

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 June 13, 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 June 13, 2017.

APPROVAL OF MINUTES

- *Approval of the January 24, 2017 Executive Session Minutes*

Upon a motion by Committeeman Tomson, seconded by Committeeman Burchette, the minutes of the January 24, 2017 Executive Session were approved upon the call of the roll.

- *Approval of the February 14, 2017 Executive Session Minutes*

Upon a motion by Committeeman Burchette, seconded by Deputy Mayor McCauley, the minutes of the February 14, 2017 Executive Session were approved upon the call of the roll.

- *Approval of the May 23, 2017 Regular Session Minutes*

Upon a motion by Committeeman Tomson, seconded by Deputy Mayor McCauley, the minutes of the May 23, 2017 Regular Session were approved upon the call of the roll. Committeeman Burchette and Committeeman DelCore abstained from the vote.

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

Committeeman Burchette

Committeeman Burchette announced that last week the HBA hosted a business summit where various Department heads that impact the business community made brief presentations to the group. It was then followed by a roundtable discussion.

Committeeman Burchette reported that the Economic & Business Development Committee (EBDC) has created a survey for the business community to participate in. The survey was developed to identify the

satisfaction of the Hillsborough business community regarding various Township services and initiatives. It will be launched tomorrow via the Hillsborough Business Association e-News. To sign up for the HBA e-News, please go to hillsboroughbusiness.org.

Committeeman Burchette provided an update from the Engineering Department regarding various projects they are working on.

Committeeman DelCore

Committeeman DelCore stated the PBA participated in the Special Olympics Torch Run this past Friday, which is an event that raises funds for Special Olympics. Thank you to Officers Chris Giraldi and Sean Carolan for organizing this event and to our runners, led by Chief Darren Powell, Officers Chris Kennedy, Tom Gurba, Carly Valentino, Tom Stout, Dispatcher Kristofer Grimm and Township Clerk Pam Borek. The Torch Run was this past Friday down Route 206 from Dukes East to Shop Rite.

Committeeman DelCore advised sky lanterns have become increasingly popular as a way to celebrate. However, they pose a serious fire safety hazard and their use is prohibited by National Fire Protection Association code requirements.

Committeeman DelCore said the New Jersey Division of Fire Safety has determined that the use of these devices does not comply with the requirements in Chapter 3 of the Uniform Fire Code. They create a serious fire and safety hazard that includes the potential to cause an unintended fire either on or off the property of their intended release. Therefore lanterns or other similar airborne devices that use open flame to propel them are prohibited.

Committeeman DelCore reported on Sunday, June 4th the Township transitioned to RWJ for the BLS services. To date there have been 5 applications paid for by Hillsborough Rescue Squad members to join. 1 has withdrawn, 4 have been hired. Supervisors of RWJ toured the Township with OEM Director John Sheridan prior to the June 4th transition date to ensure RWJ was clear on all areas in town that may be unique and how to handle surplus calls. To date there have been 77 calls for basic life support services, 8 a day which is on par with calls historically. RWJ has been fully compliant with the requirements of their response time. As RWJ continues to respond to calls they build on their Dynamic Deployment System. The more calls that come through the more data that goes into the deployment system. This will further improve response times. Two vehicles are stationed in town at the East and West end of town at all times, moving within their areas. RWJ is renting some space in town from local landlords to park their vehicles. The Fire Department has assumed all extrication services and received additional training prior to the transition. Overall it has been an effective start to the process.

Committeeman Tomson

Committeeman Tomson congratulated all participants and Finderne for winning best overall in the Flagtown Fire Rescue Wetdown event..

Committeeman Tomson stated Hillsborough Township has been recognized for putting the needs of kids

and families first as part of Playful City USA program for the second year in a row. Our Recreation programs are an integral part of our community and earning this designation further exemplifies the Township's dedication to what our Parks and Recreation offers.

Committeeman Tomson reported volunteers are being sought to help at the Hillsborough Senior Center, located at 339 South Branch Road. The center needs people who are willing to greet clients, pack or serve meals and lead classes. There are many volunteer options available and for more information, contact center manager Janet Timari at (908) 369-8700

Deputy Mayor McCauley

Deputy Mayor McCauley thanked the Girl Scouts for inviting her to deliver the opening remarks at the 2017 BORO Girls Scout Awards Night .

Deputy Mayor McCauley reported the 3rd quarter tax bills will be mailed at the end of June, and will include the Shop Hillsborough credits for those residents who have taken advantage of the program. This year, 908 property owners will see credits totaling \$24,776.45 on their tax bills.

Deputy Mayor McCauley stated the Hillsborough Municipal Alliance will be hosting FREE Narcan Training on Wednesday, June 14th at 6:00pm at the Hillsborough Township Municipal Building. This training is open to anyone interested in learning about important drug trends and how to properly administer Narcan, or naloxone, which is used to reverse a heroin or opioid overdose. Participants will receive a Narcan Kit.

Please contact Minda Maggio with any questions: 908-369-4313 x7125 or mmaggio@https.us

Deputy Mayor McCauley reminded residents for the upcoming graduation / summer party season - parents who host lose the most - don't be a party to underage drinking.

Deputy Mayor McCauley stated on behalf of the Alliance - there will be a free workshop for parents and youth serving professionals on Tuesday, June 20th from 6-8 pm here at the Municipal Building - the topic is Current Trends: Opiates and Marijuana.

Committeeman Tomson and Deputy Mayor McCauley attended the Neshanic Memorial Day parade in addition to the Hillsborough Township parade. It was a very nice parade.

Mayor Suraci

The Mayor participated in the YMCA 5k Hop. It was a rainy day but there were just under 900 runners participating in a worthy cause. The Mayor thanked everyone for coming out.

The Mayor thanked Veteran Ron Newsome for leading the Memorial Day Program and to all of Hillsborough's veterans for joining and leading the parade.

Mayor Suraci stated Hillsborough Township's 2017 Independence Day Celebration and Fireworks is set for Saturday, July 1st. Festivities are set to start at 5 pm at the Auten Road Intermediate School.

This years celebration will feature:

- Fireworks
- Food Tent
- Free inflatable amusements available from 5pm to 8pm: Dunk Pit Basketball, Castle Fun Center, Family Fun Slide, Pirate Island Obstacle Course
- Free Dunk Tank
- Pay to Play Boardwalk Games
- DJ for musical entertainment from 5pm to 9pm

Mayor Suraci stated looking further ahead - mark your calendars for Hillsborough Township's Community Night at Somerset Patriots - Friday, July 7th at 7:05 pm. The Mayor will be throwing out the first pitch. Be sure to check the Friday's enews for all the details and ticket information.

