they will not be a back up plan to the new company.

Mr. Stack voiced concern over the fact that only one bid was received and that going forward what happens if we are not happy with Robert Wood Johnson.

John Burke, 2 Sebring Round, asked if we met the National response times now?

Nelson Broaddus, 252 New Center Road, questioned why we only had one consultant who is also a consultant for the one bidder. Mr. Broaddus asked that if the one bidder meets the minimum requirements of the RFP, can, will or must we accept the proposal?

Attorney Willard stated that as per the RFP, all proposals can be rejected by the Township.

Mr. Broaddus asked how can we have a consultant representing both parties.

Committeeman DelCore stated that the consulting report was in 2014 and the RFP was done 2 years later.

Attorney Willard responded to Mr. Broaddus's first question about the minimum requirements. Attorney Willard stated that the Township will make the final decision to award the contract or reject all proposals if determined in the best interest of the Township.

Mayor Suraci clarified that sustainability is the main issue, not money.

Administrator Ferrera stated that about 9 people picked up the RFP and we aren't sure if the consultant is still with Fitch and advising Robert Wood Johnson today.

Attorney Willard said that Fitch was brought on to perform a study and evaluate EMS services in the municipality and it had nothing to do with Robert Wood Johnson. Attorney Willard encourages everybody to read the documents on the website and that you will find in section 2.1 of the report that it states that Robert Wood Johnson will have at least 2 ambulances in Hillsborough at any given time.

Marcos Pagan, 399 Lexington Street, asked who will be allocating resources for the ambulances and EMS personnel.

Attorney Willard replied that if the Township went with Robert Wood Johnson's proposal that Robert Wood Johnson would be committed to have at least 2 ambulances in the municipality and they will have ambulances boardering the municipality. Attorney Willard also said that they will rotate ambulances as calls come in.

Mr. Pagan asked if we would still be guaranteed 2 ambulances if there is an emergency in another town.

Attorney Willard stated that yes they will have 2 ambulances in the municipality. Attorney Willard stated that we put in the RFP to have at least one however, under response time Robert Wood Johnson stated that they would have 2 in the municipality to meet response times.

Committeeman DelCore stated that they would not be coming from the hospital.

Administrator Ferrera added that Robert Wood Johnson is currently responding in extreme emergencies via MICU.

David Gwin, Chief of The Rescue Squad said that the way the RFP was structured it appears as HEMS was excluded on the Emergency Dispatch requirements and in the owning of ambulances requirement. Chief Gwin feels that the RFP was slanted towards Robert Wood Johnson.

Attorney Willard respectfully disagreed and said he feels a response could have been submitted.

Chief Gwin also clarified that the Hillsborough Volunteer Rescue Squad and HEMS are integrated and that paid and volunteer EMT's respond.

Administrator Ferrera asked Chief Gwin how many volunteers are in the Rescue Squad now?

Chief Gwin replied that there are about 20 volunteers.

Administrator Ferrera asked why the volunteer squad will fall apart if they currently have 20 volunteers and more people are coming up through the ranks.

Chief Gwin stated that his 20 volunteers are in an integrated system with the paid EMTs.

Administrator Ferrera stated that it can be done and is currently being done in the towns that Robert Wood Johnson serves.

Chief Gwin asked what level of financial commitment will there be to support the Volunteer Squad who is a back up to Robert Wood Johnson?

Administrator Ferrera stated that the Rescue Squad has 3 new ambulances and may only need 1 rescue squad to support that model.

Chief Gwin voiced concern over the issue of Robert Wood Johnson giving up calls to a Volunteer Rescue Squad and feels that there are certain people who will volunteer no matter what but supporting the Volunteer Rescue Squad will cut into the savings.

## **PUBLIC HEARINGS**

**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"**

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 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.

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

Susan Gulliford from, Hunt Club Road questioned the “proof of solid waste collection” verbiage and wanted to know if people are allowed to share garbage collection with their neighbor or bring their garbage to a dumpster if they have access to one.