PROCLAMATIONS/PRESENTATIONS/APPOINTMENTS

- **Proclamation honoring Rebecca Cordisco being named 2016-2017 Counselor of the County**

***WHEREAS**, Rebecca Cordisco has received the honor of being named the 2016-2017 Counselor for the County of Somerset County by the New Jersey School Counselors Association (NJSCA) for her dedication and service to the Hillsborough School District; and*

***WHEREAS**, Ms. Cordisco is a counselor at both Sunnymeade Elementary School and Triangle Elementary School; and*

***WHEREAS**, Ms. Cordisco has been a member of the Hillsborough School District faculty since 2014; and*

***WHEREAS**, Ms. Cordisco was selected for this honor because of her ability to deliver an effective school counseling program which focuses on academic development, career counseling, and personal/social support; and*

***WHEREAS**, Ms. Cordisco further distinguished herself by proving to be a leader of systemic change, an advocate for students, and a collaborative professional who seeks the success of the "whole" student in school and in life; and*

***WHEREAS**, Sunnymeade Elementary School and Triangle Elementary School are both proud to have Ms. Cordisco as their Counselor of the County.*

***NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and the Hillsborough Township Committee, further commend Rebecca Cordisco for being recognized as the 2016-2017 Counselor for the County of Somerset County and we thank her for all her work and dedication to the youth of Hillsborough.*

- **Proclamation declaring July as Parks and Recreation Month**

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Hillsborough Township; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, Hillsborough Township has been recognized as a Playful City USA community for the town's efforts in promoting play at parks through recreation programming and facility improvements; and

WHEREAS, Hillsborough Township is an active participant in the Mayor's Wellness Campaign; and

WHEREAS, Hillsborough Township recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, BE IT RESOLVED BY the Hillsborough Township Committee that July is recognized as Parks and Recreation Month in Hillsborough Township.

- **Proclamation celebrating the 50th Anniversary of Boy Scout Troop 1776**

WHEREAS, Boy Scout Troop 1776 was formed in April 1967 consisting of five scouts; and

WHEREAS, the Troop continues to be sponsored by the Neshanic Reformed Church and now boasts a roster of over 50 boys and 40 adult leaders; and

WHEREAS, Troop 1776 holds their weekly meetings at the Colonial-Era Neshanic Reformed Church; and

WHEREAS, the Troop's identifying number, 1776, holds special significance for them as they are regularly connected to yearly activities commemorating the country's storied history, such as marching in the Neshanic Station Memorial Day Parade; and

WHEREAS, Troop 1776 will be celebrating their 50th Anniversary weekend on June 17th and June 18th

with family-friendly activities including lashing demonstrations, family games, campfire skits, rocket launches and a flag ceremony featuring Troop Militia and Drum Corps demonstrations; and

WHEREAS, attendees will be able to participate in a group photo to commemorate the milestone.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby congratulate Boy Scout Troop 1776 on its half century of service and Anniversary Celebration.

BE IT FURTHER PROCLAIMED that we the Mayor and Hillsborough Township Committee commend and thank the many scouts and volunteers of Troop 1776 for their generous contributions of their time and talent to the community of Hillsborough Township.

- **Proclamation honoring the Hillsborough Middle School Girls Softball Team**

WHEREAS, the Hillsborough Middle School Softball Team had another very successful season due to their hard work and dedication; and

WHEREAS, the Hillsborough Middle School Softball Team consisted of Olivia Bernhard, Allison Bijas, Claire Brouillard (Captain), Jane Buelt, Katie Buelt, Alexa Chess, Claudia DeRasmo, Victoria Fantozzi, Caitlyn Kowalski, Josephine Marcinek, Julia Martinez, Diya Patel, Carly Quabeck, Katherine Rygiel (Captain), Christina Sacca, Kirstyn Schechter, Alyssa Singer, Sierra Skala (Captain), Nora Ferro (statistician), Calie Giranda (statistician); and

WHEREAS, the Hillsborough Middle School Softball Team was led by Coach Richard Rosenblum; and

WHEREAS, the Hillsborough Middle School Softball Team were the champions of the Central Jersey Junior Schools Athletic Association for the fifth straight year; and

WHEREAS, the Hillsborough Middle School Softball Team finished the season with an undefeated record of 13-0. The Hillsborough Middle School Softball Team finished with a five year record of 75 wins and 2 losses.

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

BE IT FURTHER PROCLAIMED that we, the Mayor and Hillsborough Township Committee, further commend the Hillsborough Middle School Softball Team for the honor they have brought themselves, their team, and our community through their many achievements on and off the diamond.

PRESENTATIONS

- Credit Card Grant to Hillsborough High School Band

Township Clerk Pamela Borek announced the Hillsborough High School Band was awarded a grant through the Affinity Credit Card Grant program. To date the program has given out nearly \$70,000 in grants at no cost to taxpayers. The band is purchasing a glockenspiel push cart.

- *Wildlife Commission*

Dr. Matros announced the start of the 13th year of the Wildlife Commission's Annual Program. Safety is the priority with a mandatory meeting each year. The total harvest was 139 deer this year. There was a total of 1,100 days hunted. Motor vehicle pickup of deer on the roadways has gone down. 25 deer were donated, approximately 900 pounds given to the statewide food bank. Dr. Matros asked to continue the 13 year old program. The application process should begin the first week of July.

NEW BUSINESS

- *None*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- Jane Staats, Devonshire Court. Ms. Staats asked about the ambulances that were funded by taxpayers. Township Administrator Anthony Ferrera stated right now all are in the DPW yard for evaluation of the vehicles. Ms. Staats requested a clarification on dispatch procedure. Committeeman Delcore explained when someone calls 911, it goes directly to the county and then to RWJ who then dispatches an ambulance.
- Meryl Bisberg, 4 Hickory Hill Road. Ms. Bisberg asked how OEM is interfacing with RWJ. Township Administrator Anthony Ferrera stated John Sheridan will be the liaison with RWJ. Ms. Bisberg asked about APEX and when it made it through zoning process and is it now in contract negotiations. The Mayor confirmed APEX has not made any applications to the planning board.
- Jane Staats, Devonshire Court returned. Ms. Staats asked whether the response time for RWJ is determined from the time of the 911 call. Committeeman DelCore stated it starts when the county receives the call. Ms. Staats then returned to the issue of sanctuary cities and questioned whether it has been resolved. Mayor Suraci stated no one on the Township Committee has requested this issue be added as a resolution to a meeting agenda. Mayor Suraci stated the Police Department cannot inquire into the immigration status of a resident except during the commission of a felony or a drunk driving case. Committeeman Tomson commended the Hillsborough Police Department on the great job they are doing.
- Susan Gulliford, Hunt Club Road. Ms. Gulliford wanted to make clear that an abused spouse should not be afraid to call the police because of immigration issues. Committeeman DelCore denied the premise that residents are afraid to call.