Mayor Suraci responded to the second part of Ms. Gulliford’s question in regards to bringing garbage to a dumpster. Mayor Suraci said to make sure they are not violating the terms with the haulers at the dumpster site.

Attorney Willard responded that those would not be an issue as the main reason for the ordinance is to address the pick up times. Attorney Willard added that “proof of solid waste collection” does not apply to the homeowner and only applies to the garbage companies transporting the garbage to solid waste facilities.

Committeeman Tomson said that the township is not monitoring garbage services in the town and that they are just making sure that garbage is disposed properly.

Upon motion by Committeeman Tomson, seconded by Deputy Mayor McCauley the Public Hearing was closed and Ordinance 2017-01 was adopted and unanimously approved upon call of the roll.

Committeeman Tomson asked if a problem arises, who should the residents contact.

Administrator Ferrera responded that Dr. Glen Belnay is the point of contact.

#### **INTRODUCTION OF NEW ORDINANCES**

**2017-02 AN ORDINANCE AMENDING CHAPTER 188 (LAND USE AND DEVELOPMENT) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY TO DEFINE AND REGULATE CERTAIN UTILITY FACILITIES IN THE TOWNSHIP**

**New language is underlined thus.**

**Deletions are indicated with brackets and strikethroughs [~~thus~~].**

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



**Section 1.** Amend Article I. Title; Purpose; Definitions, Section 188-3.B. by adding the following **new definitions**.

**UTILITY FACILITIES BASIC**

Basic utility facilities include power lines, water and sewer pipes, gas and telecommunication lines that provide those services directly to the end user. They are customarily found in a street, right-of-way or public easement serving adjacent properties and may include above ground structures covering 50 square feet or less such as transformers, switching boxes, and relay and booster devices. This definition does not apply to telecommunications facilities, solar energy systems or small wind energy systems, which are otherwise defined in this Chapter.

**UTILITY FACILITIES MAJOR**

Major utility facilities provide services of a regional nature such as electric, gas, telephone, water, and sewer to a customer or customers located at sites that are not on or contiguous to the site on which the facility will be located. Major utility facilities normally entail the construction of new buildings or structures such as, but not limited to, facilities for the generation and transmission of energy, electrical switching facilities, stations or substations, water and wastewater treatment plants, water tanks and towers, gas transmission pipelines and similar facilities. All associated overhead service, distribution and transmission lines are included in this definition. Major utility facilities may include repair and maintenance garages, offices, warehouses, open storage and work areas and similar commercial and industrial-oriented aspects of a utility service. This definition does not apply to telecommunications facilities, solar energy systems or small wind energy systems, which are otherwise defined in this Chapter.

**UTILITY FACILITIES MINOR**

Minor utility facilities are small-scale above ground structures that serve a local area. These facilities augment basic utility facilities and include pump stations, community wastewater treatment facilities and other such structures covering more than 50 square feet. Minor utility facilities exclude repair and maintenance garages, offices, warehouses, open storage and work areas and similar commercial and industrial-oriented aspects of a utility service. This definition does not apply to telecommunications facilities, solar energy systems or small wind energy systems, which are otherwise defined in this Chapter.

**Section 2.** Amend Article V. Districts and Standards by adding the following **new section**.

**Section 188-97.1 Utility Facilities.**

**A.** Applicability. This section applies to basic, minor, and major utility facilities as defined in §188-3.B. It does not apply to wireless telecommunications facilities as provided for in Article VIII of this chapter, or solar energy systems and small wind energy systems as provided for in §188-76. This section does not supersede any applicable design and performance standards found in §188-75, §188-94, or §188-95.

B. Locations and standards.

(1) Basic utility facilities are permitted in all zones subject to any applicable private or public easements or other contractual agreements. They are not subject to any of the bulk standards of the host zone but must be appropriately screened from residential properties whenever possible and must conform to any site plan or subdivision requirements if the utility is to be installed as part of a development application.

(2) Minor utility facilities are permitted as a conditional use in all zones in accordance with the following standards:

(a) Unless the utility is located in a public right-of-way, the following conditions shall apply:

[1] The minimum lot area shall be one acre.