PUBLIC HEARINGS

2017-05 ORDINANCE AUTHORIZING ACCEPTANCE OF DEDICATIONS AND EASEMENTS FROM COUNTRY CLASSICS IV LIMITED LIABILITY COMPANY, FOR COUNTRY CLASSICS IN THE MILLSTONE VALLEY – 1 PHASE 4A

WHEREAS, Country Classics IV Limited Liability Company, filed Application No.: 99-PB-16-MJPV with the Township of Hillsborough Planning Board for preliminary major subdivision approval with variances for Country Classics in the Millstone Valley Phases 3 and 4 and the Board adopted a

memorializing Resolution on January 9, 2003 approving the Application; and

WHEREAS, Country Classics IV Limited Liability Company filed Application No.: 07-PB-20-MJF with the Township of Hillsborough Planning Board for final major subdivision approval for Country Classics in the Millstone Valley Phase 4A and the Board adopted a memorializing Resolution on January 17, 2008 approving the Application; and

WHEREAS, the Resolutions of Approval require Country Classics to provide the Township of Hillsborough with the following Dedications and Easements:

- Deed of Dedication for Right of Way for Murphy Drive, McBride Court, LaTourelle Drive, Gorman Court, Bath Drive, Galligen Drive and Lutes Drive through Country Classics in the Millstone Valley – 1 Phase 4A, Hillsborough, New Jersey
- Storm and Sanitary Sewer Easement for Block 205.02, Lots 18, 75 and 76
- Conservation Easement for Block 205.02, Lots 60, 61 and 62 and Block 205.25, Lots 8, 9, 10, 11, 12 and 14
- Sight Triangle Easement for Block 205.02, Lots 58, 59, 60, 68, 74, 87; Block 205.25, Lots 13 and 14; Block 205.27, Lots 9, 17 and 20; Block 205.28, Lots 1, 4, 7 and 11; Block 205.29, Lots 1, 6 and 14; and Block 205.32, Lot 27
- Storm Sewer Easement for Block 205.27, Lots 18 and 19; Block 205.29, Lots 16 and 17

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

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows: (1) the Township hereby accepts the attached Dedications and Easements; (2) the Mayor and Township Clerk are hereby authorized to execute the Dedications and Easements on behalf of the Township; (3) the Township Attorney is authorized to record the Dedications and Easements with the Somerset County Clerk; and (4) this Ordinance shall take effect upon adoption and publication according to law.

Mayor Suraci stated this ordinance has been recommended by the Planning Board and reviewed by the Township Attorney to be acceptable. Under Municipal Land Use Law acceptance of easements must be through an ordinance.

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

Upon motion by Committeeman DelCore, seconded by Deputy Mayor McCauley, the public hearing was closed and Ordinance 2017-05 was adopted and unanimously approved upon call of the role.

INTRODUCTION OF NEW ORDINANCES

None

CONSIDERATIONS

1. RESOLUTION AUTHORIZING THE HIRING OF JACK THOLE TO THE POSITION OF PART-TIME OFFICE ASSISTANT IN THE TOWNSHIP ADMINISTRATOR/CLERK'S OFFICE, AT AN HOURLY RATE OF \$10.00 PER HOUR, NOT TO EXCEED 29 HOURS PER WEEK, EFFECTIVE JUNE 14, 2017

WHEREAS, there is the need for a part-time Office Assistant in the Township Administrator/Clerk's office; and

WHEREAS, the Township Clerk recommends the hiring of Jack Thole as a part-time Office Assistant, effective June 14, 2017, at a rate of \$10.00 per hour, not to exceed 29 hours per week.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Township Clerk is hereby accepted and approved.

Mayor Suraci stated Jack Thole was an intern in the Administration Office last summer and he will join us this summer on a part time as needed basis.

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

2. RESOLUTION AUTHORIZING SPECIAL ITEM OF REVENUE AND APPROPRIATION

WHEREAS, pursuant to N.J.S.A. 40A:4-87 the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any local unit when such item shall have been made available by any public or private funding source and the amount thereof shall not have been determined at the time of the adoption of the budget and may approve the insertion of an appropriation item of an amount equal to any such special item of revenue making such item of revenue available for expenditure; and

WHEREAS, the Township has received a grant in the amount of \$90,748.30 for the year 2017 and wishes to amend its 2017 Budget to include this grant.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2017 in the amount listed and detailed below which said item is now available as revenue from:

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
CLEAN COMMUNITIES
\$90,748.30**

BE IT FURTHER RESOLVED that a like sum be appropriated under the above stated appropriation title.

Mayor Suraci stated this resolution allows for the inclusion of funds from the Clean Communities Grant to be inserted into the budget.

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

3. RESOLUTION TO RENEW TOWNSHIP LIQUOR LICENSES FOR THE 2017-2018 LICENSE TERM

WHEREAS, the Hillsborough Township Police Department has conducted an investigation of each retail licensee and club licensee to insure that criminally disqualified and other unfit persons do not acquire or hold direct interests in the retail alcoholic beverage industry; and

WHEREAS, the Township Clerk has certified that each licensee has posted the required municipal fee of \$2,500 for a Plenary License and \$188 for the Club License; and

WHEREAS, the Township Clerk has further certified that each licensee has been granted a New Jersey State Tax Clearance Certificate as required by law; and

WHEREAS, as a result of the aforementioned investigations, a report by the Hillsborough Police Department has been submitted confirming that the applicants are not subject to any of the disabilities set forth in Title 33 New Jersey Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Plenary Retail Consumption Licenses are hereby renewed to the following license holders for the year 2017-2018 effective June 14, 2017:

| <u>Name</u> | <u>License Number</u> |
|--|-----------------------|
| Wine Manor, LLC 390 Route 206 South Hillsborough, NJ 08844 t/a Wine Manor | #1810-32-002-007 |
| Apple Food Services of Hillsborough, LLC 315 Route 206, Unit 300 Hillsborough, NJ 08844 t/a Applebee's Neighborhood Grill & Bar | #1810-33-005-004 |
| Hillsborough Hospitality, Inc. 284 Route 206, South Hillsborough, NJ 08844 t/a Old Man Rafferty's Restaurant | #1810-33-008-008 |
| Hillsborough Golf Club, Inc. 146 Wertsville Road | #1810-33-009-007 |

Hillsborough, NJ 08844
t/a Hillsborough Golf Club

Woods Tavern, LLC #1810-32-010-004
419 Amwell Road
Hillsborough, NJ 08844
t/a Petrock's Bar & Grille

Hillsborough Bottle King, Inc. #1810-44-014-001
626 Route 206
Hillsborough, NJ 08844
t/a Bottle King Discount Wines and Liquors

Prime American Inns, Inc. #1810-36-016-002
118 Route 206 South
Hillsborough, NJ 08844
t/a Manhattan Drive Bar & Restaurant (Days Inn)

Royce Brook Beverage, LLC #1810-33-001-004
201 Hamilton Road
Hillsborough, NJ 08844
t/a Royce Brook Golf Club

Polish Falcons Camp, Inc. #1810-32-011-003
140 Falcon Road
P.O. Box 5956
Hillsborough, NJ 08844
t/a Polish Falcons