[2] No structure shall be permitted within 50 feet of any property line except that in the TC zone the setback shall be 100 feet from existing Route 206 (Main Street) or Amwell Road.

[3] Total impervious coverage shall not exceed 25%.

[4] A minimum 25-foot buffer is required from any residential use with adequate landscaping, berms or fencing to conceal the utility to the extent possible.

(b) The maximum height of any structure shall be 20 feet.

(c) All mechanical equipment shall be housed in a building(s) that is designed to be visually compatible with any surrounding structures or landscapes.

(d) If the utility is located in a residential zone or the Mountain or Agricultural zones, and the standard for a principal residential use is more restrictive than the conditional standard, the more restrictive standard shall apply.

(3) Major utility facilities are permitted as a principal permitted use in a consolidated district formed by the contiguous portions of the GI General Industrial, I-2 Light Industrial, and ED Economic Development zones located north of the Norfolk Southern railroad tracks and west of US Highway Route 206 in accordance with the following standards:

(a) Minimum lot area: 10 acres.

(b) Minimum lot width: 300 feet.

(c) Minimum lot depth: 300 feet.

(d) Minimum front yard: 150 feet.

(e) Minimum side yard: 100 feet.

(f) Minimum rear yard: 100 feet.

(g) Maximum impervious coverage: 50%.

(h) Maximum building height: 60 feet.

(i) Minimum buffer to a residential use or zone: 100 feet.

(j) Minimum distance to a park or school measured from property line to property line: 1,000 feet.

(4) Major utility facilities shall also comply with all of the provisions of the GI General Industrial zone not listed in subsection B.3 above.

**Section 3.** Amend the following sections as indicated.

**§ 188-98. RA, RS, R, R1, R2, CR, AH, RCA and PD Residential Districts.**

D. Conditional uses.

~~[(2) Utility facilities required to provide the direct service of the utility to consumers, such as transformers and pumping stations, but excluding warehouses, repair and maintenance garages, offices and storage yards.~~

~~(a) Minimum lot area: two acres.~~

~~(b) Minimum lot width: 200 feet.~~

~~(c) Minimum lot depth: 200 feet.~~

~~(d) Minimum front yard: 100 feet.~~

~~(e) Minimum side yard: 50 feet.~~

~~(f) Minimum rear yard: 50 feet.~~

~~(g) Maximum building height: 20 feet.~~

~~(h) Maximum impervious surface: not to exceed the amount permitted in the Schedule of Requirements for the zone district in which the facility is located.]~~

*Renumber D(3) through D(6) as D(2) through D(5).*

**§ 188-99.1. RC Retirement Community District.**

B. Permitted principal uses in the RC-Retirement Community District.

(2) Permitted accessory structures.

~~[(b) Utility facilities, such as transformers and pumping stations, required to provide the direct service of the utility to the resident of the retirement community. Storage and maintenance facilities are to be utilized by the residents and its homeowners' association for the purpose of proper maintenance of the community.]~~

*Renumber B(2)(c) as B(2)(b).*

**§ 188-99.2. ARPDG Age Restricted Planned Development Gateway District.**

C. Permitted principal uses in the ARPDG Age Restricted Planned Development Gateway District.

(2) Permitted accessory structures.

(b) ~~[Utility facilities, such as transformers and pumping stations, required to provide the direct service of the utility to the resident of the age-restricted planned development.]~~ Storage and maintenance facilities are to be utilized by the residents and its homeowners' association for the purpose of proper maintenance of the community. Additional storage and maintenance facilities are to be utilized by the owner of the multifamily dwelling units for the purpose of proper maintenance of that portion of the community.