419 Amwell Road, LLC #1810-44-013-005
419 Amwell Road
Hillsborough, NJ 08844
t/a Petrock's Liquors

Hillsborough Wine Company, LLC #1810-44-017-002
601 US Highway 206, Suite #3
Hillsborough, NJ 08844
t/a Gary's Wine and Marketplace

C & J Operating, LLC #1810-32-003-009
311 Amwell Road
Hillsborough, NJ 08844
t/a Landing

Monmouth Park Spirits, LLC #1810-33-006-007
150 Route 206
Hillsborough, NJ 08844
t/a Favorites

Hillsborough Grill, LLC #1810-33-007-010
315 Route 206
Hillsborough, NJ 08844
t/a Big Heads Grill & Bar

JSM Investments at Hillsborough #1810-33-015-003
1260 Stelton Road
Piscataway, NJ 08854

Manville BPOE Lodge 2119 #1810-31-012-001
P.O. Box 355
Manville, NJ 08835
t/a Manville-Hillsborough BPOE Lodge 2119

Mayor Suraci noted this is the time period in which the annual liquor licenses are renewed. Those license holders as listed in the resolution have been investigated by the Police Department and have paid the requisite fees associated with the renewal.

Susan Gulliford asked for clarification that one license is not active and one is not being renewed.

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

4. RESOLUTION AWARDING CONTRACT FOR 2017 SIDEWALK AND CURBING REPLACEMENT TO A-TEAM CONCRETE, INC., IN AN AMOUNT NOT TO EXCEED \$75,000.00

WHEREAS, the Assistant Township Engineer has determined that there is a need for sidewalk and curb replacement; and

WHEREAS, sealed bids were opened and read on May 31, 2017 at 10:30 a.m., which was the time and place provided for in the Notice to Bidders entitled “2017 Sidewalk and Curbing Replacement” in accordance with the Local Public Contracts Law; and

WHEREAS, the Township received six (6) bids with the lowest bid from A-Team Concrete, Inc., from South River, New Jersey; and

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

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

WHEREAS, the Qualified Purchasing Agent has determined that the lowest responsible bidder is A-Team Concrete, Inc.; and

WHEREAS, the Assistant Township Engineer reviewed the proposals and provided the Township

Committee with a memorandum recommending the award of a contract to A-Team Concrete, Inc.; and

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

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

1. A contract be awarded to A-Team Concrete, Inc., in an amount not to exceed \$75,000 for "2017 Sidewalk and Curbing Replacement."
2. The Mayor and Township Clerk are hereby authorized to execute a contract with A-Team Concrete consistent with the terms of this resolution.
3. A notice of this action shall be printed in the official Township newspaper.

Mayor Suraci stated this resolution authorizes a contract for the continuation of sidewalk and curbing replacement.

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

5. RESOLUTION AUTHORIZING THE HIRING OF SARA MCLARNON TO THE POSITION OF PART-TIME TECHNICAL ASSISTANT IN THE TOWNSHIP BUILDING DEPARTMENT, AT AN HOURLY RATE OF \$14.50 PER HOUR, NOT TO EXCEED 29 HOURS PER WEEK, EFFECTIVE JUNE 14, 2017

WHEREAS, there is the need for a part-time Technical Assistant in the Township Building Department; and

WHEREAS, the Construction Official recommends the hiring of Sara McLarnon as a part-time Technical Assistant, effective June 14, 2017, at a rate of \$14.50 per hour, not to exceed 29 hours per week.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendation of the Construction Official is hereby accepted and approved.

Mayor Suraci stated there exists a vacancy in the position of part time technical assistant in the building department. Ms. McLarnon has been interviewed and recommended to fill said vacancy.

Township Administrator Anthony Ferrera stated Ms. McLarnon is a good fit as she already has the required credentials and schooling and welcomed her to the Township.

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

6. RESOLUTION AUTHORIZING A "NON FAIR AND OPEN" AGREEMENT WITH JENNIFER BEAHM OF LEON S. AVAKIAN, INC., FOR THE PROVISION OF AFFORDABLE HOUSING PLANNING CONSULTANT SERVICES FOR THE

TOWNSHIP OF HILLSBOROUGH IN AN AMOUNT NOT TO EXCEED \$17,500.00

WHEREAS, the Township of Hillsborough is in need of Affordable Housing Planning Consultant Services; and

WHEREAS, Jennifer Beahm currently provides these services to the Township;

WHEREAS, Jennifer Beahm is leaving her current employment at CME Associates for employment at Leon S. Avakian, Inc.; and

WHEREAS, Jennifer Beahm has submitted a Proposal and Fee Schedule to the Township to continue to serve as Affordable Housing Planning Consultant upon her transfer of employment to Leon S. Avakian, Inc.; and

WHEREAS, the Township desires to have Jennifer Beahm continue to serve as Affordable Housing Planning Consultant in accordance with the Proposal and Fee Schedule submitted for the period June 19, 2017 to December 31, 2017 in an amount not to exceed \$17,500 in order to maintain continuity; and

WHEREAS, this “Non Fair and Open” Agreement is being awarded as a professional service contract under N.J.S.A. 40A:11-5 and the amount of this Agreement is also below the bid threshold as set forth in N.J.S.A. 40A:11-3; 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. The Mayor and Township Clerk are hereby authorized to execute an Agreement with Jennifer Beahm of Leon S. Avakian, Inc., to provide Affordable Housing Planning Consultant Services for the Township of Hillsborough in accordance with the Proposal and Fee Schedule submitted and consistent with the terms of this Resolution in an amount not to exceed \$17,500.
2. This “Non Fair and Open” Agreement is being awarded as a professional service contract under N.J.S.A. 40A:11-5 and the amount of this Agreement is also below the bid threshold as set forth in N.J.S.A. 40A:11-3; and
3. The Township Clerk shall cause to be printed in the official newspaper of the Township of Hillsborough 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.

Mayor Suraci stated as a result of the Township Affordable Housing obligations, it is necessary to enlist the services of an Affordable Housing Planning Consultant.

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

CONSENT AGENDA

1. **RESOLUTION RATIFYING AND CONFIRMING THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR WOODS ROAD FIRE COMPANY FOR AN EVENT HELD ON JUNE 12, 2017**

WHEREAS, an application for a Special Permit for Social Affair has been filed by Woods Road Fire Company for an event held on June 12, 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 ratifies and confirms the application for Wood Road Fire Company for an event held on June 12, 2017.

2. RESOLUTION AUTHORIZING OFFICER MICHAEL LABOY TO ENROLL IN “INTRODUCTION TO PUBLIC ADMINISTRATION” COURSE TOWARDS HIS MASTER’S DEGREE IN LEADERSHIP AND PUBLIC ADMINISTRATION TO BE ELIGIBLE FOR TUITION REIMBURSEMENT OF SAID COURSE ONCE IT HAS BEEN SUCCESSFULLY COMPLETED, PURSUANT TO ARTICLE XVIII OF THE CURRENT PBA CONTRACT

WHEREAS, it is the policy of the Township of Hillsborough to encourage continuing education on the part of full-time employees for the purpose of enabling them to better perform in their jobs and to better prepare them in the event of an opportunity for advancement and promotion within the Township; and

WHEREAS, financial assistance for education is outlined in Article XVIII of the current PBA contract; and

WHEREAS, Officer Michael Laboy requested authorization to take “Introduction to Public Administration” course towards his Master’s Degree in Leadership and Public Administration; and

WHEREAS, Officer Laboy has requested consideration under the Township’s Educational Assistance provision upon successful completion of the aforementioned course; and

WHEREAS, the Chief of Police has requested favorable consideration of Officer Laboy’s request for financial reimbursement of seventy-five percent (75%) of the cost incurred upon successful completion of the course.

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 Chief of Police is hereby accepted and approved.

3. RESOLUTION AUTHORIZING TUITION REIMBURSEMENT TO OFFICER MICHAEL LABOY FOR COMPLETION OF “ADVANCED WRITTEN COMMUNICATION” AND “INTRODUCTION TO LEADERSHIP” OFFERED THROUGH CENTENARY UNIVERSITY’S MASTER OF ARTS IN LEADERSHIP AND PUBLIC ADMINISTRATION PROGRAM, IN THE AMOUNT OF \$2,896.55, PURSUANT TO ARTICLE XVIII OF THE CURRENT PBA CONTRACT

WHEREAS, it is the policy of the Township of Hillsborough to encourage continuing education on the part of full-time employees for the purpose of enabling them to better perform in their jobs and to better prepare them in the event of an opportunity for advancement and promotion within the Township; and

WHEREAS, financial assistance for education is outlined in Article XVIII of the current PBA contract; and

WHEREAS, Officer Laboy has successfully completed the “Advanced Written Communication” and “Introduction to Leadership” courses through Centenary University’s Master of Arts in Leadership and Public Administration program; and

WHEREAS, Officer Laboy has requested consideration under the Township’s Educational Assistance provisions.

WHEREAS, the Chief of Police has requested favorable consideration of Officer Laboy’s request for financial reimbursement of seventy-five percent (75%) of the \$3,862.07 cost incurred for a total of \$2,896.55.

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 Chief of Police is hereby accepted and approved.

4. RESOLUTION APPROVING THE REQUEST FROM MUND HILLSBOROUGH LAND, LLC FOR RELEASE OF DEVELOPMENT REVIEW ESCROW IN THE AMOUNT OF \$2,442.34

WHEREAS, a request has been received from Mund Hillsborough Land, LLC for the release of Development Review Escrow; and

WHEREAS, the Hillsborough Township Planning Director certifies that all work related to the review of the above has been completed; and

WHEREAS, the Hillsborough Township Planning Director recommends that the Township Committee take action to release the \$2,442.34 Development Review Escrow because the work has been completed.

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 Hillsborough Township Planning Director be and hereby is accepted and approved.

5. 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.

6. RESOLUTION RATIFYING AND CONFIRMING THE EXECUTION OF THE 2017 SOMERSET COUNTY MUNICIPAL YOUTH SERVICES COMMISSION ANNUAL GRANT APPLICATION

WHEREAS, the Somerset County Municipal Youth Services Commission Grant Applications were due on June 5, 2017; and

WHEREAS, it is the desire of the Township Committee of the Township of Hillsborough to endorse the submission of said grant by the Hillsborough Youth Services Commission, requesting funds for the Teen Zone to be held at the Hillsborough Family YMCA and for the IRun Program to be held at the Auten Road Intermediate School.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the execution of the 2017 Somerset County Municipal Youth Services Commission application requesting funds for the Teen Zone to be held at the Hillsborough Family YMCA and for the IRun Program to be held at the Auten Road Intermediate School are hereby ratified and confirmed.

7. RESOLUTION APPROVING THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR JOHN A. DAPKINS FOR AN EVENT TO BE HELD ON SEPTEMBER 24, 2017

WHEREAS, an application for a Special Permit for Social Affair has been filed by John A. Dapkins for an event to be held on September 24, 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 approves the application for John A. Dapkins for an event to be held on September 24, 2017.

8. RESOLUTION AUTHORIZING REDUCTION IN AMOUNT OF PERFORMANCE BOND NO. PAIFSU0713887 AND THE REDUCTION OF CASH BOND FOR COUNTRY CLASSICS PHASE 4A

WHEREAS, Country Classics IV, LLC provided the Township with Performance Bond No. PAIFSU0713887 in the current amount of \$2,476,485.00 and a Cash Bond in the current amount \$275,164.00 for Country Classics Phase 4A; and

WHEREAS, Country Classics IV, LLC 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 for Country Classics Phase 4A 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. PAIFSU0713887 from \$2,476,485.00 to \$1,520,583.00 (\$955,902.00 reduction) and the reduction of the current amount of the Cash Bond from \$275,164.00 to \$168,953.00 (\$106,211.00 reduction) for Country Classics Phase 4A.

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.

9. RESOLUTION AUTHORIZING THE REFUND OF TAX OVERPAYMENTS IN THE AMOUNT OF \$16,197.43
(total properties 9)

WHEREAS, real property taxpayers 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, \$16,197.43, properties, 9.

| Block | Lot | Name | Amount | Qtr | Year |
|--------|------------|-----------------------|----------|-----------------|------|
| 205.05 | 57 | Victor Gutierrez | 1,750.15 | 2 nd | 2017 |
| 183.04 | 10 | Heidi Castillo | 2,486.42 | 2 nd | 2017 |
| 174 | 113 | Robert & Karen Howell | 1,645.23 | 2 nd | 2017 |
| 163.05 | 1.05 C3104 | Carl Sanfilippo | 998.19 | 2 nd | 2017 |
| 151.03 | 49 | CoreLogic | 2,774.89 | 2 nd | 2017 |
| 163.22 | 6 C2723 | CoreLogic | 1,354.86 | 2 nd | 2017 |
| 178.02 | 227 | CoreLogic | 1,447.19 | 2 nd | 2017 |
| 178.02 | 37 | CoreLogic | 1,282.44 | 2 nd | 2017 |

207.07 17 CoreLogic 2,458.06 2nd 2017

10. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$580.00

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 \$580.00.

| <u>Name</u> | <u>Amount</u> | <u>Name</u> | <u>Amount</u> |
|--------------|---------------|----------------|---------------|
| Hangdong Guo | \$480.00 | Joseph Roberts | \$100.00 |

11. RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEAL CAPTIONED OM REALTY, LLC VS. HILLSBOROUGH TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NOS. 010225-2016, 006680-2016 AND 004312-2017