**§ 188-99.3. Agricultural District.**

D. Conditional uses:

~~[(3) Utility facilities required to provide direct service of the utility to the consumers, such as transformers and pumping stations, but excluding warehouses, repair and maintenance garages, offices, storage yards and similar commercial and industrial-oriented facilities.]~~

*Renumber D(4) through D(7) as D(3) through D(6).*

**§ 188-99.4. MZ Mountain Conservation District.**

D. Conditional uses shall be as follows:

~~[(1) Public utilities necessary for the service, convenience or welfare of the public, provided that an application is made by the public utility to the Planning Board for a determination that the service, convenience or welfare of the public is involved.]~~

*Renumber D(2) through D(4) as D(1) through D(3).*

**§ 188-99.7. ARW Amwell Road West District.**

C. Accessory uses.

~~[(3) Utilities which are compatibly designed and/or screened, as appropriate.]~~

*Re number C(4) through C(8) as C(3) through C(7).*

**§ 188-100. C-1 Neighborhood Shopping Center District.**

B. Permitted principal uses.

~~[(6) Utilities.]~~

*Re number B(7) through B(9) as B(6) through B(8).*

**§ 188-101. OLC Office, Light Commercial Zone.**

B. Permitted principal uses.

~~[(5) Utilities.]~~

*Re number B(6) through B(7) as B(5) through B(6).*

**§ 188-103. O-2 Office District.**

B. Permitted principal uses.

~~[(6) Utilities.]~~

*Re number B(7) through B(9) as B(6) through B(8).*

**§ 188-105. O-5 Office/Research District.**

B. Permitted principal uses.

~~[(7) Utilities.]~~

*Re number B(8) through B(10) as B(7) through B(9).*

**§ 188-106. I-1, I-2 and I-3 Light Industrial Districts.**

B. Principal permitted uses.

~~[(6) Utilities.]~~

*Re number B(7) through B(13) as B(6) through B(12).*

**§ 188-107. GI General Industrial District.**

B. Principal permitted uses.

~~[(5) Utilities.]~~

*ReNUMBER B(6) through B(14) as B(5) through B(13).*

**§ 188-107.1. LI Light Industrial District.**

B. Permitted principal uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one permitted principal use or structure on a lot, subject to compliance with §107.1B to H below.

~~[(10) Utilities which are compatibly designed and/or screened, as appropriate.]~~

*ReNUMBER B(11) through B(22) as B(10) through B(21).*

**§ 188-107.2. TECD Transitional Economic Development District.**

C. Permitted accessory uses and structures.

(5) Maintenance [~~utility~~] and storage facilities subordinate to any permitted use.

**§ 188-113. CDZ Corporate Development Zone.**

C. Conditional uses.

~~[(2) Utility facilities required to provide the direct service of the utility to consumers, such as transformers and pumping stations, but excluding warehouses, repair and maintenance garages, offices and storage yards.~~

~~(a) Minimum lot area: two acres.~~

~~(b) Minimum lot width: 200 feet.~~

~~(c) Minimum lot depth: 200 feet.~~

~~(d) Minimum front yard: 100 feet.~~

~~(e) Minimum side yard: 50 feet.~~

~~(f) Minimum rear yard: 50 feet.~~

~~(g) Maximum building height: 20 feet.~~

~~(h) Maximum impervious surface: 60%.]~~

*ReNUMBER C(3) through C(6) as C(2) through C(5).*

**§ 188-113.1. GA Gateway A District.**

B. Principal permitted uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one principal permitted use or structure on a lot subject to compliance with § 188-113.1C through H as contained below.

~~[(7) Utilities which are compatibly designed and/or screened, as appropriate.]~~

*Renumber B(8) through B(11) as B(7) through B(10).*

**§ 188-113.2. GB Gateway B District.**

B. Principal permitted uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one principal permitted use or structure on a lot subject to compliance with Subsections C through H as contained below.

~~[(11) Utilities which are compatibly designed and/or screened, as appropriate.]~~

*Renumber B(12) through B(16) as B(11) through B(15).*

**§ 188-113.3. HS Highway Service District.**

B. Permitted principal uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one permitted principal use or structure on a lot subject to compliance with Subsections C through I below.

~~[(9) Utilities which are compatibly designed and/or screened, as appropriate.]~~

*Renumber B(10) through B(18) as B(9) through B(17).*

**§ 188-113.4. GV Green Village District.**

C. Accessory uses.

~~[(5) Utilities which are compatibly designed and/or screened, as appropriate.]~~

**§ 188-113.5. TC Town Center District.**

B. Permitted principal uses. All uses shall be provided at a scale and size that is appropriate for the District. There may be more than one permitted principal use or structure on a lot subject to compliance with the applicable provisions as contained in Subsections B to H.