WHEREAS, OM Realty, LLC (“Taxpayer”), the owner of Block 182, Lot 38.01, commonly known as 349 Route 206 and consisting of a medical office building, and Block 182, Lot 38.02, commonly known as 351 Doctors Way and consisting of vacant land, on the Township Tax Assessment Maps, filed Appeals of its 2016 and 2017 tax assessments in the Tax Court of New Jersey, Docket No s. 010225-2016, 006680-2016 and 004312-2017; and

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

WHEREAS, the 2016 Complaint on Docket No. 006680-2016, in regard to Block 182, Lot 38.01, 349 Route 206, was dismissed and judgment entered dismissing the Complaint, which judgment was appealed to the Appellate Division, which denied the appeal; and

WHEREAS, acceptable settlements of the aforesaid tax appeals have been negotiated which settlement results in a reduction to the 2016 total tax assessment on Block 182, Lot 38.02, the 351 Doctors Way property from \$615,000.00 to a total tax assessment of \$345,500.00, an affirmation of the 2017 assessment; and

WHEREAS, the settlement further provides for a withdrawal of the 2016 Counterclaim and the 2017 Complaint and Counterclaim pending on Block 182, Lot 38.01, the 349 Route 206 property; and

WHEREAS, statutory interest is waived by the Taxpayer and will not be paid to the Taxpayer; and

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

WHEREAS, the Tax Assessor has also agreed to adjust pursuant to her annual maintenance reassessment program the 2018 tax assessment on the 349 Route 206 property from the current assessment of \$2,439,200 to a total tax assessment of \$1,932,300, subject to the conditions more specifically set forth in the Stipulation of Settlement, a copy of which has been reviewed by the Township Committee; and

WHEREAS, the aforesaid reductions have no general application to other properties within the Township because of the aforesaid specific fact situation; and

WHEREAS, the Township will make this settlement with OM Realty, LLC without prejudice to its dealings with any other Township taxpayer's request for tax assessment reduction; and

WHEREAS, the Township Committee has reviewed a copy of the proposed Stipulation of Settlement in this matter.

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

1. The Township Attorney is hereby authorized to execute the attached Stipulation of Settlement relative to the tax appeal of OM Realty, LLC vs. Hillsborough Township, Tax Court of New Jersey, Docket No s. 010225-2016, 006680-2016 and 004312-2017; which settlement results in a withdrawal of the 2017 tax appeal as to Block 182, Lot 38.01, a reduction of the 2016 tax assessment on the vacant land parcel located at Block 182, Lot 38.02 from a total tax assessment of \$615,000.00 to a reduced total tax assessment of \$345,500.00; which further provides that the 2017 assessment on the vacant land parcel located at Block 182, Lot 38.02 is affirmed; which further provides that the taxpayer waives interest on any refunds due to the Taxpayer so long as they are paid within 60 days of judgment to "Sitar Law Office, LLC, Attorney Trust Account"; which further provides that the Assessor will adjust the 2018 assessment on the office building located at Block 182, Lot 38.01 to \$1,932,300.00, subject to and as more specifically set forth in the Stipulation of Settlement.
2. The settlement outlined above shall be without prejudice to Hillsborough Township's dealings with any other Township taxpayers' request for tax assessment reductions.

12. RESOLUTION SUPPORTING THE PROPOSED NEW JERSEY DEPARTMENT OF TRANSPORTATION'S IMPROVEMENTS TO ROUTE 206 FROM VALLEY ROAD TO BROWN AVENUE

WHEREAS, the New Jersey Department of Transportation has requested that the Township of Hillsborough adopt a resolution in support of the proposed NJDOT improvements to Route 206 from Valley Road to Brown Avenue; and

WHEREAS, the project consists of widening the roadway from two lanes to four lanes from Valley Road to Brown Avenue; and

WHEREAS, the project also includes the relocation of two signals with jughandles and the replacement of the Norfolk Southern Railroad Bridge and two culverts.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township of Hillsborough supports the NJDOT's proposed improvements as set forth above.

13. RESOLUTION SUPPORTING THE PROPOSED NEW JERSEY DEPARTMENT OF TRANSPORTATION'S IMPROVEMENTS TO ROUTE 206 FROM DOCTORS WAY TO VALLEY ROAD

WHEREAS, the New Jersey Department of Transportation has requested that the Township of Hillsborough adopt a resolution in support of the proposed NJDOT improvements to Route 206 from Doctors Way to Valley Road; and

WHEREAS, the project consists of widening the roadway from two lanes to four lanes from Doctors Way to Valley Road and revision of three existing traffic signals and the replacement of the bridge over Royce Brook.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township of Hillsborough supports the NJDOT's proposed improvements as set forth above.

14. RESOLUTION AUTHORIZING THE INCREASE IN THE CURRENT BID THRESHOLD TO \$40,000.00 AND THE CURRENT QUOTATION THRESHOLD TO \$6,000.00 PURSUANT TO N.J.S.A. 40A:11-3A AND N.J.A.C. 5:34-5 ET SEQ.

WHEREAS, Local Finance Notice 2015-20 permitted local contracting units that have an appointed Qualified Purchasing Agent the authority to increase their bid threshold from \$36,000.00 to \$40,000.00 and their quotation threshold from \$5,400.00 to \$6,000.00; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, Nancy Costa possesses the designation of Qualified Purchasing Agent as issued by the Director of Local Government Services and was appointed as the Hillsborough Township Qualified Purchasing Agent on January 25, 2011; and

WHEREAS, the Township of Hillsborough desires to take advantage of the increased bid threshold and quotation threshold as allowed by law to achieve greater efficiency in the administration of public purchases.

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

Hillsborough, County of Somerset, State of New Jersey, that the Mayor and Township Clerk hereby authorized the increase in the current bid threshold to \$40,000.00 and the current quotation threshold to \$6,000.00 pursuant to N.J.S.A. 40A:11-3A and N.J.A.C. 5:34-5 et seq.

15. RESOLUTION APPROVING RELEASE OF DEVELOPMENT REVIEW ESCROW IN THE AMOUNT OF \$1,250.49 TO COPART OF CONNECTICUT

WHEREAS, a request has been received from Copart of Connecticut for the release of Development Review Escrow; and

WHEREAS, the Hillsborough Township Planning Director certifies all work related to the review of the above has been completed; and

WHEREAS, the Hillsborough Township Planning Director recommends the Township Committee authorize the release of the Development Review Escrow in the amount of \$1,250.49 to Copart of Connecticut.

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 Hillsborough Township Planning Director be and hereby is accepted and approved.

16. RESOLUTION AUTHORIZING RELEASE OF CASH ESCROW IN THE AMOUNT OF \$500.00 TO MOUNTAIN VIEW ASSOCIATES

WHEREAS, a Cash Escrow in the amount of \$500.00 was posted by Mountain View Associates; and

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

WHEREAS, the Assistant Township Engineer recommends the Township Committee authorize the release of the Cash Escrow in the amount of \$500.00 to Mountain View Associates.

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.

17. RESOLUTION APPROVING RELEASE OF CASH ESCROW IN THE AMOUNT OF \$11,238.75 AND ENGINEERING INSPECTION FEES IN THE AMOUNT OF \$2,123.70 FOR ROAD OPENING PERMIT NO. 2009-26 FOR COPART OF CONNECTICUT

WHEREAS, a request has been received from Copart of Connecticut for release of Cash Escrow and Engineering Inspection Fees for Road Opening Permit No. 2009-26; and

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

WHEREAS, the Assistant Township Engineer recommends the Township Committee authorize the following for Road Opening Permit No. 2009-26: (1) the release Cash Escrow in the amount of

\$11,238.75 to Copart of Connecticut; (2) the release Engineering Inspection Fees in the amount of \$104.85 to the Township for inspections performed; (3) the release of Engineering Inspection Fees in the amount of \$2,018.85 to Copart of Connecticut; and (4) request for release of inspection fees in the amount of \$5,078.59 is denied due to ongoing work.

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.

18. RESOLUTION AUTHORIZING THE PUBLIC SALE OF JUNK TITLE CERTIFICATE VEHICLES

WHEREAS, pursuant to N.J.S.A. 39:10A-1 et seq., the Township of Hillsborough Police Department obtained Junk Title Certificates for the following vehicles to be sold at public sale::

| Year | Make | Model | VIN # |
|------|----------|---------|-------------------|
| 2000 | Hyundai | Elantra | KMHJF35FXYU957267 |
| 1998 | Plymouth | Breeze | 1P3EJ46CXWN157204 |
| 1998 | Dodge | Dakota | 1B7FL26X9WS694654 |
| 2012 | Nissan | Versa | 3N1CN7AP6CL901032 |
| 2001 | Honda | Accord | 1HGCG32791A007076 |

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the above referenced Junk Title Certificate Vehicles be advertised and sold at public sale.

19. RESOLUTION AUTHORIZING THE SUBMISSION OF THE EMERGENCY MANAGEMENT ASSISTANCE – EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION

WHEREAS, it is the desire of the Township Committee of the Township of Hillsborough to endorse the submission of said grant by the Office of Emergency Management, requesting funds for various Emergency Management activities; and

WHEREAS, the Township Committee endorses the submission of said grant to the Federal Grant Program FY 2017 EMAA, FY17-EMPG-EMAA-1810 for the Township of Hillsborough for the period of July 1, 2017 through June 30, 2018 in the amount of \$10,000.00 federal award and \$10,000.00 match from Hillsborough Township for a total of \$20,000.00; and

WHEREAS, the Township of Hillsborough is authorized to accept the Grant funds for the specific purpose described in the application.

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

20. RESOLUTION APPROVING RELEASE OF DEVELOPMENT REVIEW ESCROW IN THE AMOUNT OF \$599.68 TO JASON AND KARIN SALMERI

WHEREAS, a request has been received from Jason and Karin Salmeri for the release of Development Review Escrow; and

WHEREAS, the Hillsborough Township Planning Director certifies all work related to the review of the above has been completed; and

WHEREAS, the Hillsborough Township Planning Director recommends the Township Committee authorize the release of the Development Review Escrow in the amount of \$599.68 to Jason and Karin Salmeri.

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 Hillsborough Township Planning Director be and hereby is accepted and approved.

1. The submission of the Emergency Management Assistance – Emergency Management Performance Grant application requesting funds for various Emergency Management activities is hereby authorized.
2. The Township Committee endorses the submission of said grant to the Federal Grant Program FY 2017 EMAA, FY17-EMPG-EMAA-1810 for the Township of Hillsborough for the period of July 1, 2017 through June 30, 2018, in the amount of \$10,000.00 federal award and \$10,000.00 match from Hillsborough Township for a total of \$20,000.00.

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

CLAIMS LIST

Mayor Suraci asked to approve Claims List 2017-11.

Upon the motion of Committeeman Burchette, seconded by Deputy Mayor McCauley, Claims List 2017-11 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. *Hillsborough Properties*
 - b. *Contract Negotiations:*
 - i. *Apex*
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 Tomson, seconded by Deputy Mayor McCauley, the aforesaid resolution was unanimously approved upon call of the role. The Township Committee went into Executive Session at 8:48 pm.

Township Attorney William Willard stated two items were discussed in Executive Session. First the litigation of Hillsborough Properties. There is an introduction of a new ordinance approving the form and authorizing the execution and delivery of the lease purchase agreement with Somerset County Improvement Authority related to the issuance of County guaranteed lease revenue bonds for the Hillsborough project. A public hearing will be on July 11, 2017.

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

AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY RELATING TO THE ISSUANCE OF COUNTY GUARANTEED LEASE REVENUE BONDS (TOWNSHIP OF HILLSBOROUGH PROJECT) AND ANY NOTES ISSUED IN ANTICIPATION THEREOF BY THE SOMERSET COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Somerset County Improvement Authority (the “Authority”), a public body corporate and politic constituting an instrumentality of the State of New Jersey (the “State”) established and created under the provisions of the county improvement authorities law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State and the acts amendatory thereof and supplemental thereto (the “Act”), is authorized pursuant to the terms of the Act, to provide public facilities, as such term is defined therein, within the County of Somerset, New Jersey, including financing for the acquisition of same; and

WHEREAS, the Township of Hillsborough, New Jersey (the “Township”) desires to acquire approximately 335 +/- acres of land located on certain premises designated as Block 177, Lot 23.02, Block 175, Lot 39.04 and Block 12, Lot 13 as shown on the Tax Maps of the Township and to do any necessary environmental remediation on such property (collectively, the “Project”) for municipal purposes, which acquisition is expected to occur within the next 6 months; and

WHEREAS, the Township has requested the Authority’s assistance in financing the Project as described herein; and

WHEREAS, the Project constitutes a “public facility” as such term is defined in the Act; and

WHEREAS, the Authority has agreed to finance the Project on behalf of the Township through the issuance of bonds, and any notes issued in anticipation thereof, and shall, in connection therewith, acquire the Project and simultaneously lease the Project to the Township pursuant to a lease purchase agreement; and

WHEREAS, in order to finance the Project the Authority will issue bonds, and possibly notes issued in anticipation thereof, in one or more series, including renewals, in an aggregate principal amount not to exceed \$20,000,000, to be designated as “County Guaranteed Lease Revenue Bonds, Series 20__ (Township of Hillsborough Project)” (collectively, the “Bonds”) with such further designation and in accordance with the terms of a resolution of the Authority entitled, “Resolution Authorizing the Issuance of County Guaranteed Lease Revenue Bonds (Township of Hillsborough Project) of the Somerset County Improvement Authority and Determining Other Matters Related Thereto” (together with any amendments thereof or supplements thereto in accordance with the terms thereof, the “General Bond Resolution”); and