~~[(17) Utilities which are compatibly designed and/or screened, as appropriate, and may not be located within 100 feet of existing Route 206 (Main Street) or Amwell Road.]~~

*Renumber B(18) through B(20) as B(17) through B(19).*

**§ 188-113.6. GC Gateway C District.**

B. Principal permitted uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one principal permitted use or structure on a lot subject to compliance

with § 188-113.6C through G as contained below.

~~[(7) Utilities which are compatibly designed and/or screened, as appropriate.]~~

*Renumber B(8) through B(19) as B(7) through B(18).*

**Section 4.** Interpretation. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. 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 5.** Severability. 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 6.** Planning Board. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Hillsborough for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**Section 7.** Effective Date. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Mayor Suraci said that further consideration of this ordinance and a public hearing will take place on March 28, 2017. Mayor Suraci stated that this ordinance is meant to provide clear and concise definitions of utilities that will distinguish between minor and major installations; and, to identify which of the zones are appropriate locations for each type of utility.

Township Planner, Mr. David Maski commented that the current ordinance does not clearly define what a “utility” is and that right now utilities are permitted anywhere in the township with minimal guidelines. Mr. Maski stated that the proposed ordinance will clearly define 3 levels of utilities; basic, minor and major. Mr. Maski also said that these will be clearly defined in the ordinance as to where each type is permitted and appropriate regulations. Mr. Maski finally said that the utility requirements will be consolidated in one section of the ordinance. Mr. Maski noted that this does not include solar energy systems, small wind energy systems and telecommunications as they are covered by another section of the ordinance.

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

## CONSIDERATIONS

### 1. RESOLUTION AUTHORIZING A 12-MONTH SERVICE AGREEMENT WITH



**GOOSE RUNNERS, LLC, FOR ENVIRONMENTALLY FRIENDLY GEESE CONTROL AT AVM PARK FOR THE PERIOD MARCH 1, 2017 THROUGH FEBRUARY 28, 2018 IN AN AMOUNT NOT TO EXCEED \$14,400.00**

**WHEREAS**, the Township of Hillsborough solicited quotes for environmentally friendly geese control at AVM Park and three (3) responses were received as follows:

Goose Runners LLC	\$14,400.00
Geese Chasers LLC	\$20,748.00
Geese Management	No Quote

**WHEREAS**, Director of Parks & Recreation and the Township Qualified Purchasing Agent recommend the award of a 12 month service agreement to Goose Runners, LLC, in an amount not to exceed \$14,400.00, for environmentally friendly geese control at AVM Park for the period March 1, 2017 to February 28, 2018; 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 a 12 month service agreement be awarded to Goose Runners, LLC, in an amount not to exceed \$14,400.00, for environmentally friendly geese control at AVM Park for the period March 1, 2017 to February 28, 2018.

Mayor Suraci stated that there exists a need for geese control at AVM Park. This resolution authorizes an agreement for such a service.

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

Administrator Ferrera commented that AVM Park is our premier park in town and it's a good first step and that he is working with the Health Department, State of NJ as well as with Rutgers to curb the problem in town.

Mayor Suraci added that no harm will be done to the geese and that they are safe.

**2. RESOLUTION AWARDDING A "NON FAIR AND OPEN" PROFESSIONAL SERVICES CONTRACT TO STERLING DISANTO & ASSOCIATES FOR APPRAISAL SERVICES FOR THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH AS BLOCK 98, LOT 2, HAMILTON ROAD, HILLSBOROUGH, NJ**

**WHEREAS**, there is a need for appraisal services to estimate the market value of the property identified on the Tax Map of the Township of Hillsborough as Block 98, Lot 2, Hamilton Road, Hillsborough, New Jersey; and

**WHEREAS**, the Township Qualified Purchasing Agent recommends awarding the contract for Professional Services to Sterling DiSanto & Associates in an amount not to exceed \$7,500.00 in accordance with the proposal submitted; 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, as follows:

1. Sterling DiSanto & Associates is hereby awarded a professional services contract through the “Non Fair and Open” process, in an amount not to exceed \$7,500.00, to perform appraisal services for the property identified on the Tax Map of the Township of Hillsborough as Block 98, Lot 2, Hamilton Road, Hillsborough, New Jersey in accordance with the proposal submitted.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)a of the Local Public Contracts Law because these services will be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, the performance of which service requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instructions as distinguished from general academic instruction or apprenticeship and training.
3. The Mayor and Township Clerk are hereby authorized to execute the Township’s standard form of agreement for “Professional Services” in accordance with this resolution and the proposal submitted.
4. The Township Clerk is directed to advertise in the official newspaper of the Township a brief notice stating the nature, duration, service and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the Township Clerk in accordance with N.J.S.A. 40A:11-5(1)(a)(i).

Mayor Suraci stated that there exists a need for an appraisal to be completed on the above mentioned property. Mayor Suraci said this resolution authorizes such action.

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

#### **CONSENT AGENDA**

1. **RESOLUTION ACCEPTING THE RETIREMENT OF JOHN DEDOMENICO, TECHNICAL ASSISTANT AND AUTHORIZING JOHN FIEDLER, CONSTRUCTION OFFICIAL, TO POST FOR THE POSITION OF FULL TIME TECHNICAL ASSISTANT IN THE HILLSBOROUGH TOWNSHIP BUILDING DEPARTMENT**

**WHEREAS**, John DeDomenico is employed by the Township of Hillsborough as a Technical Assistant; and

**WHEREAS**, Mr. DeDomenico will retire from the aforementioned position, effective March 31, 2017; and

**WHEREAS**, the Construction Official requests authorization to post for the position of full time Technical Assistant.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it accepts the retirement of John DeDomenico and hereby authorizes the Construction Official to post for the position of full time Technical Assistant.

**2. RESOLUTION AUTHORIZING REDUCTION IN AMOUNT OF PERFORMANCE BOND NO. CT021635 AND THE REDUCTION OF CASH BOND FOR MAAC DEVELOPMENT GROUP FOR SHELBURNE ESTATES**

**WHEREAS**, MAAC Development Group, Inc., provided the Township with Performance Bond No. CT021635 in the current amount of \$251,559.00 and a Cash Bond in the current amount \$27,951.00 for Shelburne Estates; and

**WHEREAS**, MAAC Development Group requested a reduction in the amount of the posted Performance Bond and the reduction 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 Shelburne Estates has been made warranting a reduction in the posted Performance Bond and Cash Bond; and

**WHEREAS**, the Assistant Township Engineer recommends the Township Committee authorize a reduction in the current amount of Performance Bond No. CT021635 from \$251,559.00 to \$95,404.00 (\$156,155.00 reduction) and the reduction of the current amount of the Cash Bond from \$27,951.00 to \$10,600.00 (\$17,351.00 reduction) for MAAC Development Group, Inc., for Shelburne Estates.

**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 FROM PLANNING/BOARD OF ADJUSTMENT ESCROW TO THE TREASURER'S ACCOUNT**

**WHEREAS**, that in accordance with the following summary of accrued Planning and Zoning charges related to plan review for October, November and December 2016, a total of \$3,776.88 should be transferred from the Planning/Board of Adjustment Escrow Accounts into the Treasurer's Account as indicated; and

**WHEREAS**, that each of the project line items has been verified against the Treasurer's Office account records for the period beginning 10/01/16 and ending 12/31/16 to ensure that sufficient funds are available for these transfers for 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 \$3,776.88 is to be transferred from the Planning/Board of Adjustment Escrow Accounts into the Treasurer's Account.

<u>Application Name</u>	<u>Application #</u>	<u>Escrow Name</u>	<u>Amount</u>
Christian Community Church (So. Branch Rd)	BA-16-10	CHRISCOMPB	\$279.54
DeSanto, Mark	BA-16-03	DELSANTOPL	\$25.33
Dukes Parkway, LLC / LEVONAITIS	16-PB-10-SRV	DUKEPKY	\$247.64
Glen Gery (GG RE Co.)	15-PB-04-MR	GLENGGREPL	\$23.29
Green Village	16-PB-12-MJV	GREEN206PL	\$23.29
Krismic Assoc., Inc.	14-PB-21-MSR	KRISMICPL	\$23.29
LEVATINO, Danielle	16-PB-13-SRV	LEVATIONPL	\$372.71
MIGLIACCIO, Patrick	BA-16-08	MIGLIALLPB	\$63.32
NORZ, Norma (Giraldi)	16-PB-14-MRV	NORZNORMPB	\$245.61
NY SMSA - Verizon (Hillsborough Partridge SC)	BA-16-02	NJSMVER16PL	\$88.65
Pilgrim River, LLC	BA-16-02	PILGRIMPB	\$535.78
SALMERI, Jason & Karin	BA-16-07	SALMERIPL	\$50.66
SEN, Subrata	BA-16-04	SENPL	\$12.66
Van Cleef / HRC Assoc.	16-PB-17-SRV	VANHRCPB	\$372.72
Verizon Wireless (324 Woods Road)	BA-15-18	VERIZON5PL	\$1,001.68
Yannuzzi Group, Inc.	16-PB-11-SRV	YANNUZZIPL	\$410.71
<b>TOTAL TRANSFER</b>			<b>\$3,776.88</b>

**4. RESOLUTION RATIFYING AND CONFIRMING A CARNIVAL LICENSE APPLICATION FOR KEITH BROWN FOR AN EVENT HELD BY KBA STABLES, LLC, ON JANUARY 28, 2017**

WHEREAS, an application for a Carnival License was filed by Keith Brown for an event, held on January 28, 2017; and

WHEREAS, the submitted application is complete.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby ratifies and confirms the application for a Carnival License for Keith Brown for an event, held on January 28, 2017.

**5. RESOLUTION APPROVING THE RELEASE OF ENGINEERING INSPECTION FEES IN THE AMOUNT OF \$2,003.41 FOR SUMMIT ASSOCIATES, INC.**

WHEREAS, a request has been received from Summit Associates, Inc. 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 engineering inspection fees for Summit Associates, Inc. in the amount of \$2,003.41.

**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 Assistant Township Engineer be and hereby are accepted and approved.

**6. RESOLUTION APPOINTING INDIVIDUALS TO ONE (1) YEAR TERMS TO THE LOCAL EMERGENCY PLANNING COMMITTEE EFFECTIVE JANUARY 1, 2017 THROUGH DECEMBER 31, 2017**

**WHEREAS**, the Township Office of Emergency Management Coordinator recommends the appointment of the following individuals to one (1) year terms to the Local Emergency Planning Committee effective January 1, 2017 through December 31, 2017:

- |                                       |                     |
|---------------------------------------|---------------------|
| ● OEM Coordinator                     | John Sheridan       |
| ● Deputy Coordinator                  | Sean Carolan        |
| ● Chief of Police                     | Darren Powell       |
| ● Township Fire Official              | Christopher Weniger |
| ● Township Emergency Medical Services | Chief C. David Gwin |
| ● Fire Chief, Unit 36                 | David Foelsch       |
| ● Fire Chief, Unit 37                 | Rich Bartolucci     |
| ● Fire Chief, Unit 38                 | Mike Murphy         |
| ● Fire Chief, Unit 48                 | Kit Crisafulli      |
| ● Township Fire Commissioner          | Pat Buckley         |
| ● Township Engineer                   | Tom Belanger        |
| ● Social Services                     | Bob Wagner          |
| ● Health Department                   | Glen Belnay         |
| ● Environmental/SARA III Liaison      | Pat Caulfield       |
| ● Township Administrator              | Anthony Ferrera     |
| ● Township Clerk/PIO                  | Pamela Borek        |

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the aforementioned individuals are appointed to one (1) year terms to the Local Emergency Planning Committee effective January 1, 2017 through December 31, 2017.

**7. RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

**WHEREAS**, the Township of Hillsborough wishes to apply for funding of approximately \$60,000 for which the additional \$313,985.50 for the officer's salary and benefits will be funded through 2016 budget appropriations for an approximate project total cost of \$373,985.50 for a project under the State of New Jersey FFY2017 Safe and Secure Communities Grant Program; and

**WHEREAS**, the subaward number is P-6959-17, for the subaward period February 1, 2017 through January 31, 2018; and

**WHEREAS**, the Township Committee of Hillsborough has reviewed the application and has approved

said request; and

**WHEREAS**, the project is a joint effort between the Department of Law and Public Safety and the Township of Hillsborough, for the purpose described in the application; and

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of Hillsborough that:

1. As a matter of public policy the Township of Hillsborough wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to the Applicant as authorized by law.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, approves participation in the Safe and Secure Communities Program.

**8. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$215.00**

**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 \$215.00.

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<u>Name</u>	<u>Amount</u>	<u>Name</u>	<u>Amount</u>
Melissa Klotzbach	\$80.00	Andre Cano	\$80.00
Gina Boulos	\$55.00		

**9. RESOLUTION AUTHORIZING PATRICK GORMAN, ZONING OFFICIAL, TO PERFORM INSPECTIONS OF ILLEGAL SIGNAGE, BEYOND NORMAL BUSINESS HOURS, AT A RATE OF \$30 PER HOUR, ON AN AS NEEDED BASIS, EFFECTIVE FEBRUARY 15, 2017 THROUGH DECEMBER 31, 2017**

**WHEREAS**, there exists a need for inspections of illegal signage, beyond normal business hours, including but not limited to weekends; and

**WHEREAS**, the Township Administrator recommends Patrick Gorman, Zoning Official, be authorized to conduct said inspections effective February 15, 2017 to December 31, 2017, at the 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, authorizes Patrick Gorman, Zoning Official, to perform inspections of illegal signage, beyond normal business hours, effective February 15, 2017 to December 31, 2017, at the rate of \$30.00 per hour.

**10. RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS OF \$7,933.81 FROM THE SUBDIVISION AND SITE PLAN ENGINEERING TRUST ACCOUNTS TO THE TREASURER’S ACCOUNT**

**WHEREAS**, in accordance with the following summary of accrued Engineering charges related to various indicated projects, a total of \$7,933.81 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 23, 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 \$7,933.81 is to be transferred from the Engineering Escrow Accounts into the Treasurer’s Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Country Classics - 4A	640	-2,134.90
Country Classics – 4C	612	-91.02
Country Classics – 4D	626	-37.91
Gateway Phase 5	614	-143.44
Gateway Phase 6	620	-1,304.77
Green Village	607	-369.77
Hidden Brook Estates	603	-234.46
PLEABEAZIN	477	-91.02
RPM Dev/Westerling Place	637	-1,154.00
Senior Housing	636	-2,032.52
Grand Total		\$-7,933.81

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

**CLAIMS LIST**

Mayor Suraci asked to approve Claims List 2017-03.

Upon the motion of Deputy Mayor McCauley, seconded by Committeeman Burchette, Claims List 2017-03 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:

*Potential Litigation:*

*i. Affordable housing*

3. The Township Committee may take official action on those items discussed in Executive Session upon completion of the Executive Session.
4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This Resolution shall take effect immediately.

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

Upon motion by Committeeman Tomson, seconded by Mayor Suraci, the public meeting was reopened at 11:14.

Township Labor Attorney Eric Bernstein stated that there was a lengthy discussion regarding ongoing issues involving Affordable Housing requirements in Hillsborough. Guidance was given to various professionals regarding the Township's position and no formal action is needed at this time.

### **ADJOURNMENT**

Upon motion by Committeeman Tomson, seconded by Committeeman DelCore, the meeting duly adjourned at 11:15 pm. Said motion was carried unanimously upon voice vote.



Attested:

Pamela Borek  
Township Clerk