WHEREAS, the Authority will use proceeds from the sale and issuance of the Bonds to, among other things, finance the Project, and simultaneously therewith, enter into a lease purchase agreement with the Township to be dated as of the first day of the month of issuance of the initial series of Bonds (together with any amendments thereof or supplements thereto in accordance with its terms, the “Lease Purchase Agreement”), pursuant to which the Authority will lease the Project to the Township for its use (the transactions contemplated hereinabove shall be referred to as the “Financing”); and

WHEREAS, pursuant to the Act, specifically Section 35 thereof (N.J.S.A. 40:37A-78), the Authority is authorized to enter into and perform any lease or other agreement, including the Lease Purchase Agreement, with the Township for the lease to or use by the Township of all or any part of any public facility, including the acquisition of land, on any terms and conditions which may be agreed upon by the Township and the Authority; and

WHEREAS, the Bonds shall be secured by valid and binding general obligation lease payments of the Township under the Lease Purchase Agreement, in scheduled lease payment amounts sufficient to pay in a timely manner the principal and redemption premium, if any, of and interest on the Bonds; and

WHEREAS, in order to further secure the interests of the holders of the Bonds, the County will fully, unconditionally and irrevocably guarantee the payment of the principal of and interest on the Bonds in an aggregate principal amount not to exceed \$20,000,000 in accordance with the terms of a guaranty ordinance of the County to be finally adopted by the Board of Chosen Freeholders (the “County Guaranty”) as evidenced by a guaranty agreement between the County and the Authority (the “County Guaranty Agreement”) and by a guaranty certificate (collectively, the “County Bond Guaranty”) to be executed by an authorized County representative on the face of the Bonds, all pursuant to Section 37 of the Act; and

WHEREAS, in accordance with Section 13 (“Section 13”) of the Act (N.J.S.A. 40:37A-56), prior to the issuance of the initial series of Bonds, the Authority will have made a detailed report to the Board of Chosen Freeholders, which report will include, without limitation, the General Bond Resolution, the Bonds and the Lease Purchase Agreement (collectively, the “Financing Documents”); and

WHEREAS, to the extent applicable, this ordinance is also intended to satisfy the provisions of N.J.S.A. 40A:12-1 et seq. concerning the acquisition of real property by a municipality;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS:

Section 1. The Project, as further described in the Lease Purchase Agreement (a form of which is on file in the office of the Municipal Clerk), is hereby approved and the Mayor, Administrator and the Chief Financial Officer of the Township (each, an “Authorized Officer”) are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the Township of the Lease Purchase Agreement for the Project, and to execute or acknowledge and deliver such Lease Purchase Agreement in substantially the form on file in the office of the Clerk of the Township, with such changes thereto as such Authorized Officer, after consultation with counsel to the Township, bond counsel to the Township and other professional advisors to the County and the Authority (together, the “Consultants”), deems in his or her discretion to be necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby, which execution thereof shall conclusively evidence such Authorized Officer’s approval of any changes to the form thereof, including without limitation the amendment of debt service/lease payment schedules in the Lease Purchase Agreement for the issuance of additional series of Bonds (which includes bonds and notes issued in anticipation of bonds, or to refund prior series of bonds or notes), the insertion, from time to time, of the final financing terms in the Lease Purchase Agreement that will result from the sale of the Bonds, which financing terms shall be limited only by those financing term parameters set forth in the application of the Authority filed with the Local Finance Board, in the Division of Local Government Services, Department of Community Affairs, and the parameters set forth herein. In addition, any Authorized Officer are each hereby severally authorized and directed to execute and acknowledge or deliver such other agreements, certificates or documents that may be necessary or useful and convenient in connection with the execution of the Lease Purchase Agreement and the issuance, from time to time, of the Bonds to be so executed or acknowledged by the Township (collectively, the “Project Documents”) in such form as such Authorized Officer, after consultation with the Consultants, deems in his or her discretion to be necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby, which execution thereof shall conclusively evidence such Authorized Officer’s approval thereof.

Section 2. The Clerk of the Township is hereby authorized and directed, upon the execution or acknowledgment of the documents set forth in Section 1 hereof in accordance with Section 1 hereof, to attest to each Authorized Officer's execution or acknowledgment of such documents and is hereby further authorized and directed to thereupon affix the seal of the Township to such documents.

Section 3. Upon the execution or acknowledgment and attestation of and if required, the placing of the seal on the documents set forth in Section 2 hereof as contemplated by Sections 1 and 2 hereof, each Authorized Officer is hereby authorized and directed to (i) deliver the fully executed or acknowledged, attested and sealed documents to the other parties thereto and (ii) perform such other actions as such Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 4. The Township hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the Township, the Project, the General Bond Resolution, the Bonds, the Lease Purchase Agreement and the Project Documents and the transactions contemplated thereby contained in any Preliminary Official Statements and final Official Statements to be issued by the Authority, from time to time, in connection with the marketing and sale of the Bonds. In furtherance of such authorization, the Township Committee hereby directs each Authorized Officer to take such action and execute such certificates, documents or instruments as such Authorized Officer, after consultation with the Consultants, deems in his or her sole discretion to be necessary, desirable or convenient in connection with the preparation and distribution of the Preliminary Official Statement(s) and the final Official Statement(s) to market and sell the Bonds at the most efficient economical cost to the Township.

Section 5. Each Authorized Officer is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the execution and delivery of the Lease Purchase Agreement, Project Documents, the leasing of the Project, the undertaking of the Project and all related transactions contemplated by this ordinance and by the Project Documents and necessary or desirable in connection with the issuance of the Bonds, including all determinations with respect to the refunding of Bonds and the severance or conveyance of any property from the Lease Purchase Agreement (to the extent permitted thereby).

Section 6. Each Authorized Officer is hereby authorized to enter, from time to time, into the appropriate undertakings to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of the Bonds and to amend such undertakings from time to time in connection with any change in law, or interpretation thereof, provided each such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertakings, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of all payments due under the Lease Purchase Agreement. The obligation to make such payments shall be a general obligation of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payments due under the Lease Agreement without limitation of rate or amount.

Section 8. To the extent applicable, the Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code") or the Authority, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 9. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal or unconstitutional, the remaining provisions shall continue to be in full force and effect.

Section 10. This ordinance shall take effect in accordance with applicable law; provided, that this ordinance shall not take effect before the Local Finance Board shall have issued its findings in respect of the Financing.

The second item discussed in Executive Session was contract negotiations regarding APEX. No action is being taken at this time.

Upon motion by Committeeman DelCore, seconded by Deputy Mayor McCauley, the public meeting was reopened at 10:52 pm.

ADJOURNMENT

Upon motion by Committeeman Burchette, seconded by Deputy Mayor McCauley, the meeting duly adjourned at 10:54 pm. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